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(Part II begins on page 15173)

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Agricultural Stabilization and
Conservation Service
Atomic Energy Commission
Civil Service Commission
Consumer and Marketing Service
Federal Aviation Agency
Federal Communications Commission
Federal Home Loan Bank Board
Federal Maritime Commission
Federal Power Commission
Fish and Wildlife Service
Health, Education, and Welfare
Department
Interior Department
Interstate Commerce Commission
Land Management Bureau
National Bureau of Standards
Securities and Exchange Commission
Small Business Administration
State Department

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Department of Agriculture

Section 213.3113(a) (8) has been extended for 2 years, until December 31, 1968, to permit the temporary employment in the Department of Agriculture of not to exceed 100 Cuban refugees with college-level training appropriate to the positions in which employed. Effective upon publication in the FEDERAL REGISTER, subparagraph (8) of paragraph (a) of § 213.3113 is amended as set out below.

§ 213.3113 Department of Agriculture.

(a) General. * * *

(8) Until December 31, 1968, not to exceed 100 positions directly concerned with programs of the Department for employment of Cuban refugees possessing college-level training appropriate for such positions: *Provided*, That, employment under this authority in any individual case shall be on a temporary basis for periods not to exceed 1 year and shall not exceed 2 years without the prior approval of the Civil Service Commission.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Acting Executive Assistant to the Commissioners.

[F.R. Doc. 66-12949; Filed, Dec. 1, 1966; 8:45 a.m.]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3116 is amended to show that, under certain circumstances, one position of Medical Officer (Ophthalmology Resident) at St. Elizabeths Hospital is excepted under Schedule A. Effective on publication in the FEDERAL REGISTER, subparagraph (10) is added to paragraph (a) of § 213.3116 as set out below.

§ 213.3116 Department of Health, Education, and Welfare.

(a) St. Elizabeths Hospital. * * *

(10) One position of Medical Officer (Ophthalmology Resident) when filled by persons whose compensation is fixed under 5 U.S.C. 5351-5356. Employment under

this authority may not exceed 4 months.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Acting Executive Assistant to the Commissioners.

[F.R. Doc. 66-12950; Filed, Dec. 1, 1966; 8:45 a.m.]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that the positions of Confidential Assistant for Special Projects and Deputy Assistant Secretary for Program Analysis are excepted under Schedule C and that the positions of Deputy Assistant Secretary for Program Coordination and of his Confidential Secretary are no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, paragraph (k) of § 213.3316 is amended as set out below.

§ 213.3316 Department of Health, Education, and Welfare.

(k) Office of the Assistant Secretary for Program Coordination. * * *

(2) [Revoked]

(3) [Revoked]

(4) One Confidential Assistant for Special Projects.

(5) One Deputy Assistant Secretary for Program Analysis.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Acting Executive Assistant to the Commissioners.

[F.R. Doc. 66-12987; Filed, Dec. 1, 1966; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

National Advisory Commission on Rural Poverty

Section 213.3193 is added to show that not to exceed 25 positions on the Commission staff are excepted under Schedule A until June 30, 1968. Effective on publication in the FEDERAL REGISTER, § 213.3193 and paragraph (a) thereunder are added as set out below.

§ 213.3193 National Advisory Commission on Rural Poverty.

(a) Until June 30, 1968, not to exceed 25 positions on the Commission staff.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Acting Executive Assistant to the Commissioner.

[F.R. Doc. 66-13018; Filed, Dec. 1, 1966; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Moosehorn National Wildlife Refuge, Maine

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing, for individual wildlife refuge areas.

MAINE

MOOSEHORN NATIONAL WILDLIFE REFUGE

Sport fishing on the Moosehorn National Wildlife Refuge, Calais, Maine, is permitted on the areas designated by signs as open to fishing. These open areas, comprising 500 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Sport fishing shall be in accordance with all applicable State regulations subject to the following special condition:

(1) The use of boats without motors is permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through December 31, 1967.

EUGENE E. CRAWFORD,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

NOVEMBER 28, 1966.

[F.R. Doc. 66-12959; Filed, Dec. 1, 1966; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7758; Amdt. 512]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following low or medium frequency range procedures prescribed in § 97.11(a) to read:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELED, EFFECTIVE 24 DEC. 1966.

City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 620'; Fac. Class., SBRAZ; Ident., QG; Procedure No. 1, Amdt. 13; Eff. date, 25 Dec. 65; Sup. Amdt. No. 12; Dated, 19 June 65

2. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
QG RBN.....	DE LOM.....	Direct.....	2300	T-dn*.....	500-1	500-1	500-1
QG VOR.....	DE LOM.....	Direct.....	2300	C-dn.....	600-1	600-1	600-1½
SVM VOR.....	DE LOM.....	Direct.....	2800	S-dn-15.....	600-1	600-1	600-1
Troy Int.....	DE LOM (final).....	Direct.....	2000	A-dn.....	800-2	800-2	800-2

Radar available.

Procedure turn E side of crs, 326° Outbnd, 146° Inbnd, 2300' within 10 miles.

Minimum altitude over facility on final approach crs, 2000'.

Crs and distance, facility to airport, 146°—5.7 miles.

If visual contact not established upon descent to authorized landing minimums, or if landing not accomplished within 5.7 miles after passing DE LOM, climb to 2000' and proceed direct to QG RBN, or when directed by ATC, (1) climb to 2000' and proceed direct to QG VOR, or (2) make left-climbing turn to 2800' and proceed to Oak Int via QG VOR R 335°.

AB CARRIER NOTE: Sliding scale not authorized.

*300-1 authorized on Runway 33L only.

MSA within 25 miles of facility: 000°-090°—1800'; 090°-180°—2300'; 180°-270°—2800'; 270°-360°—2600'.

City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 620'; Fac. Class., LOM; Ident., DE; Procedure No. 1, Amdt. 9; Eff. date, 24 Dec. 66; Sup. Amdt. No. 8; Dated, 25 Dec. 65

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Little Rock VORTAC.....	LOM.....	Direct.....	1800	T-dn.....	300-1	300-1	*200-1½
Mabelvale Int.....	LOM (final).....	Direct.....	1500	C-dn.....	500-1	600-1	600-1½
Bauxite Int.....	041° bearing to LOM.....	011°—2.3 miles.....	1800	S-dn-4.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Radar available.

Procedure turn N side of crs, 221° Outbnd, 041° Inbnd, 1800' within 10 miles.

Minimum altitude over LOM Inbnd final, 1500'; over MM# Inbnd final, 900'.

Crs and distance, LOM to airport, 041°—4.6 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.6 miles after passing LOM, climb to 2000' on crs, 041° from LOM within 20 miles.

*300-1 required for takeoff Runways 17, 35, and 32.

#Descent below 900' not authorized unless MM received.

MSA within 25 miles of facility: 000°-090°—1800'; 090°-180°—3300'; 180°-270°—3300'; 270°-360°—3300'.

City, Little Rock; State, Ark.; Airport name, Adams Field; Elev., 257'; Fac. Class., LOM; Ident., LI; Procedure No. 1, Amdt. 8; Eff. date, 24 Dec. 66; Sup. Amdt. No. 7; Dated, 29 May 65

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Pebble Int.	LOM	Direct	4000	T-dn*	300-1	300-1	200-1½
Salinas VOR	LOM	Direct	3000	C-d**	900-2	900-2	900-2
Salinas VOR	Marina Int.	Direct	2000	C-n**	900-3	900-3	900-3
Marina Int.	LOM	Direct	2000	A-dn	1000-3	1000-3	1000-3
Santa Cruz Int.	LOM	Direct	2000				
Shark Int.	LOM	Direct	3000				

Procedure turn S side of crs, 276° Outbnd, 096° Inbnd, 2000' within 10 miles.
 Minimum altitude over facility on final approach crs, 1500'.
 Crs and distance, facility to airport, 096°—4.3 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing LOM (at the LMM), make immediate left-climbing turn, proceed direct to LOM climbing to 2000' in a 1-minute holding pattern, 096° Inbnd, right turns.
AIR CARRIER NOTE: Reductions in visibility by sliding scale or local conditions not authorized, except for takeoff on Runway 28.
CAUTION: High terrain SW through SE of airport. All maneuvering for circling approaches must be accomplished N of Runways 10/28.
 **1000-2 day, 1000-3 night required for 3- and 4-engine turbojet aircraft.
 *500-1 required for takeoff on Runway 6. *1000-1 required for takeoff on Runway 24.
 *700-1 required for takeoff on Runway 10 and left turn must be started within 1 mile of airport.
 %Southbound IFR departures must comply with published Monterey SID's.
 MSA within 25 miles of facility: 040°-130°—5800'; 130°-220°—5900'; 220°-310°—1500'; 310°-040°—4200'.

City, Monterey; State, Calif.; Airport name, Monterey Peninsula; Elev., 220'; Fac. Class., LOM; Ident., MR; Procedure No. 1, Amdt. 2; Eff. date, 24 Dec. 66; Sup. Amdt. No. 1; Dated, 7 Aug. 65

TCM RbN	SE LOM (final)	Via crs 026° from TCM RbN and crs 338° to LOM.	2000	T-dn*	300-1	300-1	200-1½
SEA VOR	SE LOM	Direct	2000	C-dn	500-1	500-1	500-1½
Burton VHF Int.	SE LOM	Direct	2000	S-dn-34	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
 Procedure turn E side of crs, 158° Outbnd, 338° Inbnd, 1700' within 10 miles.
 Minimum altitude over facility on final approach crs, 1600'.
 Crs and distance, facility to airport, 338°—4 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing SE LOM, climb to 2000' direct to SEA VOR, or when directed by ATC, turn left, climb to 2000' on R 227° SEA VOR within 10 miles.
CAUTION: Terrain and trees to 591' located immediately N and NE of airport.
 %Takeoff all runways: Climb on the SEA VOR R 265° within 10 miles to cross SEA VOR at or above: Northeastbound V2N, 4300'; eastbound V2, 2000'; southeastbound V2S4, 4000'; southbound V4S, 4000'.
 MSA within 25 miles of facility: 000°-090°—6200'; 090°-180°—7100'; 180°-360°—2800'.

City, Seattle; State, Wash.; Airport name, Seattle-Tacoma International; Elev., 428'; Fac. Class., LOM; Ident., SE; Procedure No. 1, Amdt. 26; Eff. date, 24 Dec. 66; Sup. Amdt. No. 26; Dated, 5 June 65

SEA VOR	SZ LOM	Direct	2000	T-dn*	300-1	300-1	200-1½
PAE VOR	SZ LOM	Direct	2000	C-dn	500-1	500-1	500-1½
Burton Int.	SZ LOM	Direct	2000	A-dn	800-2	800-2	800-2
Lofall Int.	SZ LOM	Direct	2000				

Radar available.
 Procedure turn W side of crs, 338° Outbnd, 158° Inbnd, 2000' within 10 miles.
 Minimum altitude over facility on final approach crs, 1800'.
 Crs and distance, facility to airport, 158°—4.2 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing SZ LOM, climb to 2000' direct to SE LOM, or when directed by ATC, turn right, climb to 2000' on R 227° SEA VOR within 10 miles.
CAUTION: Terrain and trees to 591' located immediately N and NE of airport.
 *Distance indicated is to the displaced threshold.
 %Takeoff all runways: Climb on SEA VOR R 265° within 10 miles to cross SEA VOR at or above: Northeastbound V2N 4300'; eastbound V2 2000'; southeastbound V2S/V4 4000'; southbound V4S 4000'.
 MSA within 25 miles of facility: 000°-090°—6200'; 090°-180°—5400'; 180°-360°—4500'.

City, Seattle; State, Wash.; Airport name, Seattle-Tacoma International; Elev., 428'; Fac. Class., LOM; Ident., SZ; Procedure No. 2, Amdt. 5; Eff. date, 24 Dec. 66; Sup. Amdt. No. 4; Dated, 5 June 65

AUG VOR	AVI RbN	Direct	2000	T-dn	300-1	300-1	NA
				C-dn	500-1	500-1	NA
				S-dn			
				A-dn	NA	NA	NA

Procedure turn E side of crs, 229° Outbnd, 049° Inbnd, 2000' within 10 miles.
 Minimum altitude over facility on final approach crs, 1100'.
 Crs and distance, facility to airport, 049°—1.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.6 miles after passing AVI RbN, climb on 049° magnetic bearing to 2000', then left turn direct AVI RbN. Hold NE of AVI RbN, 229° Inbnd, 1-minute right turns.
NOTES: (1) State-owned facility must be monitored aurally during approach. (2) Use Augusta altimeter setting. (3) Approach from a holding pattern not authorized.
 Procedure turn required.
 MSA within 25 miles of facility: 000°-270°—2500'; 270°-360°—3500'.

City, Waterville; State, Maine; Airport name, Robert LaFleur; Elev., 332'; Fac. Class., MHW; Ident., AVI; Procedure No. 1, Amdt. 5; Eff. date, 24 Dec. 66; Sup. Amdt. No. 4; Dated, 8 Dec. 66

3. By amending the following very high frequency omrange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn@.....	300-1	300-1	300-1
				C-dn.....	800-1	800-1	800-1½
				A-dn.....	NA	NA	NA

Procedure turn W side of crs, 200° Outbnd, 620° Inbnd, 8000' within 10 miles.
 Minimum altitude over facility on final approach crs, 6000'.
 Crs and distance, facility to airport, 031°—2.1 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 miles after passing BAM VOR, turn left immediately and climb to 9000' on R 200° within 15 miles.
 CAUTION: Use Elko, Nev., altimeter setting.
 %Takeoff all runways. Climb southwestbound on the BAM VOR R 200° to 8000', recross the VOR at 9000' or above. Procedure turn authorized W of crs after reaching 8000'.
 MSA within 25 miles of facility: 000°-090°—8400'; 090°-180°—10,700'; 180°-270°—10,800'; 270°-360°—9600'.
 City, Battle Mountain; State, Nev.; Airport name, Lander County; Elev., 4532'; Fac. Class., H-BVORTAC; Ident., BAM; Procedure No. 1, Amdt. 5; Eff. date, 24 Dec. 66; Sup. Amdt. No. 4; Dated, 3 July 65

Windsor RBN.....	Windsor VOR.....	Direct.....	2000	T-dn@.....	500-1	500-1	500-1
				C-d.....	1000-1	1000-1	1000-1½
				C-n.....	1000-2	1000-2	1000-2
				A-dn.....	1000-2	1000-2	1000-2
				Minimums with VOR/ADF receivers:			
				C-dn.....	600-1	600-1	600-1½

Radar available.
 Procedure turn E side of crs, 143° Outbnd, 323° Inbnd, 2000' within 10 miles.
 Minimum altitude over QG VOR on final approach, 2000'.
 Crs and distance, QG VOR to airport, 323°—12.3 miles; Island Int to airport, 323°—4.2 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 12.3 miles after passing QG VOR, climb to 3800' on QG VOR R 323° and proceed to Oak Int, or when directed by ATC, (1) make right-climbing turn to 2000' and return to Windsor VOR, or (2) make right-climbing turn to 3000' and proceed direct to QG RBN.
 @300-1 authorized Runway 33L.
 MSA within 25 miles of facility: 000°-090°—1900'; 090°-180°—1800'; 180°-270°—2400'; 270°-360°—2800'.
 City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 626'; Fac. Class., BVO R; Ident., QG; Procedure No. 1, Amdt. 4; Eff. date, 24 Dec. 66; Sup. Amdt. No. 3; Dated, 25 Dec. 65

Troy Int.....	Oak Int (final).....	Direct.....	2400	T-dn*.....	500-1	500-1	500-1
Belle Int.....	Oak Int.....	Direct.....	2800	C-dn.....	600-1	600-1	600-1½
				A-dn.....	800-2	800-2	800-2

Radar available.
 Procedure turn N side of crs, 323° Outbnd, 143° Inbnd, 2800' within 10 miles of Oak Int.
 Minimum altitude over Oak Int on final approach crs, 2400'.
 Crs and distance, Oak Int to airport, 143°—5.1 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing Oak Int, climb to 2000' and proceed direct to QG VOR, or when directed by ATC, (1) climb to 2000' and proceed direct to QG RBN, or (2) make climbing left turn to 2800' and proceed to Oak Int via QG VOR R 323.
 NOTE: Dual VOR receivers required.
 *300-1 authorized on Runway 33L only.
 MSA within 25 miles of facility: 000°-090°—1900'; 090°-180°—1800'; 180°-270°—2400'; 270°-360°—2800'.
 City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 626'; Fac. Class., BVO R; Ident., QG; Procedure No. 2, Amdt. 4; Eff. date, 24 Dec. 66; Sup. Amdt. No. 3; Dated, 25 Dec. 65

10-mile DME/Radar Flx, R 132°.....	Laredo VORTAC (final).....	Direct.....	2500	T-dn.....	300-1	300-1	300-1½
				C-d.....	700-1	700-1	700-1½
				C-n.....	700-2	700-2	700-2
				A-dn.....	NA	NA	NA

Radar available.
 Procedure turn E side of crs, 132° Outbnd, 312° Inbnd, 2500' within 10 miles.
 Minimum altitude over facility on final approach crs, 2500'.
 Crs and distance, facility to airport, 312°—9.3 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.3 miles after passing LRD VOR, climb to 2500' on LRD R 312° within 20 miles.
 CAUTION: Final approach crosses Laredo AFB where extensive jet training is being conducted. If flight clear of clouds at 2500' is possible after passing LRD VORTAC Inbnd on final approach, aircraft should maintain 2500' until NW of LRD AFB traffic pattern unless descent to a lower altitude is authorized by ATC.
 CAUTION: 1549' TV tower, 5 miles S of airport.
 MSA within 25 miles of facility: 000°-090°—2200'; 090°-180°—2300'; 180°-360°—2600'.
 City, Laredo; State, Tex.; Airport name, Laredo Municipal; Elev., 524'; Fac. Class., H-BVORTAC; Ident., LRD; Procedure No. 1, Amdt. 6; Eff. date, 24 Dec. 66; Sup Amdt. No. 6; Dated, 19 Mar. 66

4. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Albany VORTAC	SCH VOR	Direct	2500	T-dn	300-1	300-1	200-1/2
Marionville Int.	SCH VOR	Direct	3000	C-dn	500-1	500-1	500-1 1/2
				S-dn-22	500-1	500-1	500-1
				A-dn	NA	NA	NA

Radar available.
 Procedure turn E side of crs, 043° Outbnd, 223° Inbnd, 2000' within 10 miles.
 Minimum altitude over facility on final approach crs, 878'.
 Facility on airport.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, when over SCH VOR, climb to 1800' on R 223° within 8 miles, then right-climbing turn to 2000' direct SCH VOR. Hold NE of SCH VOR, 1-minute left turns, 223° Inbnd.
 NOTES: (1) Final approach from a holding pattern not authorized, procedure turn required. (2) Procedure not authorized during hours control tower not in operation. Consult appropriate publications for hours of operations. TVOR operated by ANG.
 CAUTION: 990' antenna, 5.5 miles SW of SCH VOR.
 MSA within 25 miles of facility: 000°-090°-3500'; 090°-180°-3000'; 180°-270°-3500'; 270°-360°-3500'.
 City, Schenectady; State, N. Y.; Airport name, Schenectady County; Elev., 378'; Fac. Class., TVOR; Ident., SCH; Procedure No. Ter VOR-22, Amdt. 1; Eff. date, 24 Dec. 66; Sup. Amdt. No. Orig.; Dated, 15 Oct. 66

5. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
DNV VOR	Rose Int	196°/8.5 miles	2200	T-dn	300-1	300-1	200-1/2
R 085°, DNV VOR clockwise	R 196°	Via 16-mile DME Arc.	2400	C-dn	400-1	500-1	500-1 1/2
R 210°, DNV VOR counterclockwise	R 196°	Via 16-mile DME Arc.	2400	A-dn*	NA	NA	NA
16-mile DME Fix, R 196°	8.5-mile DME Fix, R 196° (Rose Int) (final).	Direct	1700				

Procedure turn E side of crs, 196° Outbnd, 016° Inbnd, 2200' within 10 miles of Rose Int.
 Minimum altitude over Rose Int on final approach crs, 1700'.
 Crs and distance, Rose Int to airport, 016°-2.2 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 6.3-mile DME Fix, R 196°, climb to 2300' and proceed direct to VOR.
 CAUTION: 1690' tower, 3 miles SSW of airport.
 *Alternate minimums 800-2 authorized for air carrier with weather reporting service.
 MSA within 25 miles of facility: 000°-090°-2100'; 090°-180°-2200'; 180°-270°-2200'; 270°-360°-2400'.
 City, Danville; State, Ill.; Airport name, Vermilion County; Elev., 695'; Fac. Class., L-BVOR/DME; Ident., DNV; Procedure No. VOR/DME 2, Amdt. Orig.; Eff. date, 24 Dec. 66

10-mile DME Fix, R 017°	6-mile DME Fix, R 017° (final)	Direct	1600	T-dn	300-1	300-1	200-1/2
				C-dn	500-1	500-1	500-1 1/2
				S-dn-21	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
				DME minimums—DME equipment required if 3.5-mile DME Fix received on final R 017°, minimums become:			
				S-dn-21*	400-1	400-1	400-1

Radar available.
 Radar Fix may be used in lieu of DME Fix.
 Procedure turn W side of crs, 017° Outbnd, 197° Inbnd, 1800' within 15 miles.
 Minimum altitude over 6-mile DME Fix on final approach crs, 1600'.
 Crs and distance, breakpoint to approach end, Runway 21, 216°-0.7 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of HOU VOR, climb to 2500' on R 218° within 15 miles.
 CAUTION: 1549' tower, approximately 13 miles SW of HOU VOR. 1235' tower, approximately 11 miles SSE of HOU VOR. 288' building, approximately 4.2 miles N of HOU VOR.
 *400-1/2 authorized, with operative high-intensity runway lights, except for 4-engine turbojets.
 MSA within 25 miles of facility: 000°-090°-1600'; 090°-180°-2300'; 180°-270°-2600'; 270°-360°-1800'.
 City, Houston; State, Tex.; Airport name, William P. Hobby; Elev., 48'; Fac. Class., H-BVORTAC; Ident., HOU; Procedure No. VOR/DME-2, Amdt. 10; Eff. date, 24 Dec. 66; Sup. Amdt. No. 9; Dated, 2 July 66

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Webb Int.....	18-mile DME Fix, R 317°.....	Via 18-mile DME Arc.....	2500	T-dn.....	300-1	300-1	200-1/2
18-mile DME Fix, R 317°.....	13.5-mile DME Fix, R 317° (final).....	Direct.....	1500	C-dn.....	400-1	500-1	500-1 1/4
Laredo VORTAC.....	10.1-mile DME Fix, R 317°.....	Direct.....	2500	S-dn-15.....	400-1	400-1	400-1
				A-dn.....	NA	NA	NA

Radars available.
 Procedure turn E side of crs, 317° Outbnd, 137° Inbnd, 2500' within 10 miles of 10.1-mile DME Fix.
 Minimum altitude over 13.5-mile DME Fix, R 317° on final approach crs, 1500'.
 Crs and distance, 13.5-mile DME Fix, R 317° to airport, 137°—3.4 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at the 10.1-mile DME Fix, R 317°, turn left, climb to 2000' on 10.1-mile DME Arc until intercepting V-17, proceed N on V-17 within 20 miles of Laredo VORTAC.
 NOTES: (1) 10.1-mile DME Fix, R 317° located over airport. (2) VOR and DME equipment required for the execution of this approach, if radar service not available.
 (3) Radar Fixes may be used in lieu of DME Fixes.
 CAUTION: 1549' TV tower, 5 miles S of airport.
 MSA within 25 miles of facility: 000°-000°-2200'; 090°-180°-2300'; 180°-360°-2600'.

City, Laredo; State, Tex.; Airport name, Laredo Municipal; Elev., 524'; Fac. Class., H-BVORTAC; Ident., LRD; Procedure No. VOR/DME-1, Amdt. 3; Eff. date, 24 Dec. 66; Sup. Amdt. No. 2; Dated, 18 June 66

6. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Cohasset Int.....	LI LOM (final).....	Direct.....	1500	T-dn%.....	300-1	300-1	200-1/2
Boston VOR.....	LI LOM.....	Direct.....	1500	C-dn#.....	600-1	600-1	600-1 1/2
				S-dn-33**.....	200-1/2	200-1/2	200-1/2
				A-dn.....	600-2	600-2	600-2
				With glide slope inoperative:			
				S-dn-33***.....	400-1	400-1	400-1

Radars available.
 Procedure turn E side of crs, 150° Outbnd, 330° Inbnd, 1500' within 10 miles.
 Minimum altitude at glide slope interception Inbnd, 1500'.
 Altitude of glide slope and distance to approach end of runway OM, 1456'—4.4 miles; at MM, 217'—0.5 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing LI LOM, make right-climbing turn to 2000' direct Danvers Int. Hold NE of Danvers Int, 1-minute right turns, 219° Inbnd, or when directed by ATC, make right-climbing turn to 2000' direct to Skipper Int. Hold E of Skipper Int, 1-minute right turns, 279° Inbnd.
 NOTE: Glide slope unusable below 219'. Back crs unusable.
 CAUTION: 379' stack, 1 mile SW; 566' building, 1.7 miles W; 845' building and antenna, 3.1 miles W; 1349' antennae, 10.5 miles W of airport.
 %Departures from Runway 27, make left turn to heading 260° as soon as practicable after takeoff.
 #RV R 2400' authorized for Runways 4R and 33.
 *No circling W of airport authorized from centerline extended Runway 4L to centerline extended Runway 15 when ceiling is less than 800'.
 **2400' RV R. Descent below 219' not authorized unless approach lights are visible.
 ***When tower advises of known U.S. Naval surface vessels in approach area, straight-in minimums of 400-1 and glide slope inoperative minimums of 500-1 will be authorized.
 Reduction not authorized.
 **Reduction not authorized.

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Fac. Class., ILS; Ident., I-LIP; Procedure No. ILS-33, Amdt. 4; Eff. date, 24 Dec. 66; Sup. Amdt. No. 3; Dated, 22 Jan. 66

QG RBn.....	DE LOM.....	Direct.....	2300	T-dn*.....	500-1	500-1	500-1
QG VOR.....	DE LOM.....	Direct.....	2300	C-dn.....	600-1	600-1	600-1 1/2
SVM VOR.....	DE LOM.....	Direct.....	2800	S-dn-15#.....	600-1	600-1	600-1
Troy Int.....	DE LOM (final).....	100° M crs and localizer crs.	2000	A-dn.....	800-2	800-2	800-2

Radars available.
 Procedure turn E side of crs, 326° Outbnd, 146° Inbnd, 2300' within 10 miles.
 Minimum altitude over facility on final approach crs, 2000'.
 Crs and distance, facility to airport, 146°—5.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.7 miles after passing DE LOM, climb to 2000' and proceed direct to QG RBn, or when directed by ATC, (1) climb to 2000' and proceed direct to QG VOR or, (2) make left-climbing turn to 2800' and proceed to Oak Int via QG R 223°.
 NOTES: (1) No glide slope. (2) No approach lights. (3) Back crs unusable.
 *300-1 authorized on Runway 33L only.
 #Reduction not authorized.
 MSA within 25 miles of facility: 000°-090°-1500'; 090°-180°-2300'; 180°-270°-2800'; 270°-360°-2600'.

City, Detroit; State, Mich; Airport name, Detroit City; Elev., 628'; Fac. Class., ILS; Ident., I-DET; Procedure No. ILS-15, Amdt. 1; Eff. date, 24 Dec. 66; Sup. Amdt. No. Orig.; Dated, 4 Dec. 65

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ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Erie VOR.....	LOM (final).....	Direct.....	2000	T-dn#.....	300-1	300-1	200-1½
				C-dn.....	500-1	500-1	500-1½
				S-dn-6*.....	300-1½	300-1½	300-1½
				A-dn.....	600-2	600-2	600-2
				With glide slope inoperative:			
				S-dn-6#.....	400-1	400-1	400-1

Procedure turn S side of crs, 240° Outbnd, 060° Inbnd, 2300' within 10 miles.
 Minimum altitude at glide slope interception Inbnd, 2000'.
 Altitude of glide slope and distance to approach end of runway at OM, 1950' 3.9 miles; at MM, 1032'—0.5 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make right-climbing turn to 3000', intercept R 064° of Erie VOR, proceed to Hammett Int. Hold NE 1-minute right turns, 244° Inbnd, or when directed by ATC, make immediate left-climbing turn to 2300', return to ER LOM. Hold SW, 1-minute right turns, 060° Inbnd.
 AIR CARRIER NOTE: 300-1 required for takeoff on all Runways except 6-24. Sliding scale authorized Runways 6-24.
 NOTE: Back crs unusable.
 #400-¾ (RVR 4000') authorized, with operative high-intensity runway lights, except for 4-engine turbojets: 400-½ (RVR 2400') authorized, with operative ALS, except for 4 engine turbojets.
 †RVR 2400' authorized Runway 6.
 ‡RVR 2400' Descent below 1032' not authorized unless approach lights visible.

City, Erie; State, Pa.; Airport name, Port Erie; Elev., 732'; Fac. Class., ILS; Ident., I-ERI; Procedure No. ILS-6, Amdt. 6; Eff. date, 24 Dec. 66; Sup. Amdt. No. 5; Dated, 18 Dec. 65

Little Rock VORTAC.....	LOM.....	Direct.....	1800	T-dn#.....	300-1	300-1	*200-1½
Bauxite Int.....	SW crs ILS.....	011°—2.3 miles.....	1800	C-dn.....	500-1	600-1	600-1½
Mabelvale Int.....	LOM (final).....	Direct.....	1800	S-dn-4***.....	200-1½	200-1½	200-1½
				A-dn.....	600-2	600-2	600-2

Radar available.
 Procedure turn N side of SW crs, 221° Outbnd, 041° Inbnd, 1800' within 10 miles.
 Minimum altitude at glide slope interception Inbnd, 1800'.
 Altitude of glideslope and distance to approach end of runway at LOM, 1800'—4.6 miles; at MM, 500'—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000' on NE crs, ILS (041°) within 20 miles, or when directed by ATC, (1) turn right, climb to 2000' and proceed to VORTAC, or (2) turn right, climb to 2000' on R 060° within 20 miles.
 *300-1 required for takeoff Runways 17, 35, 32.
 †RVR 2400' authorized Runway 4.
 ‡500-1 (RVR 5000') required when glideslope not utilized and visibility reduction below ¾ mile (RVR 4000') not authorized.
 #RVR 2400'. Descent below 457' not authorized unless approach lights are visible.
 MSA within 25 miles of facility: 000°-090°—1800'; 090°-360°—3300'.

City, Little Rock; State, Ark.; Airport name, Adams Field; Elev., 257'; Fac. Class., ILS; Ident., I-LIT; Procedure No. ILS-4, Amdt. 10; Eff. date, 24 Dec. 66; Sup. Amdt. No. 9; Dated, 30 Oct. 65

Pebble Int.....	LOM.....	Direct.....	4000	T-dn*%.....	300-1	300-1	200-1½
Salinas VOR.....	LOM.....	Direct.....	3000	C-d**.....	700-2	700-2	700-2
Salinas VOR.....	Marina Int.....	Direct.....	2000	C-n**.....	700-3	700-3	700-3
Marina Int.....	LOM.....	Direct.....	2000	S-dn-10#.....	300-¾	300-¾	300-¾
Santa Cruz Int.....	LOM.....	Direct.....	2000	A-d.....	700-2	700-2	700-2
Shark Int.....	Seal Int.....	Direct.....	4000	A-n.....	700-3	700-3	700-3
Seal Int.....	LOM (final).....	Direct.....	1700				

Procedure turn S side of crs, 276° Outbnd, 096° Inbnd, 2000' within 10 miles.
 Minimum altitude at glide slope interception Inbnd, 1700'.
 Altitude of glide slope and distance to approach end of runway at OM, 1630'—4.3 miles; at MM, 370'—0.5 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing MM, make immediate left-climbing turn, proceed direct to LOM climbing to 2000' in a 1-minute holding pattern, 066° Inbnd, right turns.
 AIR CARRIER NOTE: Reductions in visibility by sliding scale or local conditions not authorized, except for takeoff on Runway 28.
 NOTE: Glide slope unusable below 370'.
 CAUTION: High terrain SW through SE of airport. All maneuvering for circling approaches must be accomplished N of Runways 10/28.
 **1000-2 day, 1000-3 night required for 3- and 4-engine turbojet aircraft.
 *600-1 required for takeoff on Runway 6. *1000-1 required for takeoff on Runway 24.
 †700-1 required for takeoff on Runway 10 and left turn must be started within 1 mile of airport.
 ‡Southbound IFR departures must comply with published Monterey SID's.
 #400-1 required with any component of the ILS inoperative except that 700-1½ required with glide slope inoperative.

City, Monterey; State, Calif.; Airport name, Monterey Peninsula; Elev., 220'; Fac. Class., ILS; Ident., I-MRY; Procedure No. ILS-10, Amdt. 13; Eff. date, 24 Dec. 66; Sup. Amdt. No. 12; Dated, 7 Aug. 65

PROCEDURE CANCELED, EFFECTIVE 24 DEC. 1966.
 City, Pittsburgh; State, Pa.; Airport name, Greater Pittsburgh; Elev., 1203'; Fac. Class., ILS; Ident., I-GPB; Procedure No. ILS-10R (back crs), Amdt. 6; Eff. date, 27 Mar. 65; Sup. Amdt. No. 5; Dated, 23 Jan. 65

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
SEA VOR	SZ LOM	Direct	2000	T-dn##%	300-1	300-1	200-1½
PAE VOR	SZ LOM (final)	Direct	2000	C-dn	500-1	500-1	500-1½
Burton VHF Int.	SZ LOM	Direct	2000	S-dn-16\$##	200-½	200-½	200-¾
Local VHF Int.	SZ LOM	Direct	2000	A-dn	600-2	600-2	600-2

Radar available.

Procedure turn W side of crs, 338° Outbnd, 158° Inbnd, 2000' within 10 miles.

Final approach from holding pattern at SZ LOM not authorized, procedure turn required.

Minimum altitude at glide slope interception Inbnd, 1800'.

Altitude of glide slope and distance to approach end of runway at OM, 1732'—4.2 miles; at MM, 632'—0.6 mile.*

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 1700' direct to SE LOM, or when directed by ATC,

turn right, climb to 2000' on R 227° SEA VOR within 10 miles.

CAUTION: Terrain and trees to 591' located immediately N and NE of airport.

*400-1 required when glide slope not utilized. 400-¾ authorized, with operative high-intensity runway lights, except for 4-engine turbojets. 400-½ authorized, with operative ALS, except for 4-engine turbojet.

*Distance indicated is to the displaced threshold.

#RVR 2400'. Descent below 628' not authorized unless approach lights are visible.

#RVR 2400' authorized Runway 16.

%Takeoff all runways: Climb on SEA VOR R 265° within 10 miles to cross SEA VOR at or above: Northeastbound V2N, 4300'; eastbound V2, 2000'; southeastbound V2S/V4, 4000'; southbound V4S, 4000'.

MSA within 25 miles of facility: 000°-090°—6200'; 090°-180°—5400'; 180°-360°—4500'.

City, Seattle; State, Wash.; Airport name, Seattle-Tacoma International; Elev., 428'; Fac. Class., ILS; Ident., I-SZI; Procedure No. ILS-16, Amdt. 7; Eff. date, 24 Dec. 66; Sup. Amdt. No. 6; Dated, 30 Oct. 65

TCM Rba	SE LOM (final)	Via crs 020° and S crs of SEA localizer.	2000	T-dn##%	300-1	300-1	200-1½
SEA VOR	SE LOM	Direct	2000	C-dn	500-1	500-1	500-1½
Burton VHF Int.	SE LOM	Direct	2000	S-dn-34*#	200-½	200-½	200-¾
				A-dn	600-2	600-2	600-2

Radar available.

Procedure turn E side of crs, 158° Outbnd, 338° Inbnd, 1700' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1600'.

Altitude of glide slope and distance to approach end of runway at OM, 1598'—4 miles; at MM, 560'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000' direct to SZ LOM, or when directed by ATC,

turn left, climb to 2000' on R 227° SEA VOR within 10 miles.

CAUTION: Terrain and trees to 591' located immediately N and NE of airport.

*400-1 required when glide slope not utilized. 400-¾ authorized, with operative high-intensity runway lights. Northeastbound except for 4-engine turbojets. 400-½ authorized with operative ALS, except for 4-engine turbojets.

#RVR 2400' Descent below 628' not authorized unless approach lights are visible.

#RVR 2400' authorized Runway 34.

%Takeoff all runways: Climb on SEA VOR R 265° within 10 miles to cross SEA VOR at or above: Northeastbound V2N, 4300'; eastbound V2, 2000'; southeastbound V2S/V4, 4000'; southbound V4S, 4000'.

MSA within 25 miles of facility: 000°-090°—6200'; 090°-180°—7100'; 180°-360°—2800'.

City, Seattle; State, Wash.; Airport name, Seattle-Tacoma International; Elev., 428'; Fac. Class., ILS; Ident., I-SEA; Procedure No. ILS-34, Amdt. 27; Eff. date, 24 Dec. 66; Sup. Amdt. No. 26; Dated, 5 June 65

7. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL; Ceilings are in feet above airport elevation; Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
248°	180°	0-20 miles	***2000	T-dn*%	Surveillance approach		200-1/2
180°	248°	0-15 miles	***2000	C-dn-14 L and R, 32 L and R, 27, 22,**	300-1	300-1	500-1 1/2
180°	248°	15-20 miles	***2300	C-dn-4	400-1	500-1	500-1 1/2
				S-dn-14 L and R, 32 L and R, 27, 22,**§	600-2	600-2	600-2
				S-dn-4	400-1	400-1	400-1
				A-dn	600-2	600-2	600-2
					800-2	800-2	800-2
					Precision approach		
				T-dn*%	300-1	300-1	200-1/2
				C-dn	400-1	500-1	500-1 1/2
				S-dn-14R, 27, 32L, #	200-1/2	200-1/2	200-1/2
				S-dn-22, 14L, 32R, 4,	300-3/4	300-3/4	300-3/4
				A-dn	600-2	600-2	600-2

All bearings are from radar site with sector azimuths progressing clockwise.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runway 4—Climb straight ahead to 3500' and proceed to Evanston Int via ORD VOR R 075°, or when directed by ATC, climb straight ahead to 2500' and proceed to OBK VOR via R 170°. Runway 27—Climb to 3500' on a crs of 288° and proceed to DPA VOR via R 088°, or when directed by ATC, climb to 3500' on ORD VOR R 271° and proceed to Elgin Int via ORD VOR R 271°. Runway 22—Climb to 3500' on a crs of 220° and proceed to DPA VOR via R 073°, or when directed by ATC, make left-climbing turn to 3500' and proceed to Evanston Int via ORD VOR R 075°. Runway 14R—Turn right to heading 155°, climb to 1500', then make right-climbing turn to 3500' and proceed to Elgin Int via ORD VOR R 271°. Runway 32R—Turn right to 335° heading, climb to 1500', then make right-climbing turn to 3500' and proceed to Evanston Int via ORD R 075°. Runway 32L—Turn left to 300° heading, climb to 1500', then make climbing left turn to 3500' and proceed direct to DPA VOR. Runway 14L—Turn left to heading of 120° and climb to 1500', make left-climbing turn to 3500' and proceed to Evanston Int via ORD R 075°. CAUTION: 1460' lower, 5.5 miles W; 1413' tower, 4.9 miles W. *Takeoffs on Runway 27 when weather is below 2000-3 will intercept ORD VOR R 250° and climb to 2000' before proceeding westbound. Takeoffs on Runway 32L, when weather is below 2000-3, will intercept ORD VOR R 300° and climb to 2000' before proceeding westbound. **On ASR approach to Runway 22, do not descend below 1200' until radar advises passing 3-mile Radar Fix from end of runway. ***Radar control will provide 1000' vertical clearance within a 3-mile radius of towers 1187', 15 miles NW; 1460', 5.5 miles W; 1413', 4.9 miles W; 1508', 7.2 miles SW; 1185', 4.8 miles SW; 1120', 3.5 miles SW; 1504', 14.2 miles SE; 1260', 10 miles SSW; 1080', 14.3 miles SSW; 1125', 8 miles SW; and 1549', 13.9 miles SE. #RVR 2400' Runways 14R, 32L, and 27. Descent below 867' not authorized unless approach lights are visible. % RVR 2400' authorized Runways 14R, 32L, 32R, and 27. § Runways 27, 14R, and 32L: 400-1/2 authorized with operative ALS except for 4-engine turbojets. Runways 14 R and L, 32 R and L, and 27: 400-3/4 authorized with operative HIRL except for 4-engine turbojets.

City, Chicago; State, Ill.; Airport name, Chicago-O'Hare International; Elev., 667'; Fac. Class., and Ident., O'Hare Radar; Procedure No. 1, Amdt. 13; Eff. date, 24 Dec. 66; Sup. Amdt. No. 12; Dated, 15 May 65

		Within: *		Precision approach			
000°	360°	10 miles	2500	T-dn#	300-1	300-1	200-1/2
000°	360°	20 miles	5500	C-dn	500-1	500-1	500-1 1/2
				S-dn-16 3/4 #	200-1/2	200-1/2	200-1/2
				A-dn	600-2	600-2	600-2
					Surveillance approach		
				T-dn	300-1	300-1	200-1/2
				C-dn	500-1	500-1	500-1 1/2
				S-dn-34§	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runway 34—Climb to 2000' direct to SZ LOM, or when directed by ATC, turn left, climb to 2000' on R 227° of Seattle VOR within 10 miles. Runway 2—Left turn, climb to 2000' direct to SZ LOM, or when directed by ATC, turn left, climb to 2000' on R 227° of Seattle VOR, within 10 miles. Runway 16—Climb to 2000' direct to SE LOM, or when directed by ATC, turn right, climb to 2000' on R 227° SEA VOR within 10 miles. Runway 20—Left turn, climb to 2000' direct to SE LOM, or when directed by ATC, turn right, climb to 2000' on R 227° SEA VOR within 10 miles.

CAUTION: Terrain and trees to 591' located immediately N and NE of airport. #RVR 2400'. Descent below 628' not authorized unless approach lights are visible. % RVR 2400' authorized Runways 16 and 34. § 400-1/2 authorized, with operative high-intensity runway lights, except for 4-engine turbojets. 400-1/2 authorized, with operative ALS, except for 4-engine turbojets. MSA within 25 miles of facility: 000°-180°-6200'; 180°-360°-2800'.

City, Seattle; State, Wash.; Airport name, Seattle-Tacoma International; Elev., 428'; Fac. Class. and Ident., Seattle-Tacoma Radar; Procedure No. 1, Amdt. 13; Eff. date, 24 Dec. 66; Sup. Amdt. No. 12; Dated, 30 Oct. 65

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on November 16, 1966.

W. E. ROGERS,
Acting Director, Flight Standards Service.

[F.R. Doc. 66-12631, Filed, Dec. 1, 1966; 8:45 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 10]

PART 722—COTTON

Subpart—Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton

MISCELLANEOUS AMENDMENTS

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). The purposes of this amendment are (1) to fix the closing date for filing applications for export market acreage for the 1967 crop of cotton and (2) to prohibit the transfer of cotton allotments by sale or lease under section 344a of the act from any land owned by the United States, or any agency or instrumentality wholly owned by the United States. If sale or lease of cotton allotments from such federally owned land is permitted, it would have the effect of increasing cotton production in the United States since in a large measure cotton production is now not permitted under the restrictive lease requirements governing the leasing of federally owned land. Therefore, since cotton is now in surplus supply, in order to restrict cotton production in the United States to the extent practicable, it is deemed necessary and desirable to prohibit the transfer of cotton allotments by sale or lease under section 344a of the act from such federally owned land.

Since it is desirable to give farmers as much notice as possible of the closing date for filing export market acreage applications and since transfers of cotton allotments for the 1967 crop of cotton are now being considered by the county committees, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and this amendment shall be effective upon publication in the FEDERAL REGISTER.

The regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300, as amended) are amended as follows:

1. Section 722.451(b)(3) of the regulations is amended to read as follows:

§ 722.451 Export market acreage for 1967.

(b) Applications for export market acreage—* * *

(3) Closing date for filing applications. Applications for export market acreage for the 1967 crop shall be filed on or before January 3, 1967.

2. Section 722.438 of the regulations is amended by adding a new paragraph (1) at the end thereof to read as follows:

§ 722.438 Additional conditions and limitations.

(1) Federally owned land. No transfer by sale or lease under section 344a of the act shall be made from any land owned by the United States, or any agency or instrumentality wholly owned by the United States.

(Secs. 334a, 346(e), 375, 79 Stat. 1197, 1192, 52 Stat. 66, as amended; 7 U.S.C. 1344b, 1346 (e), 1375)

Effective date: Date of publication of this document in the FEDERAL REGISTER.

Signed at Washington, D.C., on November 29, 1966.

E. A. JAENKE,
Acting Administrator, Agriculture Stabilization and Conservation Service.

[F.R. Doc. 66-12990; Filed, Dec. 1, 1966; 8:47 a.m.]

PART 722—COTTON

Subpart—1967 Crop of Upland Cotton; Acreage Allotments and Marketing Quotas

COUNTY RESERVE

Basis and purpose. Section 722.471 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This section establishes the county reserve for the 1967 crop of upland cotton. Such determination was made initially by the respective county committees and is hereby approved and made effective by the Administrator, ASCS, pursuant to delegated authority (19 F.R. 74, 21 F.R. 1665, 25 F.R. 3925, 28 F.R. 4368).

Notice that the Secretary was preparing to establish State and county allotments and reserves was published in the FEDERAL REGISTER on July 2, 1966 (31 F.R. 9138), in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003). No written submissions were received in response to such notice. Since the establishment of county reserves requires immediate action by the county committees it is essential that § 722.471 be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of 5 U.S.C. 553 (80 Stat. 383) is impracticable and contrary to the public interest and § 722.471 shall be effective upon filing this document with the Director, Office of the Federal Register.

§ 722.471 County reserve for the 1967 crop of upland cotton.

The county reserve for the 1967 crop of upland cotton is established in accordance with § 722.409 of the regulations for Acreage Allotments for 1966 and Succeeding Crops of Upland Cotton (31 F.R. 5300, as amended). The following table sets forth the county reserve:

ALABAMA

County	County reserve (acres)	County	County reserve (acres)
Autauga	38.4	Jefferson	41.9
Baldwin	32.6	Lamar	48.2
Barbour	71.8	Lauderdale	49.7
Bibb	.6	Lawrence	12.3
Blount	62.7	Lee	54.7
Bullock	89.7	Limestone	50.4
Butler	51.7	Lowndes	30.2
Calhoun	16.9	Macon	77.2
Chambers	18.5	Madison	38.5
Cherokee	9.8	Marengo	71.3
Chilton	24.0	Marion	15.1
Choctaw	74.4	Marshall	133.9
Clarke	16.4	Mobile	11.2
Clay	18.8	Monroe	32.9
Cleburne	17.3	Montgomery	79.3
Coffee	45.0	Morgan	12.4
Colbert	12.6	Perry	9.3
Conecuh	73.7	Pickens	41.1
Coosa	26.2	Pike	172.7
Covington	16.3	Randolph	110.9
Crenshaw	46.4	Russell	36.9
Cullman	105.1	St. Clair	161.3
Dale	53.2	Shelby	5.9
Dallas	58.4	Sumter	85.5
De Kalb	8.2	Talladega	78.3
Elmore	16.3	Talla-	
Escambia	22.1	poosa	63.9
Etowah	60.2	Tusca-	
Fayette	38.7	loosa	29.8
Franklin	37.9	Walker	67.6
Geneva	68.7	Wash-	
Greene	38.3	ington	42.5
Hale	19.4	Wilcox	30.9
Henry	22.9	Winston	23.4
Houston	75.4		
Jackson	43.4		

ARIZONA

Cochise	16.3	Pima	14.5
Gila	0	Pinal	16.0
Graham	2.6	Santa Cruz	5.2
Greenlee	2.9	Yavapai	0
Maricopa	36.9	Yuma	13.9
Mohave	2.0		

ARKANSAS

Arkansas	25.8	Lee	14.7
Ashley	2.1	Lincoln	6.3
Baxter	0	Little River	2.1
Benton	0	Logan	3.6
Boone	0	Lonoke	3.0
Bradley	8.2	Marion	0
Calhoun	32.0	Miller	4.2
Chicot	5.7	Mississippi	2.2
Clark	8.7	Monroe	4.7
Clay	20.1	Mont-	
Cleburne	5.3	gomery	0
Cleveland	27.8	Nevada	45.3
Columbia	10.4	Newton	0
Conway	7.7	Ouachita	4.6
Craighead	4.1	Perry	2.2
Crawford	2.9	Phillips	11.1
Crittenden	6.8	Pike	1.5
Cross	44.4	Poinsett	1.1
Dallas	1.8	Polk	3.0
Desha	8.3	Pope	6.8
Drew	14.2	Prairie	18.6
Faulkner	22.2	Pulaski	.5
Franklin	2.5	Randolph	18.8
Fulton	.9	St. Francis	2.5
Garland	5.0	Saline	0
Grant	17.3	Scott	5.0
Greene	7.6	Searcy	.9
Hempstead	10.2	Sebastian	5.0
Hot Spring	2.2	Sevier	4.9
Howard	.6	Sharp	110.5
Independ-		Stone	9.0
ence	2.9	Union	65.6
Izard	4.6	Van Buren	5.0
Jackson	12.9	Washing-	
Jefferson	0	ton	0
Johnson	1.6	White	9.4
Lafayette	7.7	Woodruff	13.9
Lawrence	4.2	Yell	2.1

CALIFORNIA

County	County reserve (acres)	County	County reserve (acres)
Fresno	42.3	Riverside	4.3
Imperial	18.5	San Benito	.2
Kern	147.5	San Bernar-	
Kings	20.6	dino	9.7
Los Angeles	7.1	San Diego	1.3
Madera	24.6	Stanislaus	0
Merced	5.1	Tulare	66.6

FLORIDA

County	County reserve (acres)	County	County reserve (acres)
Alachua	.1	Lafayette	1.3
Baker	0	Leon	3.7
Bay	6.5	Levy	0
Calhoun	.7	Liberty	1.1
Clay	.1	Madison	139.1
Columbia	41.5	Nassau	0
Dixie	0	Okaloosa	8.0
Escambia	109.7	Santa Rosa	11.9
Gadsden	25.4	Suwannee	84.8
Gilchrist	0	Taylor	0
Hamilton	55.7	Union	1.0
Holmes	29.0	Walton	29.6
Jackson	146.4	Washing-	
Jefferson	15.0	ton	16.2

GEORGIA

County	County reserve (acres)	County	County reserve (acres)
Appling	19.4	Gilmer	.1
Atkinson	7.2	Glascocok	24.7
Bacon	10.7	Gordon	98.7
Baker	13.5	Grady	17.7
Baldwin	13.3	Greene	14.3
Banks	16.2	Gwinnett	65.2
Barrow	25.4	Habersham	.8
Bartow	26.7	Hall	12.9
Ben Hill	30.5	Hancock	41.0
Berrien	13.1	Haralson	37.8
Bibb	7.3	Harris	8.5
Bleckley	19.5	Hart	33.5
Brantley	.2	Heard	16.6
Brooks	48.5	Henry	79.2
Bryan	4.8	Houston	13.0
Bulloch	124.9	Irwin	15.2
Burke	98.2	Jackson	19.9
Butts	22.8	Jasper	2.8
Calhoun	11.8	Jeff Davis	18.4
Candler	53.5	Jefferson	43.5
Carroll	44.9	Jenkins	31.1
Catoosa	56.6	Johnson	33.0
Charlton	.1	Jones	4.2
Chatham	.5	Lamar	7.3
Chatta-		Lanier	10.9
hoochee	1.8	Laurens	11.5
Chattooga	4.2	Lee	12.3
Cherokee	29.0	Liberty	3.2
Clarke	15.3	Lincoln	24.6
Clay	6.5	Long	5.2
Clayton	11.9	Lowndes	23.9
Clinch	1.3	Lumpkin	.3
Cobb	100.9	McDuffie	36.7
Coffee	8.5	McIntosh	.1
Colquitt	32.6	Macon	19.8
Columbia	4.1	Madison	85.2
Cook	2.0	Marion	10.2
Coweta	26.1	Meriwether	27.3
Crawford	28.5	Miller	8.3
Crisp	34.7	Mitchell	32.7
Dade	27.5	Monroe	10.6
Dawson	1.2	Mont-	
Decatur	17.2	gomery	46.7
De Kalb	4.0	Morgan	84.0
Dodge	17.7	Murray	23.2
Dooly	27.6	Muscogee	1.0
Dougherty	9.9	Newton	13.5
Douglas	44.4	Oconee	33.1
Early	44.8	Oglethorpe	71.3
Echols	1.0	Paulding	49.9
Emingham	23.2	Peach	24.5
Elbert	30.2	Pickens	29.4
Emanuel	23.6	Pierce	4.9
Evans	33.8	Pike	9.9
Fayette	26.3	Polk	43.6
Floyd	128.6	Pulaski	27.5
Forsyth	36.2	Putnam	9.5
Franklin	56.3	Quitman	8.7
Fulton	31.7	Randolph	14.2

GEORGIA—Continued

County	County reserve (acres)	County	County reserve (acres)
Richmond	12.5	Troup	11.5
Rockdale	30.9	Turner	7.5
Schley	5.1	Twiggs	36.5
Screven	65.9	Upson	10.0
Seminole	12.9	Walker	153.1
Spalding	21.2	Walton	70.5
Stephens	5.7	Ware	4.3
Stewart	18.1	Warren	33.0
Sumter	21.2	Washing-	
Talbot	19.8	ton	25.8
Taliaferro	16.7	Wayne	11.6
Tattnall	90.8	Webster	7.2
Taylor	12.6	Wheeler	21.8
Telfair	41.2	White	6.3
Terrell	13.8	Whitfield	132.1
Thomas	18.2	Wilcox	11.4
Tift	177.0	Wilkes	19.9
Toombs	70.3	Wilkinson	38.3
Treutlen	51.1	Worth	174.5

ILLINOIS

County	County reserve (acres)	County	County reserve (acres)
Alexander	14.2	Pulaski	26.1
Massac	0		

KANSAS

County	County reserve (acres)
Montgomery	0

KENTUCKY

County	County reserve (acres)	County	County reserve (acres)
Ballard	0	Graves	3.0
Calloway	.6	Hickman	23.6
Carlisle	0	McCracken	0
Fulton	.8	Marshall	0

LOUISIANA

Parish	Parish reserve (acres)	Parish	Parish reserve (acres)
Acadia	165.8	Livingston	25.0
Allen	39.7	Madison	6.6
Ascension	14.3	Morehouse	771.4
Assump-		Natchi-	
tion	0	toches	40.7
Avoyelles	405.6	Ouachita	31.6
Beauregard	5.0	Pointe	
Blenville	74.5	Coupee	837.9
Bossier	83.8	Rapides	44.3
Caddo	112.4	Red River	68.4
Calcasieu	0	Richland	254.0
Caldwell	32.5	Sabine	76.0
Cameron	0	St. Helena	3.9
Catahoula	141.9	St. Landry	60.8
Claiborne	185.0	St. Martin	562.1
Concordia	27.9	St. Tam-	
De Soto	20.5	many	12.1
East Baton		Tangi-	
Rouge	9.8	pahoa	3.2
East		Tensas	39.9
Carroll	2.5	Union	30.2
East		Vermilion	549.9
Feliciana	2.3	Vernon	87.4
Evangeline	292.3	Washing-	
Franklin	106.8	ton	425.2
Grant	0	Webster	339.8
Iberia	12.5	West Baton	
Iberville	28.1	Rouge	39.3
Jackson	30.7	West	
Jefferson		Carroll	117.9
Davis	37.2	West	
Lafayette	37.9	Feliciana	15.0
La Salle	12.5	Winn	30.0
Lincoln	31.9		

MISSISSIPPI

County	County reserve (acres)	County	County reserve (acres)
Adams	18.7	Chickasaw	28.6
Alcorn	14.5	Choctaw	44.1
Amite	19.4	Claiborne	19.3
Attala	23.5	Clarke	203.9
Benton	72.9	Clay	321.5
Bolivar	.8	Coahoma	7.6
Calhoun	113.5	Copiah	22.7
Carroll	28.6	Covington	71.9

MISSISSIPPI—Continued

County	County reserve (acres)	County	County reserve (acres)
De Soto	6.4	Neshoba	65.1
Forrest	9.8	Newton	102.1
Franklin	8.4	Noxubee	33.0
George	83.7	Oktibbeha	42.8
Greene	48.3	Panola	42.6
Grenada	12.2	Pearl River	25.8
Hancock	0	Perry	6.2
Harrison	0	Pike	132.4
Hinds	50.9	Pontotoc	88.0
Holmes	5.1	Prentiss	25.9
Humphreys	4.2	Quitman	20.8
Issaquena	.4	Rankin	55.0
Itawamba	12.0	Scott	104.8
Jackson	0	Sharkey	2.8
Jasper	89.8	Simpson	111.6
Jefferson	25.2	Smith	39.5
Jefferson		Stone	9.7
Davis	93.2	Sunflower	40.8
Jones	138.6	Talla-	
Kemper	45.9	hatchie	17.6
Lafayette	25.2	Tate	7.6
Lamar	36.7	Tippah	63.6
Lauderdale	121.6	Tisho-	
Lawrence	95.7	mingo	19.6
Leake	41.4	Tunica	5.1
Lee	25.7	Union	11.1
Leflore	3.1	Walshall	103.7
Lincoln	28.1	Warren	15.3
Lowndes	56.9	Washington	5.3
Madison	51.8	Wayne	56.0
Marion	108.2	Webster	15.8
Marshall	192.5	Wilkinson	10.3
Monroe	67.1	Winston	43.9
Mont-		Yalobusha	21.9
gomery	13.7	Yazoo	2.2

MISSOURI

County	County reserve (acres)	County	County reserve (acres)
Bollinger	2.0	Oregon	0
Butler	24.4	Pemiscot	14.4
Cape Girar-		Ripley	10.7
deau	0	Scott	60.4
Carter	.5	Stoddard	25.5
Dunklin	6.2	Vernon	0
Howell	2.1	Wayne	0
Mississippi	5.0		
New			
Madrid	51.5		

NEVADA

County	County reserve (acres)	County	County reserve (acres)
Clark	0	Nye	0

NEW MEXICO

County	County reserve (acres)	County	County reserve (acres)
Chaves	20.0	Lea	11.7
Curry	6.7	Luna	.5
De Baca	1.9	Otero	3.8
Dona Ana	41.9	Quay	.7
Eddy	15.1	Roosevelt	3.2
Grant	0	Sierra	10.3
Harding	0	Socorro	7.3
Hidalgo	13.1	Valencia	0

NORTH CAROLINA

County	County reserve (acres)	County	County reserve (acres)
Alamance	6.1	Davie	101.6
Alexander	75.0	Duplin	254.5
Anson	163.1	Durham	12.2
Beaufort	139.9	Edgecombe	24.3
Bertie	10.0	Forsyth	11.1
Bladen	40.4	Franklin	2.3
Brunswick	21.6	Gaston	134.8
Burke	0	Gates	38.4
Cabarrus	142.6	Granville	2.3
Caldwell	0	Greene	13.3
Camden	16.9	Guilford	9.6
Carteret	5.1	Halifax	2,683.5
Catawba	141.0	Harnett	115.3
Chatham	55.3	Hertford	227.1
Chowan	6.9	Hoke	1,365.0
Cleveland	509.0	Hyde	28.8
Columbus	93.0	Iredell	413.2
Craven	43.8	Johnston	269.0
Cumber-		Jones	32.5
land	44.8	Lee	57.5
Currituck	19.3	Lenoir	81.9
Davidson	45.5	Lincoln	350.8

RULES AND REGULATIONS

NORTH CAROLINA—Continued

County	County reserve (acres)	County	County reserve (acres)
Martin	165.2	Polk	72.1
Mecklenburg	262.2	Randolph	6.1
Montgomery	44.8	Richmond	127.8
Moore	56.6	Robeson	455.4
Nash	600.6	Rowan	254.7
New Hanover	6	Rutherford	360.9
Northampton	486.0	Sampson	96.9
Onslow	25.4	Scotland	99.2
Orange	3.8	Stanly	183.8
Pamlico	27.6	Tyrrell	15.6
Pasquotank	12.9	Union	856.0
Pender	17.3	Vance	40.1
Perquimans	74.1	Wake	307.5
Person	0	Warren	26.6
Pitt	1.3	Washington	75.9
		Wayne	61.1
		Wilkes	7.3
		Yadkin	9.3
		Yadkin	1.9

OKLAHOMA

Adair	5.0	Lincoln	69.8
Atoka	17.7	Logan	133.6
Beaver	7.0	Love	863.1
Beckham	58.4	McClain	343.7
Blaine	85.0	McCurtain	20.1
Bryan	2,384.1	McIntosh	41.1
Caddo	65.1	Major	119.8
Canadian	26.1	Marshall	45.8
Carter	14.7	Mayes	1.0
Cherokee	0	Murray	10.0
Choctaw	5.2	Muskogee	273.9
Cimarron	0	Noble	20.1
Cleveland	11.6	Nowata	1.7
Coal	29.0	Oklfuskee	176.1
Comanche	234.3	Oklahoma	12.2
Cotton	106.6	Okmulgee	77.6
Craig	1.6	Ossage	33.4
Creek	71.1	Pawnee	61.4
Custer	158.1	Payne	22.4
Dewey	124.4	Pittsburg	66.9
Ellis	3.4	Pontotoc	3.6
Garfield	0	Pottawatomie	20.2
Garvin	13.0	Pushmataha	5.8
Grady	175.2	Roger Mills	191.7
Grant	4	Rogers	50.4
Greer	25.7	Seminole	18.2
Harmon	32.9	Sequoyah	7.5
Harper	0	Stephens	102.5
Haskell	51.7	Texas	0
Hughes	195.5	Tillman	64.9
Jackson	83.2	Tulsa	9.1
Jefferson	109.3	Wagoner	184.4
Johnston	53.4	Washington	0
Kay	22.5	Washita	271.9
Kingfisher	49.6	Woodward	9.7
Kiowa	166.9		
Latimer	15.0		
LeFlore	10.4		

SOUTH CAROLINA

Abbeville	168.1	Georgetown	94.7
Aiken	47.5	Greenville	109.5
Allendale	101.9	Greenwood	78.6
Anderson	24.3	Hampton	103.1
Bamberg	94.2	Horry	160.8
Barnwell	104.8	Jasper	59.2
Beaufort	59.9	Kershaw	54.3
Berkeley	66.7	Lancaster	91.6
Calhoun	120.1	Laurens	136.5
Charleston	63.6	Lee	376.2
Cherokee	115.0	Lexington	119.7
Chester	4.8	McCormick	7.2
Chesterfield	218.4	Marion	93.3
Clarendon	211.7	Marlboro	365.8
Colleton	28.9	Newberry	44.2
Darlington	164.4	Oconee	90.2
Dillon	143.9	Orangeburg	509.6
Dorchester	20.4	Pickens	205.5
Edgefield	33.2	Richland	16.2
Fairfield	109.2	Saluda	96.4
Florence	81.8		

SOUTH CAROLINA—Continued

County	County reserve (acres)	County	County reserve (acres)
Spartanburg	236.3	Williamsburg	220.7
Sumter	374.0	York	10.2
Union	14.4		

TENNESSEE

Bedford	31.9	Lewis	2.9
Benton	24.4	Lincoln	99.3
Bradley	9.9	Loudon	0
Cannon	3.4	McMinn	5.3
Carroll	13.3	McNairy	45.3
Chester	6.5	Madison	30.7
Coffee	106.1	Marion	.9
Crockett	108.1	Marshall	10.5
Decatur	41.7	Mauzy	2.1
Dyer	1.8	Meigs	5.2
Fayette	2.9	Monroe	1.0
Franklin	96.0	Moore	6.0
Gibson	251.3	Obion	47.0
Giles	198.1	Perry	8.5
Grundy	3.4	Polk	31.1
Hamilton	20.5	Rhea	0
Hardeman	66.8	Robertson	0
Hardin	52.2	Rutherford	89.6
Haywood	22.8	Shelby	279.7
Henderson	37.1	Tipton	45.5
Henry	40.3	Warren	.2
Humphreys	0	Wayne	51.9
Lake	3.4	Weakley	66.4
Lauderdale	51.2	Williamson	0
Lawrence	130.5	Wilson	2.5

TEXAS

Anderson	104.4	Cottle	7.6
Andrews	7.2	Crockett	0
Angelina	87.7	Crosby	10.0
Aransas	1.3	Cuberson	1.8
Archer	25.2	Dallam	0
Armstrong	21.3	Dallas	304.2
Atascosa	102.1	Dawson	25.6
Austin	31.2	Deaf Smith	12.4
Bailey	25.1	Delta	124.1
Bandera	0	Denton	53.9
Bastrop	43.6	De Witt	53.1
Baylor	8.6	Dickens	12.0
Bee	14.1	Dimmit	8.3
Bell	125.0	Donley	6.2
Bexar	20.9	Duval	9.8
Blanco	0	Eastland	89.1
Borden	1.7	Ector	19.9
Bosque	191.6	Ellis	164.4
Bowie	47.4	El Paso	21.0
Brazoria	15.0	Erath	80.4
Brazos	85.6	Falls	159.9
Brewster	0	Fannin	267.1
Briscoe	41.9	Fayette	526.7
Brooks	26.6	Fisher	50.6
Brown	41.5	Floyd	9.4
Burleson	250.7	Foard	2.9
Burnet	6.9	Fort Bend	30.2
Caldwell	26.1	Franklin	15.8
Calhoun	8.7	Freestone	21.7
Callahan	42.0	Frio	9.5
Cameron	58.2	Gaines	22.8
Camp	25.9	Galveston	1.5
Carson	5.2	Garza	7.2
Cass	21.7	Gillespie	25.2
Castro	27.3	Glasscock	1.0
Chambers	0	Goliad	10.6
Cherokee	141.3	Gonzales	25.3
Childress	67.7	Gray	10.2
Clay	43.4	Grayson	16.5
Cochran	10.2	Gregg	23.0
Coke	7.7	Grimes	49.8
Coleman	141.1	Guadalupe	89.9
Collin	218.3	Hale	25.4
Collingsworth	80.7	Hall	29.0
Colorado	38.8	Hamilton	36.8
Comal	8.4	Hansford	.7
Comanche	56.6	Hardeman	49.6
Concho	34.5	Hardin	3.7
Cooke	74.8	Harris	34.9
Coryell	93.7	Harrison	120.7
		Hartley	0

TEXAS—Continued

County	County reserve (acres)	County	County reserve (acres)
Haskell	232.4	Palo Pinto	59.0
Hays	24.9	Panola	213.8
Hemphill	2.7	Parker	91.5
Henderson	264.4	Parmer	26.6
Hidalgo	272.0	Pecos	6.1
Hill	486.1	Polk	11.4
Hockley	13.1	Potter	1.0
Hood	49.4	Presidio	.2
Hopkins	139.6	Rains	27.8
Houston	430.0	Randall	22.5
Howard	7.6	Reagan	3.0
Hudspeth	10.9	Real	1.2
Hunt	428.0	Red River	45.6
Irion	.4	Reeves	6.7
Jack	24.1	Refugio	5.7
Jackson	20.6	Roberts	0
Jasper	17.3	Robertson	94.4
Jeff Davis	0	Rockwall	196.3
Jefferson	2.4	Runnels	98.2
Jim Hogg	123.9	Rusk	87.4
Jim Wells	24.5	Sabine	215.8
Johnson	133.1	San August	
Jones	134.3	time	126.1
Karnes	17.1	San Jacin	
Kaufman	74.8	to	34.5
Kendall	0	San Patri	
Kent	6.8	cio	46.9
Kerr	3.1	San Saba	29.6
Kimble	3.6	Schleicher	4.5
King	.4	Scurry	34.3
Kinney	20.1	Shackel	
Kleberg	17.7	ford	24.3
Knox	20.5	Shelby	631.7
Lamar	56.2	Smith	435.0
Lamb	12.7	Somervell	23.6
Lampasas	22.5	Starr	55.7
LaSalle	8.0	Stephens	21.9
Lavaca	77.7	Sterling	2.1
Lee	26.5	Stonewall	7.2
Leon	24.2	Sutton	0
Liberty	86.1	Swisher	13.4
Limestone	105.9	Tarrant	25.6
Live Oak	15.2	Taylor	36.2
Llano	10.1	Terrell	0
Loving	.1	Terry	12.2
Lubbock	71.3	Throckmor	
Lynn	14.9	ton	29.8
McCulloch	33.4	Titus	284.7
McLennan	428.4	Tom Green	22.1
McMullen	8.0	Travis	97.4
Madison	148.8	Trinity	173.6
Marion	192.6	Tyler	43.3
Martin	10.6	Upshur	96.2
Mason	21.4	Upton	.2
Mata		Uvalde	19.8
gorda	10.9	Val Verde	1.0
Maverick	10.2	Van Zandt	46.5
Medina	22.6	Victoria	160.1
Menard	6.3	Walker	30.6
Midland	109.3	Waller	11.8
Milam	108.5	Ward	1.2
Mills	16.5	Washington	347.6
Mitchell	257.4	Webb	8.7
Montague	28.3	Wharton	73.3
Montgomery	81.3	Wheeler	24.4
Moore	6.9	Wichita	12.6
Morris	139.3	Wilbarger	45.3
Motley	5.9	Willacy	16.8
Nacogdoches	238.3	Williamson	71.3
Navarro	476.4	Wilson	95.5
Newton	55.9	Winkler	0
Nolan	64.2	Wood	51.2
Nueces	47.5	Yoakum	397.6
Ochiltree	9.8	Young	17.3
Oldham	.4	Zapata	78.1
		Zavala	8.1
			12.5

VIRGINIA

Brunswick	26.1	Henrico	0
Charlotte	.7	Isle of Wight	15.4
Chesapeake	0	Lunenburg	2.4
Dinwiddie	17.7	Mecklenburg	37.2
Greensville	34.6		

VIRGINIA—Continued

County	County reserve (acres)	County	County reserve (acres)
Nansemond	8.1	Southampton	46.9
Prince Edward	.6	Surry	.7
Prince George	3.6	Sussex	5.3

(Secs. 344, 375, 63 Stat. 670, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1375)

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

Signed at Washington, D.C., on November 29, 1966.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 66-12991; Filed, Dec. 1, 1966; 8:47 a.m.]

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

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Expenses of Raisin Administrative Committee and Rate of Assessment for 1966-67 Crop Year

Correction

In F.R. Doc. 66-12725, appearing at page 14875 of the issue for Thursday, November 24, 1966, the words reading "in the amount of \$113,200" in § 989.317(a) should read "in the amount of \$113,200".

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

MISCELLANEOUS AMENDMENTS TO CHAPTER

Notice is hereby given of the amendment of 10 CFR Parts 9, 20, 32, 40, 50, and 150.

These amendments correct certain words in various sections of the regulations of the Atomic Energy Commission and specific references in the regulations to sections of the Atomic Energy Act of 1954, as amended, which have been changed by amendments. The amendments also make minor editorial changes in various provisions of the regulations, such as the definitions, and conform the language of certain provisions with that of similar provisions in other parts.

Because these amendments relate solely to correction, clarification and minor procedural matters, notice of proposed rule making and public procedure thereon are unnecessary and good cause exists to make the amendments effective upon publication in the FEDERAL REGISTER.

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, as amended, the following amendments of Parts 9, 20, 32, 40, 50, and 150 of the Commission's regulations are published as a document subject to codification, to be effective upon publication in the FEDERAL REGISTER.

PART 9—PUBLIC RECORDS

§ 9.3 [Amended]

1. Section 9.3(d) of 10 CFR Part 9 is amended by deleting "of clerks of the court." and substituting therefor "or clerks of the court."

2. Section 9.3(e) of 10 CFR Part 9 is amended by deleting "§ 2.757 of this chapter." and substituting therefor "§ 2.780 of this chapter."

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

3. Section 20.401(b) of 10 CFR Part 20 is amended by deleting the words "the appendices to". As revised, § 20.401(b) reads as follows:

§ 20.401 Records of surveys, radiation monitoring, and disposal.

(b) Each licensee shall maintain records in the same units used in this part, showing the results of surveys required by § 20.201(b), and disposals made under §§ 20.302, 20.303, and 20.304.

PART 32—SPECIFIC LICENSES TO MANUFACTURE, DISTRIBUTE, OR IMPORT EXEMPTED AND GENERALLY LICENSED ITEMS CONTAINING BYPRODUCT MATERIAL

§ 32.102 [Amended]

4. The section heading of § 32.102 of 10 CFR Part 32 is amended by correcting the word "Prototype" to read "Prototyp".

PART 40—LICENSING OF SOURCE MATERIAL

§ 40.4 [Amended]

5. Section 40.4(i) of 10 CFR 40 is amended by correcting the word "artificially" to read "artificially".

§ 40.41 [Amended]

6. Section 40.41(d) of 10 CFR Part 40 is amended by changing "183a to 183d," to read "183b.-d.,".

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

§ 50.2 [Amended]

7. The note following § 50.2(b) of 10 CFR Part 50 is amended by changing "sections 11p and 11v." to read "subsections 11v. and 11cc.,".

8. Section 50.2(p) of 10 CFR Part 50 is amended by deleting the words "sec-

tion 11s of the act" and substituting therefor "subsection 11z. of the Act".

9. Section 50.2(q) of 10 CFR Part 50 is amended by correcting the word "artificially" to read "artificially".

§ 50.21 [Amended]

10. Section 50.21(c) of 10 CFR Part 50 is amended by deleting the words "subparagraph (b) of this section." and substituting therefor "paragraph (b) of this section."

§ 50.34 [Amended]

11. Section 50.34(f) of 10 CFR Part 50 is amended by correcting the word "meteorological" to read "meteorological".

PART 150—EXEMPTIONS AND CONTINUED REGULATORY AUTHORITY IN AGREEMENT STATES UNDER SECTION 274

12. Section 150.3 (b) and (i) of 10 CFR Part 150 is amended to read as follows:

§ 150.3 Definitions.

(b) "Agreement State" means any State with which the Commission has entered into an effective agreement under subsection 274b. of the Act. "Non-agreement State" means any other State.

(i) "Special nuclear material" means (1) plutonium, uranium 233, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission, pursuant to the provisions of section 51 of the Act, determines to be special nuclear material, but does not include source material; or (2) any material artificially enriched by any of the foregoing but does not include source material;

(Secs. 161 and 274; 68 Stat. 948 and 73 Stat. 688; 42 U.S.C. 2201, 2021)

Dated at Washington, D.C., this 28th day of November 1966.

For the Atomic Energy Commission.

W. B. McCool,
Secretary.

[F.R. Doc. 66-12952; Filed, Dec. 1, 1966; 8:45 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 6; Amdt. 11]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of Small Business Manufacturer for Purpose of Bidding on Government Procurements for Aircraft and for Purpose of SBA Business Loans

On October 26, 1966, there was published in the FEDERAL REGISTER (31 F.R.

RULES AND REGULATIONS

13758) a notice that the Administrator of the Small Business Administration proposed to amend the Small Business Size Standards Regulation (Revision 6), as amended, by establishing a new definition of a small business manufacturer for the purpose of bidding on Government procurements for aircraft and a new definition of a small business aircraft manufacturer for the purpose of receiving SBA business loans.

It was proposed to increase the employment size standard for the purpose of a small business manufacturer bidding on Government procurements for aircraft from 1,000 employees to 1,500 employees. It also was proposed to increase the financial assistance size standard for aircraft manufacturers from 1,000 employees to 1,500 employees.

Interested persons were given 15 days after publication of the proposed amendment in which to present comments or suggestions thereon to the Deputy Administrator (now Associate Administrator) for Procurement and Management Assistance.

After consideration of all relevant matters concerning the proposal, the

amendment set forth below is hereby adopted:

The Small Business Size Standards Regulation (Revision 6) (31 F.R. 9721), as amended (31 F.R. 10114, 11651, 11973, 12479, 12572, 14311, 14351, 14516, 14545, 14737) is hereby further amended by:

1. Revising the size standard for SIC Industry 3721, *Aircraft*, in Schedule B, § 121.3-8 to read as follows:

Census classification code	Industry	Employment size standard (number of employees)
3721.....	Aircraft ⁴	1500

2. Revising the size standards for SIC Industry 3721, *Aircraft*, in Schedule A, § 121.3-10 to read as follows:

Census classification code	Industry or class of products	Employment size standard (number of employees)
3721.....	Aircraft ⁴	1500

3. Adding footnote 4 to Schedule A, § 121.3-10 to read as follows:

⁴Includes maintenance as defined in the Federal Aviation Regulations (14 CFR 1.1) but excludes preventive maintenance as defined in (14 CFR 1.1). As defined in the Federal Aviation Regulations:

"Maintenance" means inspection, overhaul, repair, preservation, and the replacement of parts, but excludes preventive maintenance.

"Preventive maintenance" means simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations."

This amendment shall become effective 60 days after publication in the FEDERAL REGISTER provided, however, that for the purpose of Government procurements it shall apply only to procurements for which invitations for bids or requests for proposals are issued on or after such effective date.

Dated: November 28, 1966.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 66-12962; Filed, Dec. 1, 1966; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 817]

IMPORTATION OF SUGAR OR LIQUID SUGAR INTO CONTINENTAL UNITED STATES

Requirements

Notice is hereby given that the Secretary of Agriculture pursuant to authority vested in him by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), and as further amended by Public Law 89-331, approved November 8, 1965 (79 Stat. 1271), hereinafter referred to as the Act is considering amendment of Sugar Regulation 817 (7 CFR 817.1-817.12; 30 F.R. 15316) in the manner hereinafter set forth.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed regulation may file or mail the same in duplicate with the Director, Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, to be delivered or postmarked not later than 10 days after this notice is published in the FEDERAL REGISTER.

In view of the limited time remaining in the year and the desirability of issuing and publishing the amendments in final form as early as possible before January 1, 1967, when they must be in effect, and since the proposed amendments do not make any substantial change in the basic plan and requirements of the present regulations, it is hereby found and determined that the time permitted to submit data, views and arguments is reasonable.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Basis and purpose and bases and considerations. The purpose of this amendment is to (1) provide for quantitative import limitations pursuant to section 206 of the Act on mixtures of sugar and butterfat and/or flour during the calendar year 1967; and (2) make minor changes in the procedural requirements governing the importation of sugar-containing products subject to import limitations.

Based on data available to the Department, importations of products that contained more than 25 percent sugar and contained solid ingredients other than sugar consisting principally of either butterfat or flour or both from all countries during the three most recent consecutive years were as follows:

Country of origin	1964 (1)	1965 (2)	1966 (3)	Three year average (4)
	<i>Pounds</i>			
Australia	0	2,239,000	2,016,000	1,418,300
Austria	0	0	1,888,262	629,400
Belgium	0	263,032	39,728,764	13,329,300
Canada	0	0	32,413,778	10,804,500
Denmark	0	1,008,000	4,748,496	1,918,800
France	0	0	612,854	204,283
The Netherlands	0	0	4,144	1,381
Sweden	0	0	1,190,840	396,960
United Kingdom	0	0	6,475,560	2,158,560
West Germany	0	0	330,000	112,000

The quantities shown for 1966 are necessarily preliminary and the 3-year averages will be subject to adjustment after all 1966 import data are finalized.

Quantitative limitations in terms of pounds of product are established in § 817.10(c)(1) for each country having 3-year average importations in excess of 100 short tons, raw value, of sugar content except that for Australia, the quantity will not be less than that established for any other country. Prior to 1966 Australia had been the principal exporter of sugar-butterfat mixtures to the United States. That country beginning in 1963 voluntarily limited exports of these mixtures and as a consequence did not expand its exports in 1966 when a number of countries entered this market and others increased their exports many fold.

Consequently the average of the quantities imported during the most recent 3 years is less than could have been expected had Australia not voluntarily limited its exports, and had participated with other countries in the increase in imports of these sugar containing products in 1966. It is determined that such an annual limitation for 1967 for Australia will not substantially interfere with the attainment of the objectives of the Act. Assuming an average sugar content of 55 percent, countries other than Australia receiving such quantitative limitations are those whose imports during the 3-year period (1964-66) averaged more than 340,000 pounds of product which amount on the basis of 55 percent sugar content would contain 187,000 pounds of refined sugar. Importations

from all other countries will be limited to 100 short tons, raw value, of sugar content which is the equivalent of 187,000 pounds of refined sugar.

Changes in §§ 817.10(b)(2) involve clarification of the port of departure and the country of origin. Provision is also made in that subparagraph for importers to verify the actual weight and composition of the product imported. Failure to so verify may be grounds for withholding approval of an importer's subsequent applications. Also provision is made for cancellation of authorizations covering shipments which do not depart or arrive within reasonable time periods from dates stated on the applications.

In view of the several amendments to Part 817 dealing with sugar-containing products, § 817.10 is restated herein in its entirety for the convenience of interested persons.

Pursuant to the provisions of section 403 of the Act (61 Stat. 932), § 817.10 of Part 817, Chapter VIII, Title 7, is amended to read as follows:

§ 817.10 Sugar-containing products and mixtures.

(a) The importation or bringing into the continental United States, Hawaii, or Puerto Rico of any sugar-containing product or mixture shall not be subject to any import limitations pursuant to the provisions of this part unless and until the Secretary has made effective a determination that the prospective importation of such sugar-containing product or mixture will substantially interfere with the attainment of the objectives of the Act. A proceeding to make a determination required by this section as well as any amendment or repeal thereof will be instituted by the Secretary either upon the Secretary's own initiative, or upon the written petition of an interested person if the Secretary has reasonable grounds to believe, on the basis of information accompanying the petition and other information available to him, that there may be a substantial interference with attainment of the objectives of the Act. Petitions should be submitted to the Director, Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. A proceeding to make a determination that the importation or bringing into the continental United States, Hawaii, or Puerto Rico of a sugar-containing product or mixture will or will not substantially interfere with the attainment of the objectives of the Act, or an amendment or repeal of such a determination, shall be instituted by publishing a notice of the proposed rule making, and affording interested persons an opportunity to submit written data, views and arguments and to submit the same orally if provision is made

therefor in the notice. The determination shall be published in the FEDERAL REGISTER. A determination may pertain to one or more sugar-containing products or mixtures or a group of similar sugar-containing products or mixtures. In making a determination that the bringing in or importing of a sugar-containing product or mixture will or will not substantially interfere with the attainment of the objectives of the Act, the Secretary shall give consideration to (1) the total sugar content of the product or mixture in relation to other ingredients therein or to the sugar content of other products or mixtures for similar use; (2) the costs of the mixture in relation to the costs of its ingredients for use in the continental United States, Hawaii, or Puerto Rico; (3) the present or prospective volume of importations relative to past importations of the product or mixture; (4) whether it will be marketed to the ultimate consumer in the identical form and packaging in which it is imported or the extent to which it is to be further subjected to processing or mixing with similar or other ingredients; and (5) other pertinent information. Information relating to the above listed factors should accompany any petition to the Secretary to institute a proceeding as provided in this section or shall be furnished by persons having such information upon request by the Secretary.

(b) (1) If the Secretary has determined pursuant to paragraph (a) of this section that the prospective importation or bringing into the continental United States, Hawaii, or Puerto Rico of a sugar-containing product or mixture will substantially interfere with the attainment of the objectives of the Act, a total quantity of such sugar-containing product or mixture shall not be brought or imported into the continental United States, Hawaii, or Puerto Rico in any one year from any one country or area in excess of the quantity which the Secretary determines will not so interfere but not less than (i) the average annual importations of the product or mixture from the country or area during the most recent 3 consecutive years for which reliable data are available; or (ii) 100 short tons, raw value, of sugar content of the product or mixture from any one country or area in the event that no reliable data of quantities imported or brought in from the country or area for 3 consecutive years are available. Persons having information or data of quantities of a sugar-containing product or mixture imported or brought in during any of the most recent 3 consecutive years from a country or area may submit such information or data to the Director, Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, for consideration of its reliability for use.

(2) Any sugar-containing product or mixture as to which the Secretary has determined that the actual or prospective importation or bringing thereof into the

continental United States, Hawaii, or Puerto Rico will substantially interfere with the attainment of the objectives of the Act, shall not be imported or brought into the continental United States, Hawaii, or Puerto Rico until a release directed to the Collector of Customs has been obtained by the importer from the Secretary. If the Secretary or his delegate determines that the release of the product is permissible in accordance with limitations provided for in paragraph (c) (1) of this section such release will be issued upon application to the Sugar Quota Group, Policy and Program Appraisal Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250, in quintuplicate on a prescribed form designated as Form SU-9A. Application forms will be available from the above mentioned source and at all Customs Houses, and provide for the following information regarding the product to be imported on each vessel or carrier:

The name and address of the importer.
The name of the vessel or carrier which is to transport the product to the United States port or point of entry.
The port or point of departure of such vessel or carrier.
The date of departure from such point or port.
The port or point of entry.
The date of arrival.
The quantity of product to be imported (total pounds or gallons).
The country of origin (where manufactured).
The name of the product.
Will the identical product as packaged be marketed to the ultimate consumer.
The percentage of sugar and each other ingredient in the product including moisture.
A certification that the information contained in the application is true and correct to the best of the importer's knowledge and belief and that he will furnish the Department within 30 days after importation the consumption entry or warehouse withdrawal number, the actual weight entered, and verification of the composition of the product.
The date submitted, signature and title of the person signing the application.

(3) (1) An application for issuance of an authorization to a Collector for the release of a sugar-containing product or mixture shall become eligible for authorization at 12:01 a.m. of the 5th calendar day prior to the date of departure of the shipment as stated on the application, or at the time of receipt of the application whichever time occurs later: *Provided*, That applications received on or before the effective date of this amendment shall be considered as having been received at the same time. An authorized application shall be canceled if the covered shipment does not leave the port or point of departure on or before the 10th day after the scheduled departure date as stated on such application, or if such shipment is not entered at the port of entry on or before 30 days after the scheduled arrival date as stated on such application, except that the period during which the application is valid may be extended by the Secretary for good cause satisfactory to the Secretary. The Secretary shall authorize applications for the release of sugar-containing products by the Collector of Customs in the same

order as such applications become eligible for authorization or approval. If two or more applications covering products from the same country become eligible for authorization at the same time, such applications shall be authorized in the order of the date of departure stated on the application, earliest first. If two or more applications for release submitted by different applicants become eligible for authorization at the same time and have the same stated date of departure and the quantity permissible for importation within the limitations provided in paragraph (c) (1) of this section is less than the total quantity covered by such applications, the quantity authorized for release under each such application shall be determined as follows. An equal share of the quantity permissible for importation shall be calculated by dividing such quantity by the total number of such applications. All such applications that cover a quantity in each application less than such equal share shall be approved and the quantities stated therein shall be authorized for release. The total of the quantities covered by such approved applications shall be deducted from the quantity permissible for importation, the remainder shall be divided equally among the remaining applications but not to exceed the quantity applied for in any such application, and the quantity assigned to each such remaining application as a result of such division shall be authorized for release under such application.

(ii) Authorizations of applications for the release of the sugar-containing product may be denied if the applicant has failed to report in the manner and within the time prescribed in this section with respect to previous shipments imported or if the information on applications previously submitted is determined to be substantially incorrect.

(c) (1) It is hereby determined upon the basis and considerations heretofore stated and as set forth in F.R. Doc. 66-7654 (31 F.R. 9495) that prospective importation into the continental United States, Hawaii, and Puerto Rico of the following described sugar-containing products or mixtures will substantially interfere with the attainment of the objectives of the Act and shall be subject to the import limitations as provided in this paragraph (c) (1) of this section: Products or mixtures which (i) contain more than 25 percent sugar expressed as a percent of the total weight of solids (excluding moisture and volatile matter); (ii) contain solid ingredients other than sugar consisting principally of either butterfat or flour or both; and (iii) either are to be further subjected to processing or mixing with similar, or other ingredients, or are not to be marketed to the ultimate consumer in the identical form and package in which imported. The total quantity of all such products or mixtures which may be imported during the calendar year 1967 from each of the following countries shall not exceed the amount stated as follows for such country:

Country	Pounds
Australia	13,329,300
Austria	629,400
Belgium	13,329,300
Canada	10,804,500
Denmark	1,918,800
Sweden	396,900
United Kingdom	2,158,500
Any other country	(1)

(1) (100 short tons, raw value, of sugar content (dry basis), the equivalent of 187,000 pounds, refined sugar.)

NOTE: Except for Australia, the quantities shown in pounds are based partly on preliminary data and are subject to change to reflect final 1966 data.

None of the described products or mixtures shall be imported except pursuant to the procedural requirements contained in paragraph (b) (2) of this § 817.10.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; sec. 206; 61 Stat. 927, as amended by P.L. 89-331, 79 Stat. 1277)

Signed at Washington, D.C., this 30th day of November.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 66-12999; Filed, Dec. 1, 1966; 8:48 a.m.]

Consumer and Marketing Service
[7 CFR Part 52]
PASTEURIZED ORANGE JUICE
Proposed Standards for Grades

Notice is hereby given that the U.S. Department of Agriculture is considering the issuance of U.S. Standards for Grades of Pasteurized Orange Juice (7 CFR § 52.5641-52.5652) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Sec. 202-208, 60 Stat. 1087; as amended; 7 U.S.C. 1621-1627). These standards if made effective, will be the first issue by the Department of grade standards for this product as now defined in the standards of identity (21 CFR 27.107) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards should file the same in duplicate, not later than 30 days after publication hereof in the FEDERAL REGISTER, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. All written submissions made pursuant to this notice will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

NOTE: Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

Statement of consideration leading to the proposed standards. Definitions and standards of identity for pasteurized orange juice have been promulgated by the Food and Drug Administration, U.S. Department of Health, Education, and

Welfare. The provision for designating the name Pasteurized Orange Juice on the label is now scheduled to become effective on December 31, 1966. These definitions and standards establish separate identity for certain products formerly marketed under the name of Chilled Orange Juice.

Certain provisions of the U.S. Standards for Grades of Chilled Orange Juice are now in conflict with the Food and Drug definitions and identity requirements.

The reason for this proposal, therefore, is the need to establish U.S. Department of Agriculture grade standards for Pasteurized Orange Juice which conform to Food and Drug definitions and identity requirements, compliance with which is mandatory in interstate commerce.

The proposed standards are:

PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec.	Product description.
52.5641	Product description.
52.5642	Styles.
52.5643	Grades.

FILL OF CONTAINER

52.5644	Recommended fill of container.
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FACTORS OF QUALITY

52.5645	Ascertaining the grade of a sample unit.
52.5646	Ascertaining the rating for the factors which are scored.
52.5647	Color.
52.5648	Defects.
52.5649	Flavor.

EXPLANATIONS AND METHODS OF ANALYSIS

52.5650	Definitions of terms and methods of analysis.
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LOT COMPLIANCE

52.5651	Ascertaining the grade of a lot.
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SCORE SHEET

52.5652	Score sheet for pasteurized orange juice.
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AUTHORITY: §§ 52.5641 to 56.5652 issued under secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627.

PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.5641 Product description.

Pasteurized orange juice is the product defined in the standards of identity (21 CFR 27.107) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.5642 Styles.

- (a) Without sweetener;
- (b) With sweetener.

§ 52.5643 Grades.

(a) "U.S. Grade A" (or U.S. Fancy) is the quality of pasteurized orange juice that: (1) Shows no coagulation or no material separation and has the appearance of fresh orange juice, (2) has a very good color, (3) is practically free from defects, (4) possesses a very good flavor, and (5) scores not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or U.S. Choice) is the quality of pasteurized orange juice that: (1) Shows no coagulation but may show some separation and has the ap-

pearance of fresh orange juice, (2) has a good color, (3) is reasonably free from defects, (4) possesses a good flavor, and (5) scores not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of pasteurized orange juice that fails to meet the requirements of U.S. Grade B.

FILL OF CONTAINER

§ 52.5644 Recommended fill of container.

The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that the container be as full of orange juice as practicable.

FACTORS OF QUALITY

§ 52.5645 Ascertaining the grade of a sample unit.

(a) *General.* The grade of a sample unit of pasteurized orange juice is ascertained by considering the degree of any coagulation and separation, and the appearance of the product as compared to fresh juice which are not scored; the ratings for the factors of color, defects, and flavor which are scored; the total score; and the limiting rules which may be applicable.

(b) *Factors rated by score points.* The relative importance of each scoring factor is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Color	40
Defects	20
Flavor	40
Total score	150

§ 52.5646 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.5647 Color.

(a) *Evaluation of color.* (1) The color of pasteurized orange juice, where applicable, is evaluated by comparing the color of the product with the USDA Orange Juice Color Standards so that these color standards become points of reference.

(2) Such comparison is made under an artificial light source of approximately 150 candela intensity and having a spectral quality approximating that of daylight under a moderately overcast sky and a color temperature of 7,500 degrees Kelvin, ±200 degrees.

(3) The USDA Orange Juice Color Standards range from yellow-orange to yellow color, with USDA OJ 1 being the most orange color in the series.

(b) *Procedure in evaluating color.* (1) Place the juice in a clear glass test tube of 1 inch diameter.

(2) Arrange color standards in a test tube rack or similar device so that light coming from above strikes the standards at a 45 degree angle. The standards are inclined at a 45 degree angle against a neutral grey background. Observe the standards and product at right angles to the tubes.

(3) Classify the juice by inserting the tube of juice where it best fits in the series of color standards. Orange juice differing in color and brightness from the most nearly matching USDA Orange Juice Color Standard is evaluated by considering the amount of difference and its effect on the total appearance of the juice.

(c) *Availability of color standards.* The USDA Orange Juice Color Standards cited in this section are official color standards which may also be applied to other orange juices. Information regarding these color standards, and their availability, may be obtained from:

Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(d) (A) *Classification.* Pasteurized orange juice that has a very good color may be given a score of 36 to 40 points. "Very good color" means a very good yellow to yellow-orange color that is bright and typical of fresh orange juice. Pasteurized orange juice that meets this criterion may be assigned score points in accordance with the following schedule:

As compared with USDA Orange Juice Color Standards:	Score (points)
Equal to or better than USDA OJ 2.....	40
Equal to or better than USDA OJ 3.....	39
Much better than USDA OJ 4.....	38
Equal to or slightly better than USDA OJ 4.....	37
Equal to or better than USDA OJ 5.....	36

(e) (B) *Classification.* If the juice has a good color, a score of 32 to 35 points may be given. Pasteurized orange juice that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Good color" means that the color is the yellow to yellow-orange color typical of fresh orange juice which may be dull but is not off color for any reason. Pasteurized orange juice that meets this criterion may be assigned score points in accordance with the following schedule:

As compared with USDA Orange Juice Color Standards:	Score (points)
Better than USDA OJ 6 but not as good as USDA OJ 5.....	35
Equal to USDA OJ 6.....	34
Not as good as USDA OJ 6.....	33 or 32

(f) (SStd.) *Classification.* If the pasteurized juice fails to meet the requirements of paragraph (e) of this section a score of 0 to 31 points may be given. Pasteurized orange juice that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.5648 Defects.

(a) *General.* The factor of defects concerns the degree of freedom from small seeds and portions thereof; from discolored specks, harmless extraneous material, and other similar defects; from recoverable oil; and from juice sacs and particles of membrane, core, and peel in excess of that normally present in orange juice.

(b) *Definitions.* (1) "Small seeds and portions thereof" means seed, whether fully developed or not, and particles of seed that could pass readily through round perforations $\frac{1}{8}$ inch (3.2 mm.) in diameter.

(2) "Recoverable oil" means oil recoverable by the method outlined in this subpart.

(c) (A) *Classification.* Pasteurized orange juice that is practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means that any combination of defects present may no more than slightly detract from the appearance or drinking quality of the juice, and that there may be present not more than 0.030 percent by volume of recoverable oil.

(d) (B) *Classification.* If the pasteurized juice is reasonably free from defects, a score of 16 or 17 points may be given. Pasteurized orange juice that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that any combination of defects present may not seriously detract from the appearance or drinking quality of the juice, and that there may be present not more than 0.040 percent by volume of recoverable oil.

(e) (SStd.) *Classification.* Pasteurized orange juice that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 15 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.5649 Flavor.

(a) (A) *Classification.* Pasteurized orange juice that possesses a very good flavor may be given a score of 36 to 40 points. "Very good flavor" means that the flavor is fine, distinct, and substantially typical of orange juice extracted from fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following requirements:

(1) *Without sweetener style—(i) Brix.* Not less than 11 degrees.

(ii) *Brix—acid ratio.* Not less than 12:1 nor more than 20:1, except that when produced solely or predominantly from fruit grown in California or Arizona the Brix-acid ratio may be not less than 11 to 1 nor more than 17 to 1.

(2) *With sweetener style—(i) Brix.* Not less than 12.5 degrees; and not less than 10.5 percent by weight of the finished product shall consist of soluble orange juice solids.

(ii) *Brix—acid ratio.* Not less than 14:1 nor more than 18:1.

(b) (B) *Classification.* If the pasteurized orange juice possesses a good flavor a score of 32 to 35 points may be given. Pasteurized orange juice that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Good flavor" means that the flavor is fairly typical of orange juice extracted from fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following requirements:

(1) *Without sweetener style—(i) Brix.* Not less than 10.5 degrees.

(ii) *Brix—acid ratio.* Not less than 11.5:1 nor more than 22:1, except that when produced solely or predominantly from fruit grown in California or Arizona the Brix-acid ratio may be not less than 10.5:1 nor more than 20:1.

(2) *With sweetener style—(i) Brix.* Not less than 12.5 degrees; and not less than 10.5 percent by weight of the finished product shall consist of soluble orange juice solids.

(ii) *Brix—acid ratio.* Not less than 14:1 nor more than 20:1.

(c) (SStd.) *Classification.* Pasteurized orange juice that fails to meet the requirements of paragraph (b) of this section may be given a score of 0 to 31 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

EXPLANATIONS AND METHODS OF ANALYSIS

§ 52.5650 Definitions of terms and methods of analysis.

(a) *Brix.* "Brix" means the degrees Brix of pasteurized orange juice when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.) and to which any applicable temperature correction has been made. The degrees Brix of pasteurized orange juice may be determined by any other method which gives equivalent results.

(b) *Acid.* "Acid" means the grams of total acidity, calculated as anhydrous citric acid, per 100 ml. of pasteurized orange juice. Total acidity is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator.

(c) *Brix—acid ratio.* "Brix—acid ratio" means the ratio between the Brix and the acid as defined in this section.

(d) *Recoverable oil.* "Recoverable oil" is determined by the following methods:

(1) *Equipment.* (i) Oil separatory trap similar to either of those illustrated in Figure 1 or Figure 2.¹

(ii) Gas burner or hot plate;

(iii) Ringstand and clamps;

(iv) Rubber tubing;

(v) Three-liter narrow-neck flask.

(2) *Procedure.* (i) Place exactly two liters of juice in a three liter flask. Close the stopcock, place distilled water in the graduated tube, run cold water through

¹ Filled as part of the original document.

the condenser from bottom to top, and bring the juice to a boil. Continue boiling for 1 hour at the rate of approximately 50 drops per minute.

(ii) By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.

(iii) The number of milliliters of oil recovered divided by 20 equals the percent by volume of recoverable oil.

LOT COMPLIANCE

§ 52.5651 Ascertaining the grade of a lot.

The grade of a lot of pasteurized orange juice covered by these standards is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (§§ 52.1 to 52.87).

SCORE SHEET

§ 52.5652 Score sheet for pasteurized orange juice.

Size and kind of container	.....
Container mark (packages) or	.....
Identification (cases)	.....
Label (including ingredient statement, if any)	.....
Liquid measure (fluid ounces)	.....
Style	.....
Brix (degrees)	.....
Acid (grams/100 ml.; calculated as anhydrous citric acid)	.....
Brix-acid ratio ( )	.....
Recoverable oil (% by volume)	.....
Degree of coagulation	{ () None { () Slight { () Serious

Factors	Score points
Color	40 { (A) 36-40 { (B) 32-35 { (SStd.) 0-31
Defects	20 { (A) 18-20 { (B) 16-17 { (SStd.) 0-15
Flavor	40 { (A) 36-40 { (B) 32-35 { (SStd.) 0-31
Total score	100
Grade	.....

¹ Indicates limiting rule.

Dated: November 29, 1966.

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

[F.R. Doc. 66-12970; Filed, Dec. 1, 1966; 8:46 a.m.]

[7 CFR Part 52]

ORANGE JUICE FROM CONCENTRATE

Proposed Standards for Grades

Notice is hereby given that the U.S. Department of Agriculture is considering the issuance of U.S. Standards for Grades of Orange Juice from Concentrate (7 CFR § 52.5681-52.5692) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (sec. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627). These standards, if

made effective, will be the first issue by the Department of grade standards for this product as now defined in the standards of identity (21 CFR 27.111) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards should file the same in duplicate, not later than 30 days after publication hereof in the FEDERAL REGISTER, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250. All written submissions made pursuant to the notice will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

NOTE: Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

Statement of consideration leading to the proposed standards. Definitions and standards of identity for orange juice from concentrate have been promulgated by the Food and Drug Administration of the Department of Health, Education, and Welfare. Certain labeling declarations, particularly the name of the product, are scheduled to become effective on December 31, 1966.

These Food and Drug definitions and standards establish separate identity for certain orange juice products formerly marketed under the principal name of Chilled Orange Juice.

Certain provisions of the U.S. Standards for Grades of Chilled Orange Juice are now in conflict with the Food and Drug requirements.

The principal reason for this proposal, therefore, is to establish Department of Agriculture grade standards for orange juice from concentrate which would conform to the Food and Drug definitions and identity requirements, conformance with which is mandatory in interstate commerce.

The proposed standards are:

PRODUCT DESCRIPTION, STYLES, AND GRADES

- Sec.
52.5681 Product description.
52.5682 Styles.
52.5683 Grades.

FILL OF CONTAINER

- 52.5684 Recommended fill of container.

FACTORS OF QUALITY

- 52.5685 Ascertaining the grade of a sample unit.
52.5686 Ascertaining the rating for the factors which are scored.
52.5687 Color.
52.5688 Defects.
52.5689 Flavor.

EXPLANATIONS AND METHODS OF ANALYSIS

- 52.5690 Definitions of terms and methods of analysis.

LOT COMPLIANCE

- 52.5691 Ascertaining the grade of a lot.

SCORE SHEET

Sec.
52.5692 Score sheet for orange juice from concentrate.

AUTHORITY: §§ 52.5681 to 52.5692 issued under secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627.

PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.5681 Product description.

Orange juice from concentrate is the product defined in the standards of identity (21 CFR 27.111) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

§ 52.5682 Styles.

- (a) Without sweetener.
(b) With sweetener.

§ 52.5683 Grades.

(a) "U.S. Grade A" (or U.S. Fancy) is the quality of orange juice from concentrate that: (1) Shows no coagulation or no material separation and possesses the appearance of fresh orange juice, (2) has a very good color, (3) is practically free from defects, (4) possesses a very good flavor, and (5) scores not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or U.S. Choice) is the quality of orange juice from concentrate that: (1) Shows no coagulation but may show some separation and possesses the appearance of fresh orange juice, (2) has a good color, (3) is reasonably free from defects, (4) possesses a good flavor, and (5) scores not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of orange juice from concentrate that fails to meet the requirements of U.S. Grade B.

FILL OF CONTAINER

§ 52.5684 Recommended fill of container.

The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that the container be as full of orange juice as practicable.

FACTORS OF QUALITY

§ 52.5685 Ascertaining the grade of a sample unit.

(a) General. The grade of a sample unit of orange juice from concentrate is ascertained by considering the degree of any coagulation and separation, and the appearance of the product as compared to fresh juice, which are not scored; the ratings for the factors of color, defects, and flavor which are scored; the total score; and the limiting rules which may be applicable.

(b) Factors rated by score points. The relative importance of each scoring factor is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Color	40
Defects	20
Flavor	40
Total score.....	100

§ 52.5686 Ascertaining the rating for the factors which are scored

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.5687 Color.

(a) *Evaluation of color.* (1) The color of orange juice from concentrate, where applicable, is evaluated by comparing the color of the product with the USDA Orange Juice Color Standards so that these color standards become points of reference.

(2) Such comparison is made under an artificial light source of approximately 150 candle intensity and having a spectral quality approximating that of daylight under a moderately overcast sky and a color temperature of 7,500 degrees Kelvin, ± 200 degrees.

(3) The USDA Orange Juice Color Standards range from yellow-orange to yellow color, with USDA OJ1 being the most orange color in the series.

(b) *Procedure in evaluating color.* (1) Place the juice in a clear glass test tube of 1 inch diameter.

(2) Arrange color standards in a test tube rack or similar device so that light coming from above strikes the standards at a 45 degree angle. The standards are inclined at a 45 degree angle against a neutral grey background. Observe the standards and product at right angles to the tubes.

(3) Classify the juice by inserting the tube of juice where it best fits in the series of color standards. Orange juice differing in color and brightness from the most nearly matching USDA Orange Juice Color Standard is evaluated by considering the amount of difference and its effect on the total appearance of the juice.

(c) *Availability of color standards.* The USDA Orange Juice Color Standards cited in this section are official color standards which may also be applied to other orange juices. Information regarding these color standards, and their availability, may be obtained from:

Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(d) (A) *Classification.* Orange juice from concentrate that has a very good color may be given a score of 36 to 40 points. "Very good color" means a very

good yellow to yellow-orange color that is bright and typical of fresh orange juice. Orange juice from concentrate that meets this criterion may be assigned score points in accordance with the following schedule:

As compared with USDA Orange Juice Color Standards:	Score (points)
Equal to or better than USDA OJ 2.....	40
Equal to or better than USDA OJ 3.....	39
Much Better than USDA OJ 4.....	38
Equal to or slightly better than USDA OJ 4.....	37
Equal to or better than USDA OJ 5.....	36

(e) (B) *Classification.* If the juice possesses a good color, a score of 32 to 35 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Good color" means that the color is the yellow to yellow-orange color typical of fresh orange juice which may be dull but is not off color for any reason. Orange juice from concentrate that meets this criterion may be assigned score points in accordance with the following schedule:

As compared with USDA Orange Juice Color Standards:	Score (points)
Better than USDA OJ 6 but not as good as USDA OJ 5.....	35
Equal to USDA OJ 6.....	34
Not as good as USDA OJ 6.....	33 or 32

(f) (SStd.) *Classification.* If the juice fails to meet the requirements of paragraph (e) of this section a score of 0 to 31 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.5688 Defects.

(a) *General.* The factor of defects concerns the degree of freedom from small seeds and portions thereof; from discolored specks, harmless extraneous material, and other similar defects; from recoverable oil; and from juice sacs and particles of membrane, core, and peel in excess of that normally present in orange juice.

(b) *Definitions.* (1) "Small seeds and portions thereof" means seed, whether fully developed or not, and particles of seed that could pass readily through round perforations one-eighth inch (3.2 mm.) in diameter.

(2) "Recoverable oil" means oil recoverable by the method outlined in this subpart.

(c) (A) *Classification.* Orange juice from concentrate that is practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means that any combination of defects present may no more than slightly detract from the appearance or drinking quality of the juice, and that there may be present not more than 0.030 percent by volume of recoverable oil.

(d) (B) *Classification.* If the juice is reasonably free from defects, a score of 16 or 17 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that any combination of defects present may not seriously detract from the appearance or drinking quality of the juice, and that there may be present not more than 0.040 percent by volume of recoverable oil.

(e) (SStd.) *Classification.* Orange juice from concentrate that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 15 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.5689 Flavor.

(a) (A) *Classification.* Orange juice from concentrate that possesses a very good flavor may be given a score of 36 to 40 points. "Very good flavor" means that the flavor is fine, distinct, and substantially typical of orange juice extracted from fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following requirements:

(1) *Without sweetener style—(i) Brix.* Not less than 11.8 degrees.

(ii) *Brix—acid ratio.* Not less than 13:1 nor more than 20:1, except that when produced solely or predominantly from fruit grown in California or Arizona the Brix-acid ratio may be not less than 11 to 1 nor more than 17 to 1.

(2) *With sweetener style—(i) Soluble orange juice solids.* Not less than 11.8 percent, by weight, of the sweetened product.

(ii) *Brix—acid ratio.* Not less than 14:1 nor more 18:1.

(b) (B) *Classification.* If the orange juice from concentrate possesses a good flavor a score of 32 to 35 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Good flavor" means that the flavor is fairly typical of orange juice extracted from fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following requirements:

(1) *Without sweetener style—(i) Brix.* Not less than 11.8 degrees.

(ii) *Brix—acid ratio.* Not less than 11.5:1, nor more than 22:1, except that when produced solely or predominantly from fruit grown in California or Arizona the Brix-acid ratio may be not less than 10.5:1 nor more than 20:1.

(2) *With sweetener style—(i) Soluble orange juice solids.* Not less than 11.8 percent, by weight, of the sweetened product.

(ii) *Brix—acid ratio.* Not less than 12:1 nor more than 22:1.

(c) (SStd.) Classification. If the orange juice fails to meet the requirements of paragraph (b) of this section a score of 0 to 31 points may be given. Orange juice from concentrate that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

EXPLANATIONS AND METHODS OF ANALYSIS
§ 52.5690 Definitions of terms and methods of analysis.

(a) *Brix*. "Brix" means the degrees Brix of orange juice from concentrate when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.) and to which any applicable temperature correction has been made. The degrees Brix may be determined by any other method which gives equivalent results.

(b) *Acid*. "Acid" means the grams of total acidity, calculated as anhydrous citric acid, per 100 ml. of juice. Total acidity is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator.

(c) *Brix-acid ratio*. "Brix-acid ratio" means the ratio between the Brix and the acid as defined in this section.

(d) *Recoverable oil*. "Recoverable oil" is determined by the following methods:

(1) *Equipment*. (i) Oil separatory trap similar to either of those illustrated in Figure 1 or Figure 2.¹

- (ii) Gas burner or hot plate;
- (iii) Ringstand and clamps;
- (iv) Rubber tubing;
- (v) Three-liter narrow-neck flask.

(2) *Procedure*. (i) Place exactly two liters of juice in a three liter flask. Close the stopcock, place distilled water in the graduated tube, run cold water through the condenser from bottom to top, and bring the juice to a boil. Continue boiling for one hour at the rate of approximately 50 drops per minute.

(ii) By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.

(iii) The number of milliliters of oil recovered divided by 20 equals the percent by volume of recoverable oil.

LOT COMPLIANCE

§ 52.5691 Ascertaining the grade of a lot.

The grade of a lot of orange juice from concentrate covered by these standards is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (§§ 52.1 to 52.87).

¹ Filed as part of the original document.

SCORE SHEET

§ 52.5692 Score sheet for orange juice from concentrate.

Size and kind of container	.....
Container mark (packages) or	.....
Identification (cases)	.....
Label (including ingredient statement, if any)	.....
Liquid measure (fluid ounces)	.....
Style	.....
Brix (degrees)	.....
Acid (grams/100 ml.: calculated as anhydrous citric acid)	.....
Brix-acid ratio ( )	.....
Recoverable oil (% by volume)	.....
Degree of coagulation ( )	.....
	() None	
	() Slight	
	() Serious	
Factors		Score points
Color.....	40	(A) 36-40 (B) 32-35 (SStd.) 10-31
Defects.....	20	(A) 18-20 (B) 16-17 (SStd.) 10-15
Flavor.....	40	(A) 36-40 (B) 32-35 (SStd.) 10-31
Total score.....	100	
Grade.....		

¹ Indicates limiting rule.

Dated: November 29, 1966.

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

[F.R. Doc. 66-12971; Filed, Dec. 1, 1966;
 8:46 a.m.]

Consumer and Marketing Service
[7 CFR Part 971]

LETTUCE GROWN IN LOWER RIO GRANDE VALLEY IN SOUTH TEXAS

Proposed Expenses and Rate of Assessment

Notice is hereby given that the Secretary of Agriculture is considering the approval of the expenses and rate of assessment for the fiscal period ending July 31, 1967, hereinafter set forth, which were recommended by the South Texas Lettuce Committee, established pursuant to Marketing Agreement No. 144 and Marketing Order No. 971 (7 CFR 971), herein referred to collectively as the order. The order regulates the handling of lettuce grown in the Lower Rio Grande Valley in South Texas, and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

All persons who desire to submit written data, views, or arguments in connection with these proposals may file the same, in quadruplicate, with the Hearing Clerk, Room 112, U.S. Department of Agriculture, 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)). The proposals are as follows:

§ 971.207 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period August 1, 1966, through July 31, 1967, by the South Texas Lettuce Committee for its maintenance and functioning and for such purposes as the Secretary determines to be appropriate, will amount to \$20,000.

(b) The rate of assessment to be paid by each handler in accordance with the marketing agreement and this part shall be one and one-half cents (\$.015) per carton of lettuce handled by him as the first handler thereof during said fiscal period.

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

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

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

Dated: November 29, 1966.

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

[F.R. Doc. 66-12989; Filed, Dec. 1, 1966;
 8:47 a.m.]

[7 CFR Part 992]

[Docket No. AO 358-RO 1]

GRAPES PRODUCED IN CALIFORNIA (AND POSSIBLY ARIZONA)

Notice of Reopened Hearing With Respect to Proposed Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the public hearing held in Fresno, Calif., on March 14 through 26, 1966, on this proposed marketing agreement and order is reopened upon publication of this document in the FEDERAL REGISTER. The hearing will reconvene at a time and at a place to be announced by supplemental notice. The proposed program was set forth in the FEDERAL REGISTER of February 22, 1966 (31 F.R. 3020).

The principal purpose of the reopened hearing is to receive additional evidence on the question, not adequately resolved by present evidence, of how to assure adequate supplies in raisin and fresh shipment outlets while, at the same time, effecting an overall supply adjustment.

Another major purpose is to receive up-to-date evidence on economic, marketing, and other conditions relating to the proposed program.

Dated: November 29, 1966.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 66-12988; Filed, Dec. 1, 1966;
8:47 a.m.]

[7 CFR Part 1101]

[Docket No. AO 195-A12]

MILK IN KNOXVILLE, TENN., MARKETING AREA

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreement and order regulating the handling of milk in the Knoxville, Tenn., marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by the 15th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. 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)).

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreement and to the order as amended, were formulated, was conducted at Knoxville, Tenn., on April 13 and 14, 1966, pursuant to notices thereof which were issued on February 21, 1966 (31 F.R. 3195) and on March 3, 1966 (31 F.R. 4148).

The material issues on the record of this hearing relate to:

1. Expansion of the marketing area;
2. Payments for producer milk;
3. Diversion of producer milk;
4. Butterfat differentials; and
5. Miscellaneous and conforming changes.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. Expansion of the marketing area. The Knoxville, Tenn., marketing area, which now contains Knox County, the cities of Alcoa and Maryville in Blount County and Oak Ridge in Anderson County should be expanded by adding

the remaining portions of Anderson and Blount Counties and 12 other Tennessee counties: Campbell, Cocke, Cumberland, Grainger, Hamblen, Jefferson, Loudon, Morgan, Roane, Scott, Sevier, and Union. The expanded marketing area comprises a contiguous area in which both wholesale and retail routes of milk handlers doing business in the area are interspersed.

The marketing area expansion was proposed by Knoxville Milk Producers Association and by a pool plant operator who also operates an unregulated plant in Harriman, Tenn. (the latter plant would be the only additional plant to become regulated by the order because of the proposed marketing area expansion). There was no opposition to the proposed 15-county marketing area.

In addition to the 15 counties enumerated above, the notice of hearing also contained a proposal to include Monroe County in the marketing area. No testimony was presented in support of this proposal. Accordingly, no action is taken herein to include it in the marketing area.

The handling of milk in this proposed marketing area is in the current of interstate commerce and directly burdens, obstructs, or affects interstate commerce in milk and its products. The minimum sanitary requirements applicable to Grade A milk throughout the present and proposed marketing area is that of the State of Tennessee, which is patterned after the U.S. Public Health Ordinance and Code.

The present marketing area does not constitute the proper marketing area under current marketing conditions. The 15-county area herein proposed as the marketing area represents more appropriately the sales area of the handlers now regulated by the Knoxville order. Major factors that have contributed to bringing about this change are the advent of new and better highways, improved and larger transportation equipment, better refrigeration facilities for storing and moving milk and the shifting by consumers from home delivery to store purchases of fluid milk products.

It is important that the marketing area be defined on a county basis because a significant portion of the sales of fluid milk by handlers is in relatively rural communities and because of the substantial population immediately surrounding the various cities.

The operator of the presently unregulated plant in Harriman also operates a pool plant in Norris. These two plants are essentially one operation. At each plant specific fluid milk products are processed and packaged in certain type and size containers for distribution from both plants. The presently defined marketing area has hampered this operation because no routes emanating from the Harriman plant have any distribution within the marketing area as now designated. To avoid compensatory payments to the Knoxville pool on the milk handled at the Harriman plant (and distributed on routes from the Norris plant),

the handler has been moving bulk milk back and forth between these plants. This has involved extra handling expense to him. Milk distributed on routes from the Harriman plant competes directly with route sales of other handlers now regulated under the order.

Practically all of the Class I distribution of the handlers who would be regulated under the proposed order is within the proposed 15-county marketing area. Moreover, these handlers are the principal distributors in each of the counties in the proposed enlarged marketing area. They are the only distributors in Campbell, Grainger, Morgan, and Union Counties. In Anderson, Cumberland, Hamblen, Knox, Scott, and Sevier Counties, their distribution is 90 percent or more of the total distribution in each county. In each of the five other counties, their distribution is between 60 and 90 percent of the total. The remaining sales in each county are by handlers regulated under the Appalachian, Chattanooga, or Louisville-Lexington-Evansville orders.

Because all producer milk must be fully regulated regardless of where it is sold, it is not feasible to differentiate, for the purpose of regulation, between handlers' Class I sales inside and outside the marketing area. Otherwise, the effect of the order would be nullified and the orderly marketing process jeopardized.

If only his "in-area" sales were subject to classification, pricing and pooling, a regulated handler with Class I sales both inside and outside the marketing area could assign any value he chose to his outside sales. He thereby could reduce the average cost of all of his Class I milk below that of other regulated handlers having all, or substantially all, of their Class I sales within the marketing area. In short, unless all milk of such a handler is fully regulated under the order, he in effect would not be subject to effective price regulation. The absence of effective classification, pricing, and pooling of such milk would disrupt orderly marketing conditions within the regulated marketing area and would lead to a complete breakdown of the order. If a pool handler were free to value a portion of his milk at any price he chooses, it would be impossible to enforce uniform prices to all fully regulated handlers or a uniform basis of payments to the producers who supply the market.

It is essential, therefore, that the order price all the producer milk received at a pool plant regardless of the point of disposition.

Limited quantities (as provided) of Class I milk may be sold within the regulated marketing area from points not under any Federal order. There is, of course, no way to treat such unregulated milk uniformly with regulated milk other than to regulate it fully. Nevertheless, it has been concluded that the application of "partial" regulation to plants having less association than required for market pooling would not jeopardize marketing conditions within the regulated marketing area. Official notice is taken of the June 19, 1964, decision (29 F.R. 9001) supporting amendments to

several orders, including the Knoxville, Tenn., order.

The operator of this partially regulated plant is afforded the option of: (1) Paying an amount equal to the difference between the Class I price and the weighted average value of producer milk with respect to all Class I sales made in the marketing area, (2) purchasing at the Class I price under any Federal order sufficient Class I milk to cover his limited disposition within the marketing area, or (3) paying his dairy farmers an amount not less than the value of all their milk computed on the basis of the classification and pricing provisions of the order (the latter representing an amount equal to the order obligation for milk which is imposed on fully regulated handlers).

While all fluid milk sales of the partially regulated plants are not necessarily priced on the same basis as fully regulated milk, the provisions described are, however, adequate under most circumstances to prevent sales of milk not fully regulated (pooled) from adversely affecting operation of the order and the fully regulated milk.

In the course of the operation of the order, the question may arise as to whether any territory within the boundaries of the designated marketing area which is occupied by Government (Municipal, State, or Federal) reservations, installations, institutions, or other establishments shall be considered as within the marketing area. A proponent of the marketing area expansion urged that the order should state explicitly that any such territory be a part of the marketing area. So that there will be no doubt as to the meaning or the intent of the application of the marketing area definition in the order, it should be indicated that the marketing area shall include any territory wholly or partly within the area which is occupied by Government (Municipal, State, or Federal) reservations, installations, institutions, or other establishments.

2. *Payments for producer milk.* The present order provisions for paying producers should not be changed.

The Knoxville Milk Producers Association proposed that pool plant operators be required to pay the market administrator, at the applicable class prices, for all producer milk delivered to their plants. The market administrator, in turn, would distribute such monies to producers through the payment of the uniform price. The payments could be made either directly to the producers or to cooperatives authorized to collect for their members.

Under the current order provisions, each handler operating a pool plant is required to pay at least the uniform price to all producers (or their cooperative) from whom he purchases milk. The difference between what the handler pays producers and the utilization value of his milk at the class prices is paid to, or received from, an "equalization fund". Handlers with higher-than-average utilization pay the difference into this fund. This money is then paid out to

handlers with lower-than-average utilization.

The proponent association stated that under the proposal the market administrator would know more promptly than at present when a handler is delinquent in his payments for producer milk. This, the cooperative claimed, would permit the market administrator to institute action more promptly in the collection of delinquent payments.

Other supporting reasons cited by the cooperative were that (1) handlers would be relieved of the work and expense in preparing producer payrolls and writing checks to producers, (2) handlers' accounting to the pool would be simplified, and (3) any misunderstanding or confusion which may attend payments by handlers into, and their withdrawal of monies from, the equalization fund would tend to be dispelled.

The method of paying producers proposed by the cooperative has worked satisfactorily in the several markets where it is used. Most of the reasons cited by the cooperative as to why it should be adopted in this market are those which might well be presented by handlers. However, a majority of the handlers objected to the introduction of this system of payment despite the advantages the cooperative alleges it would have for them.

There is no indication that the present method of paying producers has not worked satisfactorily in this market. Although producers contend that the collection of money from handlers would be easier under the proposed system of payment as compared with the present system, we cannot reach this conclusion on the basis of the evidence submitted.

3. *Diversion of producer milk.* A cooperative should be permitted to divert to nonpool plants up to 35 percent of its producer-members' monthly deliveries to all pool plants in September-February. Similarly, a pool plant operator should be permitted to divert to nonpool plants up to 35 percent of producer milk physically received at his plant during any such month.

The order now permits diversion of the milk of individual producers for not more than 10 days monthly in September-February. Unlimited diversion is allowed in other months. The plants to which milk may be diverted are limited to nonpool plants, including Chattanooga order plants, but excluding plants regulated under other Federal orders. The only changes provided by this decision are with regard to diversions in September-February. There were no proposals for changing the other diversion provisions of the order.

Producers proposed changing the basis for computing the amount of producer milk that may be diverted during the September-February months from not more than 10 days on an individual producer basis to 35 percent of the total producer milk of its members received at pool plants during the month. There was no opposition to changing the basis for computing the amount of producer milk that may be diverted during the

month from the present basis to a percentage of the aggregate producer milk deliveries. The latter basis is commonly applied in a number of Federal milk orders.

On a monthly basis, Knoxville producers do not produce large quantities of milk in excess of the market's fluid requirements. Diversion provisions are for the purpose of enabling handlers and cooperatives to divert producer milk when it is not needed in the market for Class I purposes such as on weekends and holidays. The limitation herein proposed will be more practicable than those now contained in the order in accommodating diversion under current marketing conditions and will facilitate the orderly disposition of producer milk.

It is important that only milk regularly associated with the market should be eligible to be diverted to nonpool plants. It is appropriate, therefore, to provide that at least 10 days' production of a producer be delivered to a pool plant during the month in September-February to qualify all of his production in the same month for diversion within the limits proposed herein. If less than 10 days' production of a producer is delivered to a pool plant during the month in this period, then, only that quantity of milk delivered to a nonpool plant that is not greater than the quantity delivered to a pool plant may be considered producer milk. These requirements are sufficient under current conditions to establish a producer's association with the Knoxville order market and still permit the necessary flexibility for milk not needed for fluid use.

In the Knoxville market, the cooperative exercises the responsibility for diverting its members' milk to nonpool plants. Milk not needed by handlers can, of course, be most economically handled by being moved directly from the farm to nearby manufacturing plants. The greatest efficiency in this regard is achieved by diverting the milk from the farms of producers nearest the manufacturing plants. This can be accomplished most practically if the diversion is in terms of a percentage of the aggregate quantity of milk delivered to pool plants by the cooperative, as herein provided.

The operator of a pool plant should not be permitted to divert the milk of a producer-member of a cooperative in the September-February period if the cooperative has diverted milk to nonpool plants in the same month. To provide otherwise would permit diversions in excess of the designated 35 percent limitation. A pool plant operator should, however, be permitted to divert the milk of a producer-member of a cooperative if the cooperative has not diverted any of the producer's milk during the month.

The order now permits a proprietary handler the same diversion privileges allowed a cooperative. A pool plant operator whose source of supply is principally from nonmember producers has no less need for diversion than does a cooperative whose members supply other pool plants. It is appropriate, therefore, that

such a handler be permitted to divert on the same percentage basis as that allowed a cooperative.

Milk diverted to nonpool plants in excess of the 35 percent limitation provided would not be considered producer milk. Hence, eligibility for pricing and pooling under the order would be forfeited on a quantity of milk equal to such excess. In such instances, the diverting handler would specify which milk is ineligible as producer milk. If the handler fails to make such designation, thereby making it infeasible for the market administrator to determine which milk was overdiverted, all milk diverted to nonpool plants by such handler would be made ineligible as producer milk.

4. *Butterfat differentials.* (a) The butterfat differential applicable to Class I milk should be 12 percent of the Chicago butter price for the preceding month (instead of 13 percent as now provided in the order).

The differential herein provided, which was proposed by producers, has wide acceptance and is the Class I butterfat differential most applicable in other Federal orders. For the year 1965, the proposed differential averaged 7.2 cents. The actual average Class I butterfat differential in 1965 was 7.8 cents.

The lower Class I butterfat differential will allocate less value to the butterfat in Class I milk and more value to the skim milk portion. In 1965 when the Class I price averaged \$4.69, the value of 3.5 pounds of butterfat in a hundred pounds of milk was \$2.73 (35 × 7.8 cents). The skim milk portion of such hundred pounds of milk was valued at \$1.96.

The proposed butterfat differential of 12 percent of the Chicago butter price would have valued the butterfat in a hundred pounds of milk in 1965 at \$2.52 (35 × 7.2 cents). This is 21 cents less than the value of the 3.5 pounds of butterfat in a hundred pounds of milk under the Knoxville order in 1965. Had such a differential been in effect, however, the value of the skim milk portion of the milk would have been increased by 21 cents.

A number of fluid milk products on the market have a proportionately higher percentage of solids-not-fat (e.g. fortified or modified skim milk). With a relatively high Class I butterfat differential, producers do not receive their appropriate share of the Class I sales value represented by the solids-not-fat portion of fluid milk products.

The proposed Class I butterfat differential is identical with that provided in the nearby Federal order markets of Nashville, Appalachian, Memphis, and Louisville-Lexington-Evansville. Hence, it will contribute to orderly market by pricing the butterfat in producer milk competitively with the butterfat for Class I uses from alternative sources of supply.

(b) The butterfat differential to producers should be calculated at the average of the Class I and Class II butterfat differentials weighted by the proportion of butterfat in producer milk classified in each class during the month.

The producer butterfat differential is presently computed by multiplying the

Chicago butter price by 0.12. Producers proposed changing the butterfat differential so that the Knoxville producer butterfat differential will be the same as those in the Appalachian and Chattanooga orders. There was no opposition to this proposal.

It is appropriate to calculate the producer butterfat differential at the weighted average of the Class I and Class II butterfat differentials. This will assure that returns to producers reflect the actual value of their butterfat at the class prices provided by the order.

5. *Miscellaneous and conforming changes.* (a) The "producer-handler" definition should be changed to provide that a producer-handler may receive fluid milk products only from his own production and from pool plants. In addition, a producer-handler should be required to provide proof satisfactory to the market administrator that the care and management of the dairy animals and other resources necessary to produce the entire volume of fluid milk products handled (excluding receipts from pool plants) and the operation of the processing, packaging and distribution business are his personal enterprise and risk.

The order now qualifies as a producer-handler a person who processes milk from his own production, distributing all or a portion of it in the marketing area, and receives no milk from producers. The producer-handler definition set forth in the attached order was proposed by producers and is similar to the definition provided in many other Federal orders. This revision would not change the status of the one producer-handler now operating in the marketing area.

Currently, a producer-handler may receive fluid milk products from any source other than dairy farmers. In this circumstance, he may have the opportunity to purchase supplemental supplies from unregulated sources at less than the Class I price. The use of such unregulated milk for Class I purposes by a producer-handler would not only provide him with a competitive advantage over regulated handlers but also tend to be disruptive to orderly marketing.

Under the order, fluid milk products transferred from a pool plant to a producer-handler are classified as Class I. Thus, the cost to a producer-handler for supplemental supplies obtained from pool plants approximates regulated handlers' cost for Class I milk. Under current market conditions, a producer-handler who either produces his entire Class I requirements plus reserves or relies only on pool sources for supplemental supplies will not have a significant competitive advantage over regulated handlers.

It is desirable and appropriate that the order clearly specify that a person fully exempt from the pricing and pooling provisions as a producer-handler is, in fact, the person responsible for the operation of both the dairy farm and the distribution business. This can be accomplished best by having the order state explicitly that to qualify for producer-handler status, the maintenance, care and management of the dairy ani-

mals necessary to produce milk and the processing and packaging of the milk shall be the personal enterprise and risk of the person involved.

(b) The Class II price computation should be revised by deleting the use of the average reported paying prices of a limited number of milk manufacturing plants in Wisconsin and Michigan (Midwest condensery price).

The Class II price in the Knoxville order is now the average reported basic paying prices at nine milk manufacturing plants in Kentucky, Tennessee, North Carolina, South Carolina, and Virginia, plus 10 cents in the months of February through August and 25 cents in all other months. Such price, however, may not exceed the highest of: (1) Midwest condensery price; (2) a formula price based on the market prices for butter and cheddar cheese; and (3) a formula price based on the market prices of butter and nonfat dry milk. The Midwest condensery price has never influenced the Class II price since this formula was incorporated into the order.

The Midwest condensery price is not now as representative a price of manufacturing grade milk as it was when first incorporated into the order. Originally, the Midwest condensery price was based on the reported paying prices of 18 plants in Wisconsin and Michigan. The number of such plants has now dwindled to six and these are operated by four firms. Because of the relatively few plants now included in the Midwest condensery series and the fact it has never influenced the Class II price, it would not be practicable to continue to rely on this series as an accurate measure of manufacturing milk values.

(c) The expansion of the marketing area provided in this decision would result in the presently unregulated plant at Harriman becoming a pool plant under the order. Because the dairy farmers supplying this plant are not now producers under the Knoxville order, they are not establishing bases under the order. To the extent that these dairy farmers are regular suppliers of that plant, they should be assigned bases according to their deliveries to the Harriman plant in the same manner as other producers who delivered milk to pool plants in the base-making period. Without bases, these dairy farmers would receive during the 5-month base-paying period only the excess (Class II) price for their milk even though the milk would be used for supplying the market's Class I needs.

Accordingly, a dairy farmer supplying a plant that was a nonpool plant in the preceding September through February and that qualified as a pool plant in any month of April through August should be assigned a base according to his preceding September-February deliveries to the plant. This provision, which is commonly provided in other orders (including the nearby Nashville order), gives appropriate consideration to those dairy farmers who are regularly associated with the presently unregulated Harriman plant (that would become a pool plant by expansion of the marketing area) and to other dairy farmers sim-

ilarly situated who may come on the market.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings, and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended marketing agreement and order amending the order. The following order amending the order as amended regulating the handling of milk in the Knoxville, Tenn., marketing area is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

1. Section 1101.5 is revised to read as follows:

§ 1101.5 Knoxville, Tenn., marketing area.

The "Knoxville, Tenn., marketing area" hereinafter called the "marketing area" means all the territory geographically within the boundaries of the fol-

lowing counties, all in the State of Tennessee, including all territory wholly or partly therein occupied by Government (Municipal, State, or Federal) reservations, installations, institutions, or other similar establishments.

Anderson.	Knox.
Blount.	Loudon.
Campbell.	Morgan.
Cocke.	Roane.
Cumberland.	Scott.
Grainger.	Sevier.
Hamblen.	Union.
Jefferson.	

2. Section 1101.7 is revised to read as follows:

§ 1101.7 Producer-handler.

"Producer-handler" means any person who:

(a) Operates a dairy farm and an approved plant from which Class I milk is disposed of on routes in the marketing area;

(b) Receives no fluid milk products from other dairy farmers or from sources other than pool plants; and

(c) Provides proof satisfactory to the market administrator that the care and management of the dairy animals and other resources necessary to produce the entire volume of fluid milk products handled (excluding receipts from pool plants) and the operations of the processing, packaging and distribution business are the personal enterprise and risk of such person.

3. Section 1101.12 is revised to read as follows:

§ 1101.12 Producer.

"Producer" means any person, except a producer-handler as defined in any order (including this part) issued pursuant to the Act, who produces milk in compliance with the inspection requirements of a duly constituted health authority, which milk is received at a pool plant or diverted pursuant to § 1101.13 from a pool plant to a nonpool plant.

4. Section 1101.13 is revised to read as follows:

§ 1101.13 Producer milk.

"Producer milk" means the skim milk and butterfat contained in milk:

(a) Received at a pool plant directly from a producer; or

(b) Diverted from a pool plant to a nonpool plant that is not an other order plant (except such a plant fully subject to the provisions of Part 1090 (Chattanooga, Tenn.) of this chapter) or a producer-handler plant, subject to the following:

(1) Milk so diverted for the account of a handler operating a pool plant shall be deemed to have been received by the handler at the pool plant from which diverted and if diverted for the account of a cooperative association, shall be deemed to have been received by the cooperative association at the location of the pool plant from which diverted;

(2) If less than 10 days' production of a producer is delivered to a pool plant in any month of September through February, the quantity of milk of any such producer diverted during the month that exceeds that delivered to pool plants

shall not be deemed to have been received at a pool plant and shall not be producer milk;

(3) A cooperative association may divert for its account the milk of any member-producer: *Provided*, That in any month of September through February, the total quantity of milk so diverted that exceeds 35 percent of the milk physically received from member-producers at all pool plants during the month shall not be deemed to have been received at a pool plant and shall not be producer milk;

(4) A handler operating a pool plant may divert for his account:

(i) In any month of March through August, the milk of any producer; and

(ii) In any month of September through February, the milk of any producer other than a member of a cooperative association which has diverted milk during the month pursuant to subparagraph (3) of this paragraph: *Provided*, That the total quantity of milk so diverted that exceeds 35 percent of the milk physically received at such pool plant during the month from producers who are not members of such a cooperative association shall not be deemed to have been received at a pool plant and shall not be producer milk; and

(5) The diverting handler shall designate the dairy farmers whose milk is not producer milk pursuant to subparagraph (3) and (4) of this paragraph. If the handler fails to make such designation, no milk diverted by him shall be producer milk.

5. In § 1101.51, paragraph (b) is revised to read as follows:

§ 1101.51 Class prices.

(b) *Class II milk price.* The price for Class II milk shall be the price determined pursuant to subparagraph (1) of this paragraph not to exceed the higher of the prices computed pursuant to subparagraphs (2) and (3) of this paragraph, and adjusted to a 3.5 percent butterfat basis by subtracting five times the butterfat differential for the month computed pursuant to § 1101.52(b) and rounding to the nearest cent.

(1) To the arithmetical average of the basic (or field) prices reported to have been paid or to be paid per hundredweight for milk of 4.0 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department of Agriculture, on or before the 6th day after the end of the month:

COMPANY AND LOCATION

Pet Milk Co., Bowling Green, Ky.
 Pet Milk Co., Greeneville, Tenn.
 Pet Milk Co., Abingdon, Va.
 Carnation Co., Murfreesboro, Tenn.
 Carnation Co., Statesville, N.C.
 Carnation Co., Galax, Va.
 Borden Co., Lewisburg, Tenn.
 Borden Co., Chester, S.C.
 Kraft Foods Co., Greeneville, Tenn.

Add 10 cents in the months of February through August and add 25 cents in all other months.

(2) The price per hundredweight computed as follows:

(i) Multiply by 6 the average price per pound of butter as described in § 1101.50;

(ii) Add an amount equal to 2.4 times the arithmetical average of the weekly prevailing price per pound of "Twins" during the month on the Wisconsin Cheese Exchange: *Provided*, That if the price of "Twins" is not quoted on such Exchange, the weekly prevailing price per pound of "Cheddars" shall be used; and

(iii) Divide by 7, add 30 percent thereof, and then multiply by 4.

(3) The price per hundredweight obtained by adding together the plus values computed pursuant to subdivisions (i) and (ii) of this subparagraph:

(i) Multiply by 4 the average price per pound of butter as described in § 1101.50 and add 20 percent thereof;

(ii) From the average of carlot prices per pound of nonfat dry milk solids, spray process, for human consumption, f.o.b. Chicago area manufacturing plants, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department of Agriculture, subtract 5 cents and multiply by 7.5.

6. In § 1101.52, paragraph (a) is revised to read as follows:

§ 1101.52 Butterfat differentials to handlers.

(a) *Class I milk.* Multiply the average price per pound of butter for the month as described in § 1101.50 by 0.12.

7. Section 1101.60 is revised to read as follows:

§ 1101.60 Daily average base.

Subject to the rules set forth in § 1101.61, the daily average base for each producer shall be an amount calculated by dividing the total pounds of producer milk received from such producer by all handlers during the months of September through February immediately preceding by the number of days from the first day of delivery by such producer during such months to the last day of February, inclusive, but not less than 120 days: *Provided*, That in the case of producers delivering milk to a pool plant which was not a pool plant during all of the preceding months of September through February a daily average base for each such producer shall be computed pursuant to this section on the basis of his verifiable deliveries of milk to such plant during the period September through February preceding the month in which the plant became a pool plant.

8. In § 1101.85, paragraph (a) is revised to read as follows:

§ 1101.85 Butterfat and location differentials to producers.

(a) *Butterfat differential to producers.* The applicable uniform price shall be increased or decreased for each one-tenth percent which the average butterfat content of such milk is above or below 3.5 percent, respectively, at the rate determined by multiplying the pounds of butterfat in producer milk allocated to each

class pursuant to § 1101.46 by the respective butterfat differential for each class, dividing the sum of such values by the total pounds of such butterfat, and rounding the resultant figure to the nearest one-fifth cent.

Signed at Washington, D.C., on November 28, 1966.

CLARENCE H. GIRARD,
Deputy Administrator
Regulatory Programs.

[F.R. Doc. 66-12969; Filed, Dec. 1, 1966; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 18]

[Docket No. 11467]

RADIO FREQUENCY STABILIZED ARC WELDERS

Further Extension of Time for Filing Comments

The Commission has before it for consideration a request dated October 28, 1966, by the Joint Industry Committee on High Frequency Stabilized Arc Welders to extend the time for filing comments in the above proceeding from November 1, 1966, to February 1, 1967.

On October 27, 1966, the time for filing comments in the proceeding was extended from November 1, 1966, to December 1, 1966, at the request of the Aerospace and Flight Test Radio Coordinating Council. The Joint Industry Committee has requested a longer extension for the following reasons.

The Joint Industry Committee has undertaken a comprehensive testing program on radio frequency stabilized arc welders. While the initial tests have been completed by one of its subcommittees, the report of those tests cannot be prepared for the evaluation and study by the Joint Industry Committee within the time for filing comments. Furthermore, the analysis of that report could necessitate further testing before the Joint Industry Committee would be in a position to develop appropriate comments on the proposed rule-making.

The data which the Committee will derive from its testing should be of interest to the Commission in the proceeding and, accordingly, the public interest will be served by granting the additional time requested.

Therefore, it is ordered, This 28th day of November 1966, pursuant to § 0.251(b) of the Commission's rules, that the time for filing comments in this proceeding is extended to February 1, 1967, and the time for filing reply comments is extended to February 15, 1967.

Released: November 29, 1966.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-12997; Filed, Dec. 1, 1966; 8:48 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 525]

[No. 20,298]

FEDERAL HOME LOAN BANK SYSTEM

Extension of Credit

NOVEMBER 25, 1966.

Resolved that, pursuant to Part 508 of the General Regulations of the Federal Home Loan Bank Board (12 CFR Part 508) it is hereby proposed that § 525.2 of the regulations for the Federal Home Loan Bank System (12 CFR 525.2) be revised to read as follows:

§ 525.2 Extension of credit.

The board of directors of each Bank shall adopt, and review at least every 6 months, a policy governing the extension of credit to the members of the Bank which is consistent with this subchapter and policy directives of the Board. The officers of the Bank designated by its board of directors may extend or deny credit and take such other action as is in conformity with the credit policy of the Bank, this subchapter, and policy directives of the Board. No advance shall be made or other credit action taken which would constitute an exception to the credit policy of the Bank without the prior approval of the board of directors or a committee of directors designated by the board of directors to approve exceptions, and no exception shall be made to this subchapter or policy directives of the Board unless authorized by and made in accordance with this subchapter and policy directives of the Board. The board of directors shall require the officers of the Bank to report promptly to it or to the executive committee all actions taken under this section, and shall review such actions for compliance with this section.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW, Washington, D.C. 20552, not later than January 2, 1967, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 66-12953; Filed, Dec. 1, 1966; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management NEW MEXICO

Redelegation of Authority to District Managers

As authorized in section 1.1 of Bureau Order No. 701 of July 23, 1964 (F.R. Doc. 64-7492; 29 F.R. 10526), as amended, the District Managers in New Mexico are hereby redelegated authority to take all actions to:

SEC. 3.8 Forest management—(a) Disposition of forest products. (1) Dispose of or permit the free use of forest products when authorized by law on lands under the jurisdiction of the Bureau of Land Management under applicable portions of 43 CFR Subpart 5400. Any sale of timber in excess of 10 million feet board measure must be approved, prior to advertisement, and any free use permit in excess of \$5,000 in value must be approved, prior to issuance, by the State Director or his delegate.

SEC. 3.9 Land use. * * * * *
(g) **Material other than forest products.** (1) Sell or contract for the sale of material other than forest products, or permit the free use of materials other than forest products not exceeding \$5,000 in value under 43 CFR Part 3610.

(o) **Special land use permits.** (1) Issue special land use permits for public lands under the administration of the Bureau of Land Management, both within and outside established grazing districts, under 43 CFR Subpart 2236. No special use permit may be issued in any case in which the provisions of existing public laws may be invoked.

The authority herein delegated may be redelegated in accordance with section 3.1 of Bureau Order 701, as amended. This redelegation will become effective upon publication in the FEDERAL REGISTER.

W. J. ANDERSON,
State Director.

Approved: November 25, 1966.

J. P. BIERNE,
Acting Associate Director.

[F.R. Doc. 66-12960; Filed, Dec. 1, 1966;
8:45 a.m.]

UTAH

Notice of Completion of Public Land Survey

Notice is hereby given that the public land survey required by Public Law 89-

441 (80 Stat. 192) June 3, 1966, for the purpose of closing the meander line around the Great Salt Lake in the State of Utah, has been completed and approved November 14, 1966. The plat of this survey is filed in the official records of the Bureau of Land Management, Federal Building, Salt Lake City, Utah.

JOHN O. CROW,
Associate Director.

NOVEMBER 30, 1966.

[F.R. Doc. 66-13017; Filed, Dec. 1, 1966;
8:43 a.m.]

Office of the Secretary

E. CLYDE MCGRAW

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) None.
- (2) Add: American Telephone and Telegraph; New York City 4.30 percent bonds due 1970; \$10,000 U.S. Treasury Bills.

This statement is made as of December 1, 1966.

Dated: November 14, 1966.

E. CLYDE MCGRAW.

[F.R. Doc. 66-12961; Filed, Dec. 1, 1966;
8:45 a.m.]

DEPARTMENT OF COMMERCE

National Bureau of Standards

AMERICAN LUMBER STANDARDS FOR SOFTWOOD LUMBER

Extension of Deadline for Responses Concerning Revision of Simplified Practice Recommendation 16-53

On November 18, 1966, public notice was given in the FEDERAL REGISTER (Volume 31, No. 234, Page 14697), by the National Bureau of Standards regarding the distribution of the Recommended Revision of Simplified Practice Recommendation 16-53, "American Lumber Standards for Softwood Lumber." The November 18, 1966 notice established a deadline of December 3, 1966, for transmittal of responses concerning this revision.

The deadline for transmittal of responses is hereby extended to December 15, 1966. This extension is being made in order that those persons to whom copies of the Recommended Revision have been sent as of the date of this

notice may have full opportunity to record their views on such revision.

Dated: November 30, 1966.

A. V. ASTIN,
Director.

[F.R. Doc. 66-13044; Filed, Dec. 1, 1966;
9:25 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

SPECIAL ASSISTANT TO SECRETARY FOR CIVIL RIGHTS

Delegation of Authority

Notice is hereby given of the following delegation from the Secretary of Health, Education, and Welfare to the Special Assistant to the Secretary for Civil Rights:

Authority is hereby delegated to the Special Assistant to the Secretary for Civil Rights to enter into agreements on behalf of the Secretary with other Departments and agencies of the Federal Government to provide for the conduct of consolidated or joint civil rights hearings and for the application to such hearings of appropriate rules of procedure, in the circumstances specified in § 80.9(e) of Part 80 of the Department's Regulations, 45 CFR 80.9(e).

Authority for delegation. Section 80.12(c) of the Department's Regulations on Nondiscrimination in Federally Assisted Programs, 29 F.R. 16298, 45 CFR 80.12(c); section 6 of Reorganization Plan No. 1 of 1953.

This delegation shall expire at the close of business on December 2, 1966.

Dated: November 25, 1966.

[SEAL] WILBUR J. COHEN,
Acting Secretary.

[F.R. Doc. 66-12984; Filed, Dec. 1, 1966;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 16826, 16827; FCC 66M-1596]

BRANCH ASSOCIATES, INC. AND ASCENSION PARISH BROADCASTING CO.

Order Continuing Prehearing Conference

In re applications of Branch Associates, Inc., Houma, La., Docket No. 16826, File No. BP-16701; R. E. Hook, trading as Ascension Parish Broadcasting Co., Donaldsonville, La., Docket No. 16827,

File No. BP-17035; for construction permits.

This hearing having been placed in indefinite continuance for the purpose of affording the applicants an opportunity of submitting for Commission approval an agreement which would obviate the necessity for hearing;

It appearing, that adequate time for the preparation and submission of such agreement has elapsed and that it is now appropriate that dates be established for hearing on the designated issues;

It is ordered, This 28th day of November 1966, that a prehearing conference shall convene on December 5, 1966, at 9 a.m. in the offices of the Commission at Washington, D.C.

Released: November 29, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-12992; Filed, Dec. 1 1966;
8:47 a.m.]

[Docket No. 16606; 16970; FCC 66M-1608]

KANSAS STATE NETWORK, INC. AND TOPEKA TELEVISION, INC.

Statement and Order After Prehearing Conference

In re applications of Kansas State Network, Inc., Topeka, Kans., Docket No. 16606, File No. BPCT-3537; Topeka Television, Inc., Topeka, Kans., Docket No. 16970, File No. BPCT-3662; for construction permit for new television broadcast station.

At today's prehearing conference, there was consideration, among other things, of the Broadcast Bureau's statement in support of Kansas State Network, Inc.'s petition for leave to amend to Channel 49 in place of Channel 43. In that supporting statement, filed November 22, the Bureau asked, however, that Kansas State's application as amended be removed from hearing status and returned to the processing line. The Hearing Examiner issued his order of November 23 (FCC 66M-1579) without knowledge of the prior filing of the Broadcast Bureau's statement; he accepted the amendment and directed that the two captioned applications be retained in hearing status.

Following a discussion, the Hearing Examiner modified his order of November 23 to provide that the applications of Kansas State Network, Inc., Docket No. 16606, and Topeka Television, Inc., Docket No. 16970, are severed from the consolidated hearing and would proceed to separate and independent hearing.

The hearing on the application of Topeka Television, Inc. will be held, as now scheduled, on December 29, 1966.

The hearing on the application of Kansas State Network, Inc. is rescheduled from December 29, 1966, to January 10, 1967.

Time for appeal from this statement and order dates from its release.

So ordered, This 29th day of November 1966.

Released: November 29, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-12993; Filed, Dec. 1, 1966;
8:47 a.m.]

[Docket Nos. 16876-16878; FCC 66M-1598]

LORAIN COMMUNITY BROADCAST- ING, INC., ET AL.

Order Continuing Hearing

In re applications of Lorain Community Broadcasting Co., Lorain, Ohio, Docket No. 16876, File No. BP-16940; Allied Broadcasting, Inc., Lorain, Ohio, Docket No. 16877, File No. BP-17297; Midwest Broadcasting Co., Lorain, Ohio, Docket No. 16878, File No. BP-17302; for construction permits.

Upon the oral telephone request of counsel for Allied Broadcasting, Inc., and with the consent of all the parties to the above-entitled proceeding: It is ordered, This 28th day of November 1966, that the presently scheduled dates be modified as follows:

Exchange of exhibits presently scheduled for November 28, 1966, is continued to December 22, 1966;

Notification of witnesses presently scheduled for December 8, 1966, is continued to January 6, 1967; and

Hearing presently scheduled for December 14, 1966, is continued to January 11, 1967.

Released: November 29, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-12994; Filed, Dec. 1, 1966;
8:48 a.m.]

[Docket Nos. 16679, 16680; FCC 66M-1591]

RKO GENERAL, INC. (KHJ-TV) AND FIDELITY TELEVISION, INC.

Order Regarding Procedural Dates

In re applications of RKO General, Inc. (KHJ-TV), Los Angeles, Calif., Docket No. 16679, File No. BRCT-58; for renewal of broadcast license; Fidelity Television, Inc., Norwalk, Calif., Docket No. 16680, File No. BPCT-3655; for construction permit for new television broadcast station (Channel 9).

Although designated for hearing on June 8, 1966, this matter has long been awaiting the taking of that step, due to pending pleading before the Commission's Review Board. By order, released November 1, 1966, the Examiner vacated the schedule of procedural steps preliminarily arranged and continued the hearing indefinitely (FCC 66M-1480). Since that continuance, the Review Board has acted on the pending pleadings, and the captioned matter now appears ripe for rescheduling. Pursuant

to the request of the Examiner, contained in his November 1, 1966, order, the parties have furnished him with their views concerning a new schedule. The one set forth below, as the Examiner understands it, reflects the views of the parties in respect to a mutually agreeable schedule.

Accordingly, it is ordered, This 25th day of November 1966, on the Examiner's own motion, that the following schedule shall govern the future course of this proceeding:

January 16, 1967: Exchange of exhibits.

January 30, 1967: Parties to make requests on each other for additional information.

February 20, 1967: Parties to submit such material as they desire to submit in response to requests for additional information; parties to exchange with each other lists of witnesses intended for deposition or for oral direct testimony.

February 27, 1967: Formal commencement of hearing with offering of written exhibits into evidence.

March 1, 1967: Parties to request witnesses for cross-examination.

March 15, 1967: Hearing to resume with the presentation of oral testimony.

Released: November 28, 1966.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 66-12995; Filed, Dec. 1, 1966;
8:48 a.m.]

[Docket No. 16990; FCC 66-1027]

TAFT BROADCASTING CO. (WKYT-TV) AND WLEX-TV, INC.

Memorandum Opinion and Order Designating Hearing

In the matter of petitions by Taft Broadcasting Co. (WKYT-TV) and WLEX-TV, Inc., Lexington, Ky., to stay construction and to prevent expansion of CATV systems in the Lexington market area by Berea Cablevision Co., Inc., Gregg Cablevision, Inc., and Mount Sterling Antennavision Co., Docket No. 16990.

1. The Commission has for consideration a petition filed June 13, 1966, by Taft Broadcasting Co., licensee of television station WKYT-TV, Channel 27, Lexington, Ky., requesting temporary and permanent relief pursuant to § 74.1109 of the rules against the importation of distant signals by Berea Cablevision Co. to its CATV system in Berea, Ky., and by Gregg Cablevision to its CATV systems in Danville and Lancaster. WLEX-TV on Channel 18 in Lexington and Taft Broadcasting filed other petitions on July 19 and 20 against the proposed CATV system of Mount Sterling Antennavision Co. in Mount Sterling, Ky. In view of the community of interest of these matters, the Commission is taking them up at the same time. Taft and WLEX-TV have asked that the Commission issue an order to

Berea, Gregg, and to Mount Sterling Antennavision to withhold construction of their proposed CATV systems pending a final determination on the merits of the petitions.

2. It is contended that the importation of distant signals will deteriorate the Lexington UHF market and cause substantial injury to the two UHF stations. The petitions recite that there is a proliferation of CATV activity in the Lexington market, with CATV systems in operation within four communities, CATV franchises in four more communities (the communities under consideration here), and applications for franchises pending in two other places. Taft calculates by the 1960 census that the total population which could be served by these CATV systems amounts to 184,980 persons. Gregg points out, in opposition, that the communities where its CATV systems will be operated do not now receive complete service from any network and that the importation of Louisville and Cincinnati stations will make available full network service. Mount Sterling argues that its CATV system could not, because of its size, have significant effect on the Lexington UHF stations.

3. Lexington is the 141st television market and is all UHF. In addition to the two existing UHF stations in Lexington, there are competing applications in hearing for Channel 62, and there is an application pending for educational Channel 46. Each of the cities where CATV systems are to be operated is located within the Grade B contours of WKYT-TV and WLEX-TV, but beyond the Grade B contour of any VHF stations. Gregg, Berea, and Mount Sterling propose to carry on their CATV systems the signals of the two Lexington stations, the three network affiliates from Louisville, and the three network stations from Cincinnati. In addition, Mount Sterling proposes to carry the signals of the three Huntington-Charleston network affiliates. Lexington is approximately 75 miles from Cincinnati—the 16th television market, approximately 65 miles from Louisville—the 48th television market, and approximately 150 miles from Huntington and Charleston—the 45th television market. In view of the nature of the Lexington market, its present UHF activity, and the facts set forth in the pleadings, a substantial question is raised as to the impact of the CATV systems upon UHF development. We will explore this question in hearing. We have also taken notice of the pending applications of American Television Relay (135/149-C1-P-67; 377/379-C1-P-67) insofar as they propose service to Gregg's Lancaster and Danville systems. These applications have not yet been processed, but will be considered in the context of the questions raised here.

It is therefore ordered, This 16th day of November 1966, pursuant to section 309 of the Communications Act and section 74.1109 of the Commission's rules, that a hearing is ordered on the following issues:

1. To determine the present and proposed penetration and extent of CATV service in the market.

2. To determine the effects of current and proposed CATV service in the Lexington area upon existing, proposed, and potential television broadcast stations in the market.

3. To determine (1) the present policy and proposed future plans of respondents with respect to the furnishing of any service other than the relay of the signals of broadcast stations; (2) the potential for such services; and (3) the impact of such services upon television broadcast stations in the market.

4. To determine whether the CATV proposals are consistent with the public interest.

Taft Broadcasting Co., WLEX-TV, Inc., Berea Cablevision Co., Inc., Gregg Cablevision, Inc., and Mount Sterling Antennavision Co., are made parties to this proceeding, and to participate must comply with the applicable provisions of § 1.221 of the Commission's rules. Respondents will be expected to go forward with Issues 1 and 3. Petitioners will have the burden of proceeding with Issue No. 2. The burden of proof with respect to Issue 4 is upon petitioners. A time and place for the hearing will be specified in another order.

4. Remaining for consideration in this case is the question whether interim relief should be afforded. The CATV system may, of course, commence operations with the signals of the two Lexington stations (and any other stations which commence operations during this interim period and place a predicted Grade B contour over the communities in question). We think that limited interim relief should also be afforded on the facts of this case. We note that the Lexington market is currently and may, for some time yet, be without a full lineup of network stations, and that respondents have spent and committed considerable sums to an undertaking which can fill the service gap. Accordingly, in an effort to achieve an accommodation of the interests of the public in receiving full network service and to give some measure of relief to the CATV systems: *It is ordered*, That until this matter is finally decided, respondents' CATV systems may, in addition to the foregoing Lexington or other Grade B signals, supply to subscribers the signals of any of the Louisville stations, including the educational station on Channel 15. This interim authority is, of course, subject to compliance by the system operators with the requirements of our non-duplication rules. We believe that this is a fair interim accommodation, and that it will not prejudice our ultimate decision, which involves the impact of CATV upon UHF activity in the entire Lexington market. Our judgment is, of course, based upon the facts of this case, and is not indicative of what interim action, if any, would be appropriate as to other proposed CATV operations in this area.

Accordingly, to the extent indicated, the petitions of Taft Broadcasting Co.

and WLEX-TV, Inc. are granted, and, in other respects, denied.

Released: November 29, 1966.

FEDERAL COMMUNICATIONS

COMMISSION,¹

[SEAL] BEN F. WAPLE,

Secretary.

[F.R. Doc. 66-12996; Filed, Dec. 1, 1966; 8:48 a.m.]

FEDERAL MARITIME COMMISSION AMERICAN-FLAG PASSENGER LINES

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. K. F. Gautier, Vice President—Passenger Traffic, United States Lines Co., 1 Broadway, New York, N.Y. 10004.

Agreement 9598, between American Export Isbrandtsen Lines, Inc., American President Lines, Ltd., Grace Line Inc., Matson Navigation Co., Moore-McCormack Lines, Inc., The Oceanic Steamship Co., and United States Lines Co., establishes a cooperative working arrangement between the carriers to share jointly an office in the Department of State Building, Washington, D.C., for the sale and issuance of passage tickets for vessels operated by the signatories hereto.

Dated: November 29, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-12976; Filed, Dec. 1, 1966; 8:46 a.m.]

¹ Chairman Hyde absent; Commissioner Bartley's dissenting statement in which Commissioner Loevinger joins, filed as part of the original document; Commissioners Lee and Cox dissenting in part and concurring in part and Commissioner Cox's statement filed as part of the original document; Commissioner Johnson concurring in the designation for hearing.

ATLANTIC PASSENGER STEAMSHIP CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. R. M. L. Duffy, Secretary, Atlantic Passenger Steamship Conference, 65, Sandgate Road, Folkestone, Kent, England.

Agreement 7840-70, between the member lines of the Atlantic Passenger Steamship Conference proposes the revision of Provision 7 of Annex 1, to the basic agreement effective from January 1, 1967, to provide for (1) the granting of reduced rates at the discretion of the member line to each Party Organizer or his representative who secures and conducts parties of 10 to 14 or 15 to 19 full-fare paying passengers traveling one way, round trip, or on tour in the high season and (2) the granting of an increase from 50 to 75 percent in the amount of fare reductions to each Party Organizer or his representative who secures and conducts parties of 10 to 14 passengers traveling in the low season, and subject to certain conditions set forth therein.

Dated: November 29, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-12977; Filed, Dec. 1, 1966; 8:46 a.m.]

ATLANTIC PASSENGER STEAMSHIP CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. R. M. L. Duffy, Secretary, Atlantic Passenger Steamship Conference, 65, Sandgate Road, Folkestone, Kent, England.

Agreement 7840-69, between the member lines of the Atlantic Passenger Steamship Conference modifies Article 4 of the basic agreement to provide for (1) the establishment by unanimous agreement of the Member Lines of basic minimum rates for all ships, all classes, predicated on the age, size, speed, and general vessel characteristics, (2) the establishment of promotional fares, rules and regulations relating to passenger fares by unanimous agreement of the Member Lines, and (3) the deletion of the last sentence of Article 4(a) which permits a Member Line to quote passenger fares higher than those agreed upon, but which limits the application of lower fares.

Dated: November 29, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-12978; Filed, Dec. 1, 1966; 8:46 a.m.]

N. V. NEDLLOYD LIJNEN AND HOEGH LINES JOINT SERVICE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL

REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. H. C. Williams, Nedlloyd Lines Inc., 25 Broadway, New York, N.Y. 10004.

Agreement 9554-1, between N. V. Nedlloyd Lijnen and Hoegh Lines Joint Service, proposes to amend the sailing arrangement between the parties by broadening the scope thereof to include ports in the Persian Gulf. All other existing provisions in the agreement shall remain unchanged.

Dated: November 29, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-12979; Filed, Dec. 1, 1966; 8:46 a.m.]

BOARD OF COMMISSIONERS OF PORT OF NEW ORLEANS ET AL.

Notice of Agreement Filed for Approval

Notice is hereby given that the following Agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Board of Commissioners of the Port of New Orleans, Board of Commissioners of Lake Charles Harbor and Terminal District and Greater Baton Rouge Port Commission.

Notice of agreement filed for approval by:

Cyrus C. Guldry, Board of Commissioners of the Port of New Orleans, Post Office Box 60046, New Orleans, La. 70160.

Agreement No. T-2002 between the Board of Commissioners of the Port of New Orleans, the Board of Commissioners of Lake Charles Harbor and Terminal District and the Greater Baton Rouge Port Commission provides for the creation of the Mid-Gulf Seaports Marine Terminal Conference. The agreement will permit the members to discuss and

agree upon port terminal rates, charges, rules, and regulations which will be published in their respective tariffs.

Dated: November 29, 1966.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 66-12980; Filed, Dec. 1, 1966;
8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-5999, etc.]

SATURN OIL & GAS CO., ET AL.

Findings and Order

NOVEMBER 22, 1966.

Findings and order after statutory hearing issuing certificates of public convenience and necessity, amending certificates, permitting and approving abandonment of service, terminating certificates, terminating rate proceeding, making successor correspondent, substituting respondent, redesignating proceedings, accepting agreement and undertaking for filing, requiring filing of surety bond, and accepting related rate schedules and supplements for filing.

Each of the Applicants listed herein has filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, for permission and approval to abandon service, or a petition to amend an existing certificate authorization, all as more fully described in the respective applications and petitions (and any supplements or amendments thereto) which are on file with the Commission.

The Applicants herein have filed related FPC gas rate schedules and propose to initiate or abandon, add or delete natural gas service in interstate commerce as indicated by the tabulation herein. All sales certificated herein are at rates either equal to or below the ceiling prices established by the Commission's statement of general policy No. 61-1, as amended, or involve sales for which permanent certificates have been previously issued; except that the sale from the Permian Basin area of Texas is authorized to be made at or below the applicable area base rate and under the conditions prescribed in Opinion Nos. 468 and 468-A.

Wm. H. Chamberlain doing business as Saturn Oil & Gas Co. (Operator), et al., Applicant in Docket No. G-5999, proposes to continue the sale of natural gas heretofore authorized in said docket and made pursuant to, inter alia, Saturn Oil & Gas Co., Inc. (Operator), et al., FPC Gas Rate Schedule No. 3. Said rate schedule will be redesignated as that of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. RI65-559. Applicant has requested to be substituted in lieu of the predecessor Saturn

Oil & Gas Co., Inc. as respondent in said proceeding and has expressed his willingness to file a surety bond to assure the refund of all amounts collected in excess of the amount determined to be just and reasonable in said proceeding. Therefore, Applicant will be substituted as respondent in said proceeding, the proceeding will be redesignated accordingly, and Applicant will be required to file a surety bond.

Hanley Co., Applicant in Docket No. CI67-289, proposes to continue in part the sale of natural gas heretofore authorized in Docket No. G-12614, and made pursuant to Mobil Oil Corp. FPC Gas Rate Schedule No. 119. The contract comprising said rate schedule will also be designated as a rate schedule of Applicant. The presently effective rate under said rate schedule is in effect subject to refund in Docket No. G-20407.¹ Applicant has submitted an agreement and undertaking to assure the refund of any amounts collected by it in excess of the amount determined to be just and reasonable in said proceeding. Therefore, Applicant will be made co-respondent in the proceeding pending in Docket No. G-20407, the proceeding will be redesignated accordingly, and the agreement and undertaking will be accepted for filing.

After due notice, no petitions to intervene, notices of intervention, or protests to the granting of any of the respective applications or petitions in this order have been received.

At a hearing held on November 18, 1966, the Commission on its own motion received and made a part of the record in these proceedings all evidence, including the applications, amendments and exhibits thereto, submitted in support of the respective authorizations sought herein, and upon consideration of the record.

The Commission finds:

(1) Each Applicant herein is a "natural-gas company" within the meaning of the Natural Gas Act as heretofore found by the Commission or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission, and will therefore, be a "natural-gas company" within the meaning of said Act upon the commencement of the service under the respective authorization granted hereinafter.

(2) The sales of natural gas heretofore described, as more fully described in the respective applications, amendments and/or supplements herein, will be made in interstate commerce, subject to the jurisdiction of the Commission, and such sales by the respective Applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) The sales of natural gas by the respective Applicants, together with the

¹ Consolidated with the initial proceeding in Docket No. AR61-1, et al.

construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity and certificates therefore should be issued as hereinafter ordered and conditioned.

(4) The respective Applicants are able and willing properly to do the acts and to perform the services proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(5) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the certificate authorizations heretofore issued by the Commission in Docket Nos. G-4579, G-5999, G-8789, G-12455, G-12724, G-16004, G-16199, G-16218, G-16465, G-17199, CI60-122, CI60-444, CI61-487, CI61-1187, CI61-1726, CI62-28, CI64-423, CI64-1422, CI66-85, and CI66-1029 should be amended as hereinafter ordered and conditioned.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates heretofore issued in the following dockets should be amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	New certificate and/or amendment to add acreage
G-8663	CI66-1029
G-12614	CI67-289
CI63-875	CI67-246
CI64-1375	CI67-363

(7) The sales of natural gas proposed to be abandoned by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are subject to the requirements of subsection (b) of section 7 of the Natural Gas Act, and such abandonments should be permitted and approved as hereinafter ordered.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued to the respective Applicants relating to the abandonments hereinafter permitted and approved should be terminated.

(9) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the rate suspension proceeding in Docket No. RI66-87 should be terminated only with respect to Tenneco Oil Co. (Operator), et al., FPC Gas Rate Schedule No. 125.

(10) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Wm. H. Chamberlain doing business as Saturn Oil & Gas Co. (Operator), et al., should be substituted as respondent in the proceeding pending in Docket No. RI65-559, that said proceeding should be redesignated accordingly, and that Chamberlain should be required to file a surety bond.

(11) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Hanley Co. should be co-respondent in the proceeding pending in Docket No. G-20407, that the proceeding should be redesignated accordingly, and that the agreement and undertaking submitted by Hanley Co. in said proceeding should be accepted for filing.

(12) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the name of the respondent in the proceeding pending in Docket No. RI66-6 should be changed from Foree Drilling Co. to Foree Co., and that the proceeding should be redesignated accordingly.

(13) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the name of the respondent in the proceedings pending in Docket Nos. RI62-388² and RI64-7 should be changed from Banquete Gas Co., a division of Crestmont Consolidated Corp., to Banquete Gas Co., a division of Crestmont Oil & Gas Co.; and that the proceedings should be redesignated accordingly.

(14) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the respective related rate schedules and supplements as designated or redesignated in the tabulation herein should be accepted for filing as hereinafter ordered.

The Commission orders:

(A) Certificates of public convenience and necessity are issued upon the terms and conditions of this order, authorizing the sales by the respective Applicants herein of natural gas in interstate commerce for resale, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary for such sales, all as hereinbefore described and as more fully described in the respective applications, amendments, supplements, and exhibits in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission.

(C) The grant of the certificates issued in paragraph (A) above shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act or of Part 154 or Part 157 of the Commission's regulations thereunder, and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against the respective Applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. Nor shall the grant of the certificates aforesaid for

² Consolidated with Docket No. AR64-2, et al.

service to the particular customers involved imply approval of all of the terms of the respective contracts particularly as to the cessation of service upon termination of said contracts, as provided by section 7(b) of the Natural Gas Act. Nor shall the grant of the certificates aforesaid be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales of natural gas subject to said certificates.

(D) The grant of the certificates issued herein on all applications filed after April 15, 1965, is upon the condition that no increase in rate which would exceed the ceiling prescribed by the given area by paragraph (d) of the Commission's statement of general policy No. 61-1, as amended, shall be filed prior to the applicable dates, as indicated by footnotes 8 and 13 in the attached tabulation.

(E) Certificates are issued herein in Docket Nos. CI67-357 and CI67-359, subject to the conditions set forth in paragraphs (C), (D), and (E) of the order accompanying Opinion No. 353 (27 FPC 449), except that said certificates shall not be subject to the Commission's ultimate determination in Docket No. R-200.

(F) Certificates are issued herein to Ashland Oil & Refining Co. and Fred P. Fulton, et ux., in Docket Nos. CI67-228 and CI67-356, respectively, authorizing Applicants to continue the sales of natural gas previously covered by the Operators, Colorado Oil and Gas Corp. and Cities Service Oil Co., in Docket Nos. G-8789 and G-4579, respectively.

(G) The certificates heretofore issued in Docket Nos. G-4579 and G-8789 are amended by deleting therefrom authorization to sell gas from the interests of Fred P. Fulton, et ux. and Ashland Oil & Refining Co., respectively.

(H) The certificates heretofore issued in Docket Nos. G-12455, G-16218, G-16465, CI60-122, CI61-487, CI66-85, and CI66-1029 are amended by adding thereto or deleting therefrom authorization to sell natural gas to the same purchasers and in the same areas as covered by the original authorizations, pursuant to the rate schedule supplements as indicated in the tabulation herein.

(I) The certificate heretofore issued in Docket No. CI64-423 is amended to include the sale of natural gas from the additional acreage; and Applicant shall submit a billing statement to its rate schedule supplement.

(J) The certificate heretofore issued in Docket No. CI64-1422 is amended to include the sale of natural gas from the additional acreage conditioned to a total initial price of 11.0 cents per Mcf at 14.65 p.s.i.a.

(K) The certificates heretofore issued in the following dockets are amended to reflect the deletion of acreage where new certificates are issued herein or existing certificates are amended herein to authorize service from the subject acreage:

Amend to delete acreage	New certificate and/or amendment to add acreage
G-8663-----	CI66-1029
G-12614-----	CI67-289
CI63-875-----	CI67-246
CI64-1375-----	CI67-363

(L) The certificates heretofore issued in Docket Nos. G-5999, G-12724, CI60-444, CI61-1187, and CI62-28 are amended by changing the certificate holders to the respective successors in interest as indicated in the tabulation herein.

(M) The certificates heretofore issued in Docket Nos. G-16004 and CI61-1726 are amended to reflect the change in name from Foree Drilling Co. to Foree Co.

(N) The certificates heretofore issued in Docket Nos. G-16199 and G-17199 are amended to reflect the change in name from Banquete Gas Co., a division of Crestmont Consolidated Corp. to Banquete Gas Co., a division Crestmont Oil & Gas Co.

(O) Permission for and approval of the abandonment of service by the respective Applicants, as hereinbefore described, all as more fully described in the tabulation herein and in the respective applications, are granted.

(P) The abandonment herein permitted and approved in Docket Nos. CI67-340 and CI67-378 does not relieve Applicants of any obligations to make such refunds as may be ordered in Opinion No. 476 and Docket No. RI60-245, respectively.

(Q) Permission and approval of the abandonment of service by Applicant in Docket No. CI67-333 is granted and the related certificate in Docket No. G-13633 is terminated only insofar as it relates to sales covered by Supplement No. 24 to FPC Gas Rate Schedule No. 197.

(R) The certificates heretofore issued in Docket Nos. G-10543, G-11753, G-15532, CI62-1426, CI63-790, and CI65-171 are terminated.

(S) The rate suspension proceeding pending in Docket No. RI66-87 is terminated only with respect to Tenneco Oil Co. (Operator), et al., FPC Gas Rate Schedule No. 125, and Applicant is relieved from any refund obligation for sales made pursuant to the increased rate under said rate schedule.

(T) The name of the respondent in the proceeding pending in Docket No. RI66-6 is changed from Foree Drilling Co. to Foree Co., and the proceeding is redesignated accordingly.³

(U) The name of the respondent in the proceedings pending in Docket Nos. RI62-388 and RI64-7 is changed from Banquete Gas Co., a division of Crestmont Consolidated Corp. to Banquete Gas Co., a division of Crestmont Oil & Gas Co., and the proceedings are redesignated accordingly.⁴

(V) Wm. H. Chamberlain doing business as Saturn Oil & Gas Co. (Operator), et al., is substituted in lieu of Saturn Oil & Gas Co., Inc. (Operator), et al., as re-

³ Foree Co.

⁴ Banquete Gas Co., a division of Crestmont Oil & Gas Co.

spondent in the proceeding pending in Docket No. RI65-559, and the proceeding is redesignated accordingly.⁶

(W) Within 30 days from the date of this order Wm. H. Chamberlain, doing business as Saturn Oil & Gas Co. (Operator), et al., shall execute, in the form set out below, and shall file with the Secretary of the Commission an acceptable surety bond in Docket No. RI65-559 in the amount of \$114,000 to assure the refund, together with interest at the rate of 7 percent per annum, of all amounts collected in excess of the amount determined to be just and reasonable in said proceeding. Concurrently with said bond there shall be filed a certificate to the effect that no obligation has been assumed in connection with said bond except payment of the bond premium. Unless notified to the contrary by the Secretary of the Commission within 30 days from the date of submission said bond shall be deemed to have been accepted for filing.

(X) Wm. H. Chamberlain doing business as Saturn Oil & Gas Co. (Operator), et al., shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the surety bond filed by him in Docket No. RI65-559 shall remain in full force and effect until discharged by the Commission.

(Y) Hanley Co. shall be co-respondent in the proceeding pending in Docket No. G-20407,⁶ the proceeding is redesignated accordingly, and the agreement and undertaking submitted by Hanley Co. in said proceeding is accepted for filing.

(Z) Hanley Co. shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and the agreement and undertaking filed by it in Docket No. G-20407 shall remain in full force and effect until discharged by the Commission.

(AA) Applicant in Docket No. CI67-289 shall submit a supplement to its FPC Gas Rate Schedule No. 38 to reflect any reduction necessary to bring the rate into conformity with the applicable base area rate prescribed in Opinion No. 468, as modified by Opinion No. 468-A, within 45 days from the date of this order. In view of the stay of the effectiveness of certain of the requirements of Opinion Nos. 468 and 468-A, the filing, if acceptable, will be accepted for informational purposes only.

(BB) Within 45 days from the date of this order Applicant in Docket No. CI67-289 shall file a rate schedule quality statement in the form prescribed in Opinion No. 468-A.

(CC) The respective related rate schedules and supplements as indicated

in the tabulation herein are accepted for filing; further, the rate schedules relating to the successions herein are accepted and redesignated, subject to the applicable Commission regulations under the Natural Gas Act to be effective on

the dates as indicated in the tabulation herein.

By the Commission.

[SEAL]

GORDON M. GRANT,
Acting Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	FPC rate schedule to be accepted		
			Description and date of document	No.	Supp.
G-5099 E 9-26-66	Wm. H. Chamberlain d.b.a. Saturn Oil & Gas Co. (Operator), et al. (successor to Saturn Oil & Gas Co., Inc. (Operator), et al.).	Northern Natural Gas Co., acreage in Stevens County, Kans.	Saturn Oil & Gas Co., Inc. (Operator), et al., FPC GRS No. 2. Supplement Nos. 1-4. Notice of succession 9-1-66.	1	1-4
G-5099 E 9-26-66	do.	Panhandle Eastern Pipe Line Co., acreage in Grant, Morton, and Stevens Counties, Kans.	Assignment 9-1-66. Effective date: 9-1-66. Saturn Oil & Gas Co., Inc. (Operator), et al., FPC GRS No. 3. Supplement No. 1. Notice of succession 9-1-66.	1	5
G-12455 D 8-8-66	Texaco Inc.	Panhandle Eastern Pipe Line Co., Meade County, Kans. and Beaver County, Okla.	Assignment 9-1-66. Effective date: 9-1-66. Amending agreement 5-27-66. ¹	2	1
G-12724 E 4-27-66	Bradley H. Keyes (successor to Claude E. Aikman, et al.).	El Paso Natural Gas Co., Fulcher, Kutz-Pictured Cliffs Field, San Juan County, N. Mex.	Assignment 9-1-66. Effective date: 9-1-66. Amendment 5-27-66. ¹	154	8
G-16004 5-6-66	Foree Co. (Operator), et al. (formerly Foree Drilling Co. (Operator), et al.).	Northern Natural Gas Co., acreage in Beaver County, Okla.	Claude E. Aikman, et al., FPC GRS No. 6. Supplement Nos. 1-2. Notice of succession 4-8-66.	3	1-2
G-16199 9-30-66	Banquete Gas Co., a division of Crestmont Oil & Gas Co. (formerly Banquete Gas Co., a division of Crestmont Consolidated Corp.).	United Gas Pipe Line Co., Plymouth and East Taft Fields, San Patricio County, Tex.	Assignment 8-31-64. ² Effective date: 9-1-64. Foree Drilling Co. (Operator), et al., FPC GRS No. 1.	3	3
G-16218 D 10-3-66	Gulf Oil Corp. (Operator), et al.	Transwestern Pipeline Co., Southeast Gage Field, Ellis County, Okla.	Assignment 9-1-66. Effective date: 9-1-66. FPC GRS No. 1.	1	1-3
G-16465 D 7-15-66	Pan American Petroleum Corp.	Texas Gas Transmission Corp., acreage in Ouachita Parish, La.	Letter agreement 6-7-66. ³	196	43
G-17199 9-30-66	Banquete Gas Co., a division of Crestmont Oil & Gas Co. (formerly Banquete Gas Co., a division of Crestmont Consolidated Corp.).	United Gas Pipe Line Co., Spartan and Odem Fields, San Patricio County, Tex.	Release of acreage 4-28-66. ²	243	8
CI60-122 C 9-6-66	Texas San Juan Oil Corp.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Miller and Fox Field, Jim Wells County, Tex.	Banquete Gas Co., a division of Crestmont Consolidated Corp., FPC GRS No. 2. Supplement Nos. 1-5. Notice of succession 9-26-66.	2	1-5
CI60-444 E 9-23-66	Tri Gas Co. (successor to James H. Helland (Operator), et al.).	Trunkline Gas Co., Bryne Field, Bee County, Tex.	Amendment 6-24-66. ⁴	2	4
CI61-487 C 8-22-66	Ferrell L. Prior, d.b.a. Prior Oil & Gas Co. ⁵	Equitable Gas Co., West Union District, Doddridge County, W. Va.	James H. Helland (Operator), et al., FPC GRS No. 1. Supplement No. 1. Notice of succession 9-22-66.	1	1
CI61-1187 E 9-26-66	Wm. H. Chamberlain, d.b.a. Saturn Oil & Gas Co. (Operator), et al. (successor to Saturn Oil & Gas Co., Inc. (Operator), et al.).	Panhandle Eastern Pipe Line Co., acreage in Seward County, Kans.	Assignment 6-27-66. ¹⁰ Effective date: 6-27-66. Letter agreement 5-19-66. Letter Agreement 8-10-66. ¹²	1	2
			Saturn Oil & Gas Co., Inc. (Operator), et al., FPC GRS No. 1. Supplement No. 1. Notice of succession 9-1-66.	146	1
			Assignment 9-1-66. Effective date: 9-1-66.	146	2
			Saturn Oil & Gas Co., Inc. (Operator), et al., FPC GRS No. 1. Supplement No. 1. Notice of succession 9-1-66.	3	1
			Assignment 9-1-66. Effective date: 9-1-66.	3	2

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

See footnotes at end of table.

⁵ Wm. H. Chamberlain doing business as Saturn Oil & Gas Co. (Operator), et al.

⁶ Mobil Oil Corp. and Hanley Co.

Docket No. and date filed		FPC rate schedule to be accepted		FPC rate schedule to be accepted		Applicant		Purchaser, field, and location		Description and date of document		Docket No. and date filed		Applicant		Purchaser, field, and location		Description and date of document		No. Supp.		
CI 161-1726 5-6-66 4	3	Force Drilling Co., Force Drilling Co.,	Force Drilling Co., FPC GRS No. 3, Supplement Nos. 1-4	3	3	Cabot Corp. (SW)	Natural Gas Pipeline Co. of America, acreage in Okla. County, Okla.	Contract 6-7-66 12	86													
CI 162-28 E 9-26-66	4	Wm. H. Chamberlain, d.b.a. Saurin Oil & Gas Co. (Operator), et al. (successor to Saurin Oil & Gas Co., Inc. (Operator), et al.)	Saurin Oil & Gas Co., Inc. (Operator), et al., FPC GRS No. 5, Notice of succession 9-1-66.	4	4	Bruce Anderson	Panhandle Eastern Pipe Line Co., South Peak Okla., Ellis County,	Contract 7-8-66 12	4													
CI 164-423 C 9-10-66 13	154	Ashtand Oil & Refining Co.	Assignment 9-1-66. Effective date: 9-1-66. 9-10-66 12	154	9	Beard Oil Co.	do.	Contract 7-5-66 12	5													
CI 164-1422 C 8-8-66 13	163	do.	Amendatory agreement 7-1-66 12 14	163	2	Fred P. Fulton, et ux.	Colorado Interstate Gas Co., Garden City, N., Unit, Hugoton Field, Kearny County, Kans.	Contract 2-18-66 2	1													
CI 166-85 C 9-26-66 8	14	Abel & Bancroft	Amendment 8-8-66	14	1	J. C. Barnes Oil Co. (Operator), et al.	Michigan Wisconsin Pipe Line Co., West Campbell Field, Major County, Okla.	Contract 7-11-66 34	1													
F CI 166-1029 (G-8663) C 8-26-66	87 97	Champlin Petroleum Co. (successor to Sunray DX Oil Co.)	Assignment 7-15-66 15 Ratified 8-19-66 12 14	87 97	13 14	Texasco, Inc.	Michigan Wisconsin Pipe Line Co., Putnam Field, Dewey County, Okla.	Contract 7-8-66 Amendment 8-12-66 12	381 381 381													
CI 167-8 B 7-5-66 CI 167-200 A 8-22-66 8	19 2	Tenneco Oil Co. (Operator), et al. N. H. Wheelless, et al.	Notice of cancellation (undated) 12 13	19	3	Mesa Petroleum Co. (Operator), et al.	Natural Gas Pipeline Co. of America, Upper Marrow Field, Hansford County, Tex.	Contract 7-1-66 12	13													
CI 167-228 A 8-22-66 24 9-12-66 23	178 178	Ashland Oil & Refining Co.	Contract 5-1-60 20 Assignment 7-8-66 12 14	2	1	Kimbark Exploration, Ltd. (Operator), et al.	Kansas-Nebraska Natural Gas Co., Inc., Cayuse Field, Logan County, Colo.	Contract 6-30-66	3													
CI 167-246 (C163-875) F 8-29-66	2	Brunn Production Co., Inc. (Operator), et al. (Successor to Mobil Oil Corp.)	Ratified 1-25-65 24 Contract 4-18-65 Assignment 12-10-65 rec. Contract 12-10-62 24 Assignment 8-4-66 20 Effective date: 8-1-66	2	2	Sinclair Oil & Gas Co. (successor to Magna Oil Corp.)	Lone Star Gas Co., Delaware Bend Field, Cooke County, Tex.	Contract 4-30-64 24 Amendment 6-4-64 Assignment 6-28-66 21 Effective date: 6-28-66	382 382 382													
CI 167-289 (G-12614) F 8-30-66	38 38	Hanley Co. (successor to Mobil Oil Corp.)	Contract 4-12-57 27 Supplement agreement 10-28-59	38	1	R. H. Burns (Operator), et al.	Cities Service Gas Co., Canyon Creek Pool, Gage County, Okla.	Contract 4-25-66 12	320													
CI 167-316 A 9-14-66 8	38	Humble Oil & Refining Co.	Assignment 3-11-66 23 Assignment 3-24-66 20 Effective date: 3-24-66	38	2	Continental Oil Co.	Natural Gas Pipeline Co. of America, Northeast Fort Supply Area, Harper County, Okla.	Contract 5-5-66 12 13	371													
CI 167-325 A 9-19-66 13	91 91	Karr-McGee Corp.	Contract 8-1-66 Contract 4-12-66 12	91	1	Kilroy Co. of Texas, Inc. (Operator), et al.	Texas Eastern Trans- mission Corp., Aldine Field, Harris County, Tex.	Notice of cancellation 9-30-66 12 13	1													
CI 167-332 A 9-21-66 13	319	Continental Oil Co. (Operator), et al.	Contract 8-12-66 12	319	0	Kilroy Properties, Inc.	Texas Eastern Trans- mission Corp., Dolly Field, Nowron County, Tex.	Notice of cancellation 9-30-66 12 13	1													
CI 167-333 B 9-19-66	197	Union Producing Co.	Notice of cancellation 9-13-66 12 13	197	24	Southwestern Explora- tion Consultants, Inc. (Operator), et al.	Lone Star Gas Co., Asphaltum Field, Jefferson County, Okla.	Notice of cancellation 9-20-66 12 13	4													
CI 167-340 (C163-790) B 9-23-66 CI 167-341 A 9-23-66 13	179	Southern Minerals Corp. (Operator), et al. Ashland Oil & Refining Co.	Notice of cancellation 9-21-66 12 13	179	1	Contract 8-29-66 12	do.															

Deletes 2,450 acres on leases that have expired and have been dropped.
 1 Effective date: Date of this order.
 2 From Claude E. Alkman, et al., to Bradley H. Keyes.
 3 Amendment to the certificate to reflect change in name from Force Drilling Co. to Force Co.
 4 Amendment to the certificate to reflect change in name from Banquet Gas Co., a division of Crestmont Con-
 solidated Corp. to Banquet Gas Co., a division of Crestmont Oil & Gas Co., that it would be uneconomical for it to connect the
 7,088 acres approximately 2,460 acres. Transwestern states that it would be uneconomical for it to connect the
 7,088 acres per Mcf of reserves from these properties because the 27 miles of lines involved would cost an estimated
 \$26,000 or 10.26 cents per Mcf; therefore it agreed to the release.

See footnotes at end of table.

- 7 Recoverable reserves are 19,000 Mcf and buyer states it is uneconomical to connect to well.
- 8 Jan. 1, 1968, moratorium pursuant to the Commission's statement of general policy No. 61-1, as amended.
- 9 Provides for resale of gas produced by W. R. Anderson, Trustee. Anderson received authorization in Docket No. C166-1348 by Commission order issued Aug. 22, 1966, in Docket Nos. G-5130, et al.
- 10 Transfers 40 acres from James H. Holland to B. B. Mangum, Jessie L. Johnson, and R. M. Sikes who are the owners of Tri Gas Co.
- 11 Rate schedule is designated as Hays & Co., Agent for Ferrell L. Prior doing business as Prior Oil & Gas Co.
- 12 Effective date: Date of initial delivery (Applicant should advise the Commission as to such date).
- 13 July 1, 1967, moratorium pursuant to the Commission's statement of general policy No. 61-1, as amended.
- 14 Commits interest in sec. 2, T. 22 N., R. 12 W., as to the Hunton Line and Osage Formations only; gas covered is limited to casinghead gas and low pressure gas only.
- 15 Contract provides for 12.0 cents per Mcf. Applicant by letter dated Oct. 11, 1966, expressed a willingness to accept authorization for this additional acreage at the originally certificated price of 11.0 cents.
- 16 Provides for a depth limitation of 8,095 feet. Transfers properties from Sunray to Champlin. Acreage presently dedicated to a contract dated Feb. 3, 1955, between Sunray, as seller and Tennessee, as buyer; on file as Sunray DX Oil Co. FPC GRS No. 72.
- 17 Ratifies contract between Sunray and Tennessee Gas Pipeline Co.; Champlin Petroleum Co. has previously filed this contract as its FPC GRS No. 97.
- 18 Source of gas depleted.
- 19 Rate of 15.0 cents effective subject to refund in Docket No. R166-87; therefore, the rate suspension proceeding in Docket No. R166-87 will be terminated with respect to FPC GRS No. 125.
- 20 Rate schedule previously covered shallow rights only, now filing to cover rights between base of Chase Group and top of Morrowan Series.
- 21 Assigns a certain interest in the subject acreage to Nicholas H. Wheless, Jr. and Marilyn Wheless Denton.
- 22 Applicant is filing to cover its own interest which previously was covered by the Operator's certificate in Docket No. G-8789 (Colorado Oil & Gas Corp. FPC GRS No. 20).
- 23 Amendment to the application to reflect a price of 15.0 cents per Mcf in lieu of 16.0 cents per Mcf.
- 24 Ratifies basic contract of Colorado Oil & Gas Corp. dated Apr. 18, 1955.
- 25 Basic contract between Socony Mobil Oil Co., Inc. (now Mobil Oil Corp.), as seller and Lone Star as buyer; on file as Mobil Oil Corp. FPC GRS No. 328.
- 26 Provides for a depth limitation of 9,720 feet.
- 27 Contract is between Magnolia Petroleum Co. and El Paso; on file as Mobil Oil Corp. FPC GRS No. 119.
- 28 From Mobil Oil Corp. to I. W. Lovelady and R. W. Blake.
- 29 From I. W. Lovelady and R. W. Blake to Hanley Co.
- 30 Provides for a depth limitation of 12,000 feet.
- 31 Other sales covered under Docket No. G-13633, therefore, said docket will be terminated only insofar as it relates to acreage covered by Supplement No. 24 to FPC GRS No. 197.
- 32 By order issued Sept. 22, 1966, in Docket Nos. G-16760, et al. (Opinion No. 476) the Commission found 16.0 cents to be the proper rate for this sale. The effectiveness of this order has been stayed pending judicial review.
- 33 Applicant is filing to cover its own interest previously covered under Cities Service Oil Co., Operator, FPC GRS No. 125 and Docket No. G-4570, as a nonsignatory coowner.
- 34 Dedication limited to the base of the Hunton Line Formation. Applicant states its willingness to accept a permanent certificate conditioned similar to the certificates issued in Opinion No. 353.
- 35 Contractual rate is 19.5 cents; however, Applicant agreed to accept a permanent certificate conditioned to a 15.0-cent price the same as Opinion No. 353.
- 36 Also on file as Magna Oil Corp. FPC GRS No. 9.
- 37 Transfers certain interests from Magna Oil Corp. to Sinclair Oil & Gas Co.
- 38 Acreage is committed to all depths shallower than the base of the Mississippian System.
- 39 Well covered by this contract and certificate ceased to produce gas and has been reclassified as an oil well by the Railroad Commission of Texas.
- 40 16.8-cent rate collected subject to refund in Docket No. R160-245.

SUGGESTED SURETY BOND FORM

SURETY BOND

Know all men by these presents,

That we (Name and address of the natural gas company) (hereinafter called "Principal"), as Principal, and (Name and address and place of incorporation of Surety Bond Company) (hereinafter called "Surety"), as Surety, are held and firmly bound unto the Federal Power Commission (Agency of the United States of America) (hereinafter called the "Obligee") in the sum of (Amount of proposed annual increased rates in dollars) for the payment of which well and truly to be made, we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

The condition of this obligation is such that:

Whereas (Name of Respondent), on (Date of Original Filing), filed with the Federal Power Commission (herein called the Commission) Supplement No. ----- to Respondent's FPC Gas Rate Schedule No. -----, proposing to increase a rate and charge over which the Commission has exercised jurisdiction; and

Whereas, by order issued (Suspension Order Issuance Date), the Commission suspended the operation of the proposed supplement and ordered a hearing to be held concerning the lawfulness of the proposed rate, charge, and classification, subject to the Commission's jurisdiction, as therein set forth; and by said order the use of such supplement was deferred until (Suspended Until Date), and until such further time as it is made effective in the manner prescribed by the Natural Gas Act; and

Whereas, a hearing has not been held and this proceeding has not been concluded; and (Name of Respondent), pursuant to the provisions

of section 4(e) of the Natural Gas Act, having on (Date Motion Filed), filed a motion to make the change in rate effective as of (Requested Effective Date); and

Whereas, the Commission, in response to said motion, on (Date of Notice), issued its notice making the rate, charge, and classification set forth in the aforesaid Supplement No. ----- to Respondent's FPC Gas Rate Schedule No. -----, effective as of (Effective Date), subject to Respondent's furnishing a bond in the sum of \$-----, satisfactory to the Commission, and requiring that Respondent refund any portion of the increased rate and charge found by the Commission in Docket No. ----- not justified;

Now, therefore, if (Name of Respondent), its corporate surety (and their heirs, executors; administrators), successors and assigns, in conformity with the terms and conditions of the notice issued (Date of Notice), by the Federal Power Commission, Docket No. ----- (Name of Respondent), shall:

(1) Well and truly repay at such times and in such amounts, to the persons entitled thereto, and in such manner as may be required by the final order of the Commission in said proceeding, subject to court review thereof, any portion of such rate and charge collected by (Name of Respondent) after (Effective Date) as such final order may find not justified, together with interest thereon at the rate of seven (7) percent per annum from the date of payment thereof to (Name of Respondent) until refunded; and

(2) Comply otherwise with the terms and conditions of the notice issued (Date) in Docket No. -----, and with the provisions of the Natural Gas Act relating thereto,

then this obligation shall be terminated, otherwise to remain in full force and effect.

¹To be included if a noncorporate respondent.

In witness whereof, the parties hereto have placed their hands and seals on this ----- day of -----

Attest:

By -----
(Principal)

By -----
(Surety)

[F.R. Doc. 66-12829; Filed, Dec. 1, 1966; 8:45 a.m.]

[Docket No. CP67-144]

BLACKSVILLE OIL AND GAS CO.

Notice of Application

NOVEMBER 25, 1966.

Take notice that on November 21, 1966, Blacksville Oil and Gas Co. (Applicant), 211 Main Street, Lumberport, W. Va. 26386, filed in Docket No. CP67-144 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the acquisition and operation of natural gas facilities, and pursuant to section 7(f) of said Act for a service area authorization, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, under section 7(c) Applicant proposes to acquire from The Manufacturers Light and Heat Co. and operate approximately 2.8 miles of 4-inch transmission pipeline situated in Wayne Township, Greene County, Pa., and Clay District, Monongalia County, W. Va., and to operate approximately 4.6 miles of various 1/2-inch to 7-inch pipeline in the aforementioned counties. Such facilities are proposed to be utilized in the distribution of natural gas to retail customers.

Under section 7(f) Applicant requests a service area authorization for service to be rendered in the above-mentioned interstate area.

The estimated cost of Applicant's acquisition is \$2,275 which cost will be borne by Applicant's retail customers.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before December 22, 1966.

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

the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-12954; Filed, Dec. 1, 1966;
8:45 a.m.]

[Docket No. CP65-118, etc.]

LONE STAR GAS CO. ET AL.

Notice of Extension of Time

NOVEMBER 23, 1966.

Lone Star Gas Co., Lone Star Gathering Co., and United Gas Pipe Line Co., Docket No. CP65-118; Lone Star Gathering Co., Docket No. CP62-179; United Gas Pipe Line Co., Docket No. CP62-193.

Upon consideration of the motion filed November 17, 1966, by the applicants in the above-entitled proceeding requesting an extension of time for 60 days within which to prepare and file new pleadings involving the termination of the arrangements proposed in their applications, notice is hereby given that the hearing now scheduled to be held December 6, 1966, is continued until further notice and the requested extension of time of 60 days, or until January 20, 1967, within which to prepare and file further pleadings is granted.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 66-12955; Filed, Dec. 1, 1966;
8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-1686]

LINCOLN PRINTING CO.

Order Suspending Trading

NOVEMBER 28, 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 November 29, 1966, through December 8, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-12985; Filed, Dec. 1, 1966;
8:47 a.m.]

UNITED SECURITY LIFE INSURANCE CO.

Order Suspending Trading

NOVEMBER 28, 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 November 29, 1966, through December 8, 1966, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 66-12986; Filed, Dec. 1, 1966;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

NOVEMBER 29, 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. 40802—*Superphosphate, fertilizer and fertilizer materials from Prairie Junction, Fla.* Filed by O. W. South, Jr., agent (No. A4966) for interested carriers. Rates on superphosphate, not defluorinated superphosphate nor feed grade superphosphate, in bulk, in carloads, and fertilizer, dry, or fertilizer materials, dry, in carloads and in multiple carload shipments, from Prairie Junction, Fla., to points in official and Illinois Freight Association territories.

Grounds for relief—Rate relationship. Tariff—Supplement 14 to Southern Freight Association, agent, tariff ICC S-632.

FSA No. 40804—*Superphosphate from Prairie Junction, Fla.* Filed by O. W. South, Jr., agent (No. A4968) for interested carriers. Rates on superphosphate,

not defluorinated superphosphate, nor feed grade superphosphate, in carloads, and in multiple carload shipments, from Prairie Junction, Fla., to points in southwestern and western trunkline territories.

Grounds for relief—Rate relationship. Tariff—Supplement 6 to Southern Freight Association, agent, tariff ICC S-642.

FSA No. 40805—*Clay from points in Alabama.* Filed by O. W. South, Jr., agent (No. A4965), for interested carriers. Rates on clay, kaolin, or pyrophyllite, in carloads, from Letohatchie, Fort Deposit, and Montgomery, Ala., to Cincinnati, Cincinnati (S), and Newark, Ohio, and Kenova, W. Va.

Grounds for relief—Market competition.

Tariff—Supplement 245 to Southern Freight Association, agent, tariff ICC S-40.

FSA No. 40806—*Corn and sorghum grains to points in Arkansas, also Memphis, Tenn.* Filed by Southwestern Freight Bureau, agent (No. B-8929), for interested carriers. Rates on corn (not popcorn), corn products, grain sorghums, and grain sorghum products, in carloads, from Chicago Great Western Railway stations in Iowa, Kansas, and Missouri, to points in Arkansas, also Memphis, Tenn.

Grounds for relief—Motor-truck competition.

Tariff—Supplement 97 to Southwestern Freight Bureau, agent, tariff ICC 4494.

AGGREGATE-OF-INTERMEDIATES

FSA No. 40803—*Superphosphate from Prairie Junction, Fla., to New England points.* Filed by O. W. South, Jr., agent (No. A4967), for interested carriers. Rates on superphosphate, not defluorinated superphosphate nor feed grade superphosphate, in bulk, in carloads, from Prairie Junction, Fla., to specified points in Connecticut, Massachusetts, and Rhode Island.

Grounds for relief—Maintenance of depressed rates established to meet rail-water-truck competition without having to use such rates as factors in constructing combination rates.

Tariff—Supplement 14 to Southern Freight Association, agent, tariff ICC S-632.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-12982; Filed, Dec. 1, 1966;
8:46 a.m.]

[Notice 294]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 29, 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 19227 (Sub-No. 113 TA), filed November 25, 1966. Applicant: LEONARD BROS. TRUCKING CO., INC., 2595 Northwest 20th Street, Miami, Fla. 33152. Applicant's representative: J. Fred Dewhurst (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Airplane parts mounted on jigs, and accompanying parts and equipment and jigs*, on return, between plants of Grumman Aircraft Corp., located in Nassau and Suffolk Counties, N.Y., and plants of General Dynamics Corp., located in Tarrant County, Tex., for 180 days. Supporting shipper: L. H. Armstrong, Traffic General Foreman, General Dynamics Corp., Fort Worth Division, Fort Worth, Tex. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 1621, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 21170 (Sub-No. 247 TA), filed November 25, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa 50158. Applicant's representative: William C. Harris (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* 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 (except commodities in bulk, in tank vehicles), from Edgar, Wis., to New York, N.Y., and its commercial zone, for 180 days. Supporting shipper: Berliner and Marx, 555 West Street, New York, N.Y. 10014. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 21170 (Sub-No. 248 TA), filed November 25, 1966. Applicant: BOS LINES, INC., 408 South 12th Avenue, Marshalltown, Iowa 50158. Applicant's representative: William C. Harris (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, trans-

porting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses* (except commodities in bulk, in tank vehicles) from the plantsite and storage facilities of American Beef Packers, Inc., located in Pottawattamie County, Iowa, to points in Connecticut, Indiana, Kentucky, Maine, Missouri, New Hampshire, New Jersey, New York, Ohio, Rhode Island, and Vermont, for 180 days. Supporting shipper: American Beef Packers, Inc., on U.S. Highway 59, Oakland, Iowa 51560. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 32882 (Sub-No. 38 TA), filed November 23, 1966. Applicant: MITCHELL BROS. TRUCK LINES, 2300 Northwest 30th Avenue, Portland, Ore. 97210. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Ore. 97205. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Petroleum wax*, from Richmond, Calif., to points in Oregon, Washington, and Idaho, for 150 days. Supporting shipper: Chevron Chemical Co., 200 Bush Street, San Francisco, Calif. 94120. Send protests to: S. F. Martin, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 450 Multnomah Building, Portland, Ore. 97204.

No. MC 61231 (Sub-No. 24 TA) filed November 23, 1966. Applicant: ALKIRE TRUCK LINES, INC., Livestock Exchange Building, 16th and Genesee, Kansas City, Mo. 64102. Applicant's representative: William A. Landau, 1307 East Walnut Street, Post Office Box 1634, Des Moines, Iowa 50306. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats and packinghouse products*, from plantsite of American Beef Packers, Inc., at or near Oakland, Iowa, to points in Illinois, and Indiana, for 180 days. Supporting shipper: American Beef Packers, Inc., Oakland, Iowa. Send protests to: B. J. Schreier, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 90373 (Sub-No. 25 TA), filed November 23, 1966. Applicant: C & R TRUCKING CO., Inman Avenue, Avenel, N.J. 07001. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Petroleum products*, in containers, (2) *advertising materials and displays*, from Long Island City, N.Y., to points in Connecticut, Massachusetts, New Jersey, New York, and Pennsylvania, for 150 days. Supporting shipper: Witco Chemical Co., Inc., 277 Park Avenue, New York, N.Y. Attention: A. J. Zazzarino, General Traffic Manager. Send protests to: District Supervisor, Robert S. H. Vance, Bureau of Operations and Compliance, Interstate Com-

merce Commission, 1060 Broad Street, Newark, N.J. 07102.

No. MC 97394 (Sub-No. 3 TA), filed November 22, 1966. Applicant: MAJORS TRUCK LINE, INC., Post Office Box 7, Caneyville, Ky. 42721. Applicant's representative: Louis J. Amato, Suite 703-706, McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, as follows: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Rockport, Ky., and Madisonville, Ky., serving all intermediate points and off-route points within 3 miles of the described route, from Rockport, Ky., over U.S. Highway 62 to Central City, Ky.; thence over Kentucky Highway 70 to Madisonville, Ky., and return over the same route. (2) Between Central City, Ky., and Madisonville, Ky., serving all intermediate points and off-route points within 3 miles of the described route, from Central City, Ky., over U.S. Highway 62 to its junction with U.S. Highway 41A at Nortonville, Ky.; thence over U.S. Highway 41A to Madisonville, Ky., and return over the same route. Also from junction of U.S. Highway 41 at Nortonville, Ky., over U.S. Highway 41 to junction with Kentucky Highway 85; thence over Kentucky Highway 85 to Madisonville, and return over the same route. (3) Between Drakesboro, Ky., and Central City, Ky., serving all intermediate points and off-route points within 3 miles of the described route, from Drakesboro, Ky., over Kentucky Highway 70 to Central City, Ky., and return over the same route.

(4) Between Earles, Ky., and Greenville, Ky., serving all intermediate points and off-route points within 3 miles of the described route, from Earles, Ky., over Kentucky Highway 601 to its junction with U.S. Highway 62 north of Greenville, Ky.; thence over U.S. Highway 62 to Greenville and return over the same route. (5) Between Calhoun, Ky., and Madisonville, Ky., serving all intermediate points and off-route points within 3 miles of the described route, from Calhoun, Ky., over Kentucky Highway 81 to its junction with Kentucky Highway 85 south of Semiway; thence over Kentucky Highway 85 to its junction with Kentucky Highway 70 near Anton; thence over Kentucky Highway 70 to Madisonville, Ky., and return over the same route. (6) Between Central City, Ky., and Sacramento, Ky., serving all intermediate points and off-route points within 3 miles of the described route, from Central City over U.S. Highway 431 to South Carrollton, Ky.; thence over Kentucky Highway 81 to Sacramento and return over the same route. (7) Between Central City, Ky., and Island, Ky., serving all intermediate points and off-route points within 3 miles of the described route, from Central City over U.S. Highway 431 to Island, Ky., and return over the same route. (8) Between Livermore, Ky., and junction of U.S. Highway 431 with the Daviess-McLean Coun-

ty line, serving all intermediate points and off-route points within 3 miles of the described route, from Livermore, Ky., over U.S. Highway 431 to its junction with the Daviess-McLean County line and return over the same route. (9) Between Hartford, Ky., and junction of U.S. Highway 231 with the Daviess-Ohio County line, serving all intermediate points and off-route points within 3 miles of the described route. From Hartford over U.S. Highway 231 to its junction with the Daviess-Ohio County line, and return over the same route. (10) Between Beaver Dam, Ky., and Rochester, Ky., serving all intermediate points and off-route points within 3 miles of the described route, from Beaver Dam over Kentucky Highway 369 to Rochester, Ky., and return over the same route.

(11) Serving all off-route points in connection with the above-described routes, all points and places in Butler, Ohio, McLean, Muhlenberg, Hopkins, Edmonson, and Grayson Counties, Ky. NOTE: Applicant also seeks authority to tack operations under proposed temporary authority to its existing operations under certificate of registration No. MC-97394 Sub 2, for 180 days. Supporting shippers: Mr. N. R. Purdy, Owner, Purdy's V & S Hardware, 173 West Center Street, Madisonville, Ky. 42431; Mr. O. T. Rudd, President, Rudd Lumber Co., Inc., Sugg Street, Madisonville, Ky. 42431; Mr. J. B. Denton, Partner, Denton Hardware Co., 21 West Center Street, Madisonville, Ky. 42431; Mr. Curtis McCoy, Jr., President, McCoy Oil Co., Inc., South Main Street, Madisonville, Ky. 42431; Mr. John W. Summers, Secretary-Treasurer, S & C Auto Parts, Inc., 68 North Franklin Street, Madisonville, Ky. 42431; J. B. Denton, Partner, Denton Hardware Co., 21 West Center Street, Madisonville, Ky. 42431; Curtis McCoy, Jr., President, McCoy Oil Co., Inc., South Main Street, Madisonville, Ky. 42431; John W. Summers, Secretary-Treasurer, S & C Auto Parts, Inc., 68 North Franklin Street, Madisonville, Ky. 42431; E. A. Cohen, Partner, E. A. Cohen & Son, 138 South Main Street, Greenville, Ky. 42345; H. R. DePoyster, Owner, DePoyster's Variety Store, North Main Street, Greenville, Ky. 42345; Thomas S. Brizendine, Vice President, J. Zinsmeister Co., Post Office Box 427, Greenville, Ky. 42345; William Willis, Partner, Greenville Supply Co., Post Office Box 260, Greenville, Ky. 42345; Sylvia Ruby, Partner, Ruby's Distributing Co., North First Street, Central City, Ky. 42330; Carl Pendley, Owner, Western Auto Associate Store, 104 Broad Street, Central City, Ky. 42330; Hazel Becker, Partner, Buddy's Hardware & Furniture, 110 Broad Street, Central City, Ky. 42330; C. B. Greenwood, President, Barnes Mercantile Co., 108 Broad Street, Central City, Ky. 42330; Earl D. Bibb, Partner, Dewey Bibb & Son, Box 227, Sacramento, Ky. 42372; J. W. West, Secretary-Treasurer, Three-Way Farm Supply, Sacramento, Ky. 42372. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations and Compliance, Interstate

Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 108884 (Sub-No. 14 TA), filed November 25, 1966. Applicant: ROGERS AND KASPER, INC., Route 46, Great Meadows, N.J. 07838. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in mixed loads and/or shipments with commodities presently exempt under section 203(b)(6) of the Act, in vehicles equipped with mechanical refrigeration, from Gloucester and Boston, Mass., to New York, N.Y., points in Nassau, Suffolk, Westchester, Orange, Rockland, and Broome Counties, N.Y.; Bergen, Essex, Hudson, Union, Morris, Warren, Passaic, Middlesex, Somerset, Monmouth, Ocean, Mercer, and Atlantic Counties, N.J., and points in Pennsylvania on and east of U.S. Highway 15 extending from the Pennsylvania-Maryland State line to the Pennsylvania-New York State line, for 150 days. Supporting shipper: The Gorton Corp., Gloucester, Mass. 01931. Send protests to: District Supervisor Joel Morrows, Bureau of Operations and Compliance, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J. 07102.

No. MC 113843 (Sub-No. 124 TA), filed November 23, 1966. Applicant: REFRIGERATED FOOD EXPRESS, INC., 316 Summer Street, Boston, Mass. 02210. Applicant's representative: Larry Shields (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, prepared, from Hamlin, Holly, and Williamson, N.Y., to points in Wisconsin, Iowa, Minnesota, Nebraska, North Dakota, and South Dakota, for 180 days. Supporting shipper: Duffy-Mott Co., 370 Lexington Avenue, New York City, N.Y. Send protests to: District Supervisor Richard D. Mansfield, Bureau of Operations and Compliance, Interstate Commerce Commission, Room 2211-B, J. F. Kennedy Building, Boston, Mass. 02203.

No. MC 119765 (Sub-No. 12 TA), filed November 23, 1966. Applicant: HENRY G. NELSEN, INC., 1548 Locust Street, Avoca, Iowa 51521. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products*, from the plantsite of the American Beef Packers Co., located at or near Oakland, Iowa, to points in Illinois, Indiana, Minnesota, and Wisconsin, for 180 days. Supporting shipper: American Beef Packers, Inc., Oakland, Iowa. Send protests to: Keith P. Kohrs, District Supervisor, Bureau of Operations and Compliance, 705 Federal Office Building, Interstate Commerce Commission, Omaha, Nebr. 68102.

No. MC 126014 (Sub-No. 5 TA), filed November 23, 1966. Applicant: ELMER D. PALMER, Route 1, Pea Ridge, Ark. 72751. Applicant's representative: John H. Joyce, 26 North College, Fayetteville, Ark. 72701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed, animal and poultry feed ingredients, and supplements there-*

to, in bulk and in sacks, between Springdale, Ark., and Springfield, Mo., for 180 days. Supporting shipper: Ralston Purina Co., Checkerboard Square, St. Louis, Mo. 63199. Send protests to: D. R. Partney, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 2519 Federal Office Building, Little Rock, Ark. 72201.

No. MC 128273 (Sub-No. 3 TA), filed November 23, 1966. Applicant: MIDWESTERN EXPRESS, INC., Post Office Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, Hays and Hays, Warner Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, as follows: *Animal food and animal feed* (except in bulk), from plantsite of Usen Products Co. at or near Golden Meadow, La., and storage facilities of Usen Products Co. at or near Lockport, La., to points in Montana, Wyoming, Colorado, New Mexico, Arizona, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Minnesota, Iowa, Missouri, Wisconsin, and Illinois, for 180 days. Supporting shipper: P. Lorillard Co., 200 East 42d Street, New York, N.Y. Send protests to: M. E. Taylor, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 906 Schweiter Building, Wichita, Kans. 67202.

No. MC 128401 (Sub-No. 2 TA), filed November 23, 1966. Applicant: ROSEBOROUGH REFRIGERATED EXPRESS COMPANY, INC., 326 Main Street, Gloucester, Mass. 01930. Applicant's representative: Peter W. Princi, 40 Court Street, Boston, Mass. 02108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods* in mixed loads with frozen fish products, from points in Essex, Suffolk, Middlesex, Norfolk, Worcester, and Bristol Counties, Mass., to points in New York on and west of U.S. Highway 87, on and north of New York Highway 17, from the junction of U.S. Highway 87 and New York Highway 17, to the junction of New York Highway 17 and U.S. Highway 90, for 180 days. Supporting shipper: The Groton Corp., Gloucester, Mass. 01937. Send protests to: District Supervisor, Maurice C. Pollard, Interstate Commerce Commission, Bureau of Operations and Compliance, John F. Kennedy Building, Government Center, Boston, Mass. 02203.

No. MC 128654 (Sub-No. 1 TA) (Correction), filed November 16, 1966, published FEDERAL REGISTER issue of November 24, 1966, and republished as corrected, this issue. Applicant: D & O TRANSPORT, INC., 3562 West Church Street, Post Office Box 3126, Fresno, Calif. 93766. Applicant's representative: Marshall A. Smith, Jr., 925 North Fulton, Suite 4, Post Office Box 4006, Fresno, Calif. 93744. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizers, fertilizer compounds*

(*manufactured fertilizers*), in bags, from Lathrop, Calif., to points in Oregon. Supporting shipper: The Best Fertilizers Co., Post Office Box 198, Lathrop, Calif. Send protests to: Wm. R. Murdoch, District Supervisor, Interstate Commerce Commission, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102. Note: The purpose of this republication is to show the docket number assigned thereto in lieu of No. MC 128645 (Sub-No. 1 TA), which was in error.

No. MC 128685 (Sub-No. 1 TA), filed November 23, 1966. Applicant: DIXON BROS., Post Office Box 636, Newcastle, Wyo. 82701. Applicant's representative: Ward A. White, Post Office Box 568, 1600 Van Lennen Avenue, Cheyenne, Wyo. 82001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting:

Feed and grain, from Chicago, Burlington & Quincy Railroad siding at Newcastle, Wyo., to the LAK feed lot of True Ranches located 6 miles east of Newcastle on U.S. Highway 16; and the Wheatland feed lot of True Ranches located 4 miles west of Wheatland, Wyo., on Wyoming Secondary Highway 1600, for 180 days. Supporting shipper: True Ranches, Post Office Drawer 1612, Casper, Wyo. 82602. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, D & S Building, 255 North Center Street, Casper, Wyo. 82601.

No. MC 128711 TA, filed November 23, 1966. Applicant: RICHARD N. ELLWANGER, doing business as JOHN ELLWANGER & SON, Louisville Produce

Terminal, Jennings Lane, Louisville, Ky. 40218. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hominy feed*, from Owensboro, Ky., to points in Florida, for 180 days. Supporting shipper: Joseph A. Murphy, Vice President, Murphy Grain & Milling Co., Inc., Post Office Box 407, Owensboro, Ky. 42301. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 66-12983; Filed, Dec. 1, 1966; 8:47 a.m.]

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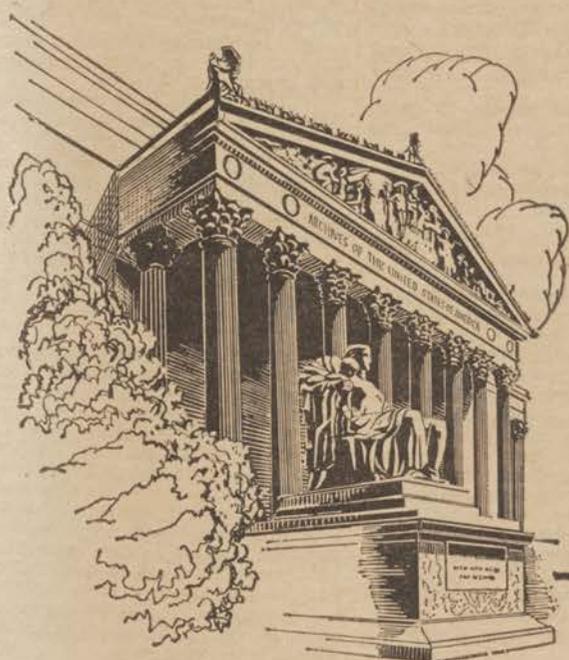
Friday, December 2, 1966 • Washington, D.C.

PART II

Department of State

International Traffic
in Arms

Revision and Republication



Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.543]

SUBCHAPTER M—INTERNATIONAL TRAFFIC IN ARMS

REVISION AND REPUBLICATION OF SUBCHAPTER

Subchapter M of the regulations of the Secretary of State (§§ 121.01–127.01) issued July 13, 1965 (Departmental Regulation 108.520, 30 F.R. 9034) is hereby revised as follows:

- Part
- 121 Arms, ammunition, and implements of war.
 - 122 Registration.
 - 123 Licensing controls.
 - 124 License and technical assistance agreements.
 - 125 Technical data.
 - 126 Violations and penalties.
 - 127 Administrative procedures.

PART 121—ARMS, AMMUNITION, AND IMPLEMENTS OF WAR

ENUMERATION OF ARTICLES

- Sec.
- 121.01 The United States Munitions List.

DEFINITIONS AND INTERPRETATIONS

- 121.02 Substantial transformation.
- 121.03 Firearms.
- 121.04 Cartridge and shell casings.
- 121.05 Military demolition blocks and blasting caps.
- 121.06 Apparatus and devices under Category IV (b).
- 121.07 Amphibious vehicles.
- 121.08 Chemical agents.
- 121.09 Propellants.
- 121.10 Military explosives.
- 121.11 Military fuel thickeners.
- 121.12 Vessels of war and special naval equipment.
- 121.13 Aircraft and related articles.
- 121.14 Helium gas.
- 121.15 Forgings, castings, and machined bodies.
- 121.16 "United States".
- 121.17 Person.

AUTHORITY: The provisions of this Part 121 issued under sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redlegation of Authority No. 104-3-A, 28 F.R. 7231.

ENUMERATION OF ARTICLES

§ 121.01 The United States Munitions List.

Pursuant to the authority cited supra the following articles¹ are hereby designated as arms, ammunition and implements of war.

CATEGORY I—FIREARMS

- (a) Nonautomatic and semiautomatic firearms, to caliber .50 inclusive, and all components and parts therefor (see §§ 121.03, 123.03, 123.51, and 123.55).
- (b) Automatic firearms and all components and parts therefor to caliber .50 inclusive (see §§ 121.03 and 123.03).

¹ The term "article" shall mean any of the arms, ammunition and implements of war and technical data relating thereto enumerated in the United States Munitions List. (See § 123.66)

(c) Insurgency-counterinsurgency type firearms or other weapons having a special military application regardless of caliber; and all components and parts therefor.

(d) Firearms silencers.

(e) Bayonets and specifically designed components therefor.

(f) Riflescopes (except sporting type sights including optical) and specifically designed components therefor.

CATEGORY II—ARTILLERY AND PROJECTORS

(a) Guns over caliber .50, howitzers, mortars, and recoilless rifles.

(b) Military flame throwers and projectors.

(c) Components and parts including, but not limited to, mounts and carriages for the articles in paragraphs (a) and (b) of this Category.

CATEGORY III—AMMUNITION

(a) Ammunition for the arms in Categories I and II of this section (see § 123.03).

(b) The following components, parts, accessories, and attachments: cartridge cases, powder bags, bullets, jackets, cores, shells (excluding shotgun), projectiles, boosters, fuzes and components therefor, primers, and other detonating devices for such ammunition (see § 121.04).

(c) Ammunition belting and linking machines.

(d) Ammunition manufacturing machines, and ammunition loading machines (except hand loading).

CATEGORY IV—LAUNCH VEHICLES, GUIDED MISSILES, BALLISTIC MISSILES, ROCKETS, TORPEDOES, BOMBS, AND MINES

(a) Launch vehicles, guided missiles, ballistic missiles, bombs, grenades, rockets, torpedoes, rocket torpedoes, depth charges, land and naval mines, and military demolition blocks and blasting caps (see § 121.05).

(b) Apparatus, devices, and materials for the handling, control, activation, detection, protection, discharge, or detonation of the articles in paragraph (a) of this Category (see § 121.06).

(c) Missile and space vehicle powerplants.

(d) Military explosive excavating devices.

(e) Filament winding machines designed for or modified for the manufacture of structural forms, for articles in this Category.

(f) All specifically designed components, parts, accessories, attachments, associated equipment, and specialized production equipment for the articles in this Category.

CATEGORY V—PROPELLANTS, EXPLOSIVES, AND INCENDIARY AGENTS

(a) Propellants for the articles in Categories III and IV of this section (see § 121.09).

(b) Military explosives (see § 121.10).

(c) Military fuel thickeners (see § 121.11).

(d) Military pyrotechnics.

CATEGORY VI—VESSELS OF WAR AND SPECIAL NAVAL EQUIPMENT

(a) Warships, amphibious warfare vessels, landing craft, mine warfare vessels, patrol vessels, auxiliary vessels, service craft, floating dry docks, and experimental types of naval ships (see § 121.12).

(b) Turrets and gun mounts, missile systems, arresting gear, special weapons systems, protective systems, submarine storage batteries, catapults and other components, parts, attachments, and accessories specifically designed for combatant vessels, including but not limited to, battleships, command ships, guided missile ships, cruisers, aircraft carriers, destroyers, frigates, escorts, minesweepers, and submarines.

(c) Submarine and torpedo nets, and mine sweeping equipment. Components, parts, attachments and accessories specifically designed therefor.

(d) Harbor entrance magnetic, pressure, and acoustic detection devices, controls and components thereof.

(e) Naval nuclear propulsion plants, their land prototypes and special facilities for their construction, support and maintenance, including any machinery, device, component, or equipment specifically developed or designed for use in such plants or facilities² (see § 123.66).

CATEGORY VII—TANKS AND MILITARY VEHICLES

(a) Military type armed or armored vehicles, military railway trains, and vehicles fitted with, designed or modified to accommodate, mountings for arms or other specialized military equipment.

(b) Military tanks, tank recovery vehicles, half-tracks and gun carriers.

(c) Self-propelled guns and howitzers.

(d) Military trucks, trailers, holsts, and skids specifically designed for carrying and handling the articles in paragraph (a) of Categories III and IV; military mobile repair shops specifically designed to service military equipment.

(e) Military recovery vehicles.

(f) Amphibious vehicles (see § 121.07).

(g) All specifically designed components, parts, accessories, attachments, and associated equipment, including military bridging and deep water fording kits for the articles in this Category.

CATEGORY VIII—AIRCRAFT, SPACECRAFT, AND ASSOCIATED EQUIPMENT

(a) Aircraft including helicopters designed, modified or equipped for military purposes, including but not limited to the following: gunnery, bombing, rocket, or missile launching, electronic surveillance, reconnaissance, refueling, aerial mapping, military liaison, cargo carrying or droppings, personnel dropping, military trainers, drones, and lighter-than-air aircraft (see § 121.13).

(b) Spacecraft including manned and unmanned, active and passive satellites.

(c) Military aircraft engines, except reciprocating engines, and spacecraft engines specifically designed or modified for the aircraft and spacecraft in paragraphs (a) and (b) of this Category.

(d) Airborne equipment, including but not limited to JATO units and airborne refueling equipment, specifically designed for use with the aircraft, spacecraft, and engines of the types in paragraphs (a), (b), and (c) of this Category.

(e) Launching, arresting, and recovery equipment for the articles in paragraphs (a) and (b) of this Category.

(f) Nonexpansive balloons in excess of 3,000 cubic feet capacity, except such types as are in normal sporting use.

(g) Power supplies and energy sources specifically designed for spacecraft.

(h) Components, parts, accessories, attachments, and associated equipment, including propellers and airfield matting, specifically designed or modified for the articles in paragraphs (a) through (g) of this Category.

² Applications for licensing the export of any such machinery device, component, or equipment, or technical data relating thereto, will not be granted if the proposed export does not come within the scope of an existing Agreement for Cooperation for Mutual Defense Purposes concluded pursuant to the Atomic Energy Act of 1954, as amended, with the government of the country to which the item will be exported; unless the license application involves an item (a) which is identical to that in use in an unclassified civilian nuclear powerplant, and its furnishing does not disclose its relationship to naval nuclear propulsion, and (b) which is not for use in a naval propulsion plant.

(i) Experimental or developmental aircraft components known to have a significant military application.

(j) Parachutes, except such types as are in normal sporting use, and complete canopies, harnesses, and platforms, and electronic release mechanisms therefor.

(k) Ground effect machines (GEMS), including surface effect machines and other air cushion vehicles, except such machines as are in normal commercial use, and all components, parts, accessories, attachments, and associated equipment specifically designed or modified for use with such machines.

(l) Inertial systems, and specifically designed components therefor, inherently capable of yielding accuracies of better than 2 to 4 nautical miles per hour c.e.p.

CATEGORY IX—MILITARY TRAINING EQUIPMENT

(a) Military training equipment includes but is not limited to attack trainers, radar target trainers, radar target generators, gunnery training devices, antisubmarine warfare trainers, target equipment, armament trainers, pilotless aircraft trainers, mobile training units, military type link trainers, operational flight trainers, flight simulators, radar trainers, instrument flight trainers and navigation trainers.

(b) Components, parts accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraph (a) of this Category.

CATEGORY X—PROTECTIVE PERSONNEL EQUIPMENT

(a) Military body armor (including armored vests), flak suits and components and parts specifically designed therefor; military helmets, including liners.

(b) Partial pressure suits, pressurized breathing equipment, military oxygen masks, anti-"G" suits, protective clothing for handling guided missile fuel, military crash helmets, liquid oxygen converters used for aircraft (enumerated in Category VIII(a)), missiles, catapults, and cartridge-actuated devices utilized in emergency escape of personnel from aircraft (enumerated in Category VIII(a)).

(c) Components, parts, accessories, attachments, and associated equipment specifically designed for use with the articles in paragraphs (a) and (b) of this Category.

CATEGORY XI—MILITARY AND SPACE ELECTRONICS

(a) Electronic equipment bearing a military designation including, but not limited to, the following items: Radar, active and passive countermeasures, counter countermeasures, underwater sound, computers, navigation, guidance, electronic fuzes, object-locating methods and means, displays that represent signals of military use, identification systems, missile and antimissile systems, telemetering and communications electronic equipment; and, regardless of designation, any experimental or developmental electronic equipment specifically designed or modified for military application.

(b) Electronic equipment specifically designed or modified for spacecraft and spaceflight.

(c) Components, parts, accessories, attachments, and associated equipment specifically designed for use or currently used with the equipment in paragraphs (a) and (b) of this Category, except such items as are in normal commercial use.

CATEGORY XII—FIRE CONTROL, RANGE FINDER, OPTICAL AND GUIDANCE AND CONTROL EQUIPMENTS

(a) Fire control; gun and missile tracking and guidance systems; military infrared, image intensifier and other night sighting

and night viewing equipment; military masers and military lasers; gun laying equipment; range, position and height finders and spotting instruments; aiming devices (electronic, gyroscopic, optic, and acoustic); bomb sights, bombing computers, military television sighting and viewing units, inertial platforms; and periscopes for the articles of this section.

(b) Inertial and other weapons or space vehicle guidance and control systems; spacecraft guidance, control and stabilization systems; astro compasses; and star trackers.

(c) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (a) and (b) of this Category, except such items as are in normal commercial use.

CATEGORY XIII—AUXILIARY MILITARY EQUIPMENT

(a) Aerial cameras, space cameras, special purpose military cameras, and specialized processing equipment therefor; military photointerpretation, stereoscopic plotting, and photogrammetry equipment, and specifically designed components therefor.

(b) Cryptographic devices (encoding and decoding), and specifically designed components therefor.

(c) Self-contained diving and underwater breathing apparatus designed for a military purpose and specifically designed components therefor.

(d) Armor plate.

(e) Concealment and deception equipment, including, but not limited to, special paints, decoys, and simulators, components, parts and accessories specifically designed therefor.

(f) Energy conversion devices for producing electrical energy from nuclear, thermal, or solar energy, or from chemical reaction, specifically designed or modified for military application.

(g) Chemiluminescent compounds and solid state devices specifically designed or modified for military application.

CATEGORY XIV—TOXICOLOGICAL AGENTS AND EQUIPMENT; RADIOLOGICAL EQUIPMENT

(a) Chemical agents, including lung irritants, vesicants, lacrimators, and tear gases, sternutators and irritant smokes, and nerve gases and incapacitating agents (see § 121.08).

(b) Biological agents adapted for use in war to produce death or disablement in human beings or animals or to damage crops and plants.

(c) Equipment for dissemination, detection, and identification of, and defense against the articles in paragraphs (a) and (b) of this Category (see § 123.52(a)).

(d) Nuclear radiation detection and measuring devices, except such devices as are in normal commercial use.

(e) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (c) and (d) of this Category.

CATEGORY XV—HELIUM GAS

Contained helium and admixtures thereof (see § 121.14 and § 123.61).

CATEGORY XVI—NUCLEAR WEAPONS DESIGN AND TEST EQUIPMENT*

(a) Any article, material, equipment, or device, which is specifically designed or specifically modified for use in the design, development, or fabrication of nuclear weapons or nuclear explosive devices.

(b) Any article, material, equipment, or device, which is specifically designed or spe-

cifically modified for use in the devising carrying out, or evaluating of nuclear weapons tests or any other nuclear explosions except such items as are in normal commercial use for other purposes.

CATEGORY XVII—CLASSIFIED ARTICLES

All articles including technical data relating thereto, not enumerated herein, containing information which is classified as requiring protection in the interests of national defense.

CATEGORY XVIII—TECHNICAL DATA

Technical data relating to the articles designated in this subchapter as arms, ammunition, and implements of war (see § 125.01 for definition and § 125.30 for exemptions. See also § 123.66).

CATEGORY XIX—MISCELLANEOUS ARTICLES

Any article and technical data relating thereto not enumerated herein having significant military applicability, determined by the Director, Office of Munitions Control, Department of State, in consultation with appropriate agencies of the Government and having the concurrence of the Department of Defense.

DEFINITIONS AND INTERPRETATIONS

§ 121.02 Substantial transformation.

As used in § 123.03(c), the term "substantially transformed" shall refer to the realiteration of firearms abroad to accomplish the following changes:

(a) As applied to rifles and carbines, the changes must have included at least either (1) rechambering for a higher caliber or charge cartridge or (2) installation of a new action.

(b) As applied to pistols and revolvers, the changes must have included at least either (1) rechambering or (2) modification of the cylinder for the accommodation of a higher caliber or charge cartridge.

(c) Other changes, such as rebarreling, modification of stocks, or grips, rebluing, or replacing of sights, singly or together, are not sufficient to so substantially transform the weapons as to become, in effect, articles of foreign manufacture.

§ 121.03 Firearms.

Rifles, carbines, revolvers, and pistols, to caliber .50 inclusive, are included under Category I(a). Machineguns, sub-machineguns, machine pistols, and fully automatic rifles to caliber .50 inclusive are included under Category I(b).

(a) As used in this subchapter, the term "firearm" denotes a weapon not over .50 caliber discharging bullets by an explosive force.

(b) A "rifle" is a shoulder firearm discharging bullets through a rifled barrel at least 16 inches in length, including combination and drilling guns.

(c) A "carbine" is a lightweight shoulder firearm with a short barrel, under 16 inches in length.

(d) A "pistol" is a hand operated firearm having a chamber integral with, or permanently aligned with, the bore.

(e) A "revolver" is a hand-operated firearm with a revolving cylinder containing chambers for individual cartridges.

(f) A "machinegun", "machine pistol", or "submachinegun" is a firearm origi-

* See § 123.66. See also Department of Commerce Export Regulations, 15 CFR 373.7.

nally designed to fire, or capable of being fired fully automatically by a single pull of the trigger.

§ 121.04 Cartridge and shell casings.

Cartridge and shell casings are included under Category III of the U.S. Munitions List unless, prior to their exportation or importation, they have been rendered useless beyond the possibility of restoration for use for the purpose originally produced by means of excessive heating, flame treatment, mangling, crushing, cutting, or popping.

§ 121.05 Military demolition blocks and blasting caps.

The term "military demolition blocks and blasting caps" does not include the following articles:

- (1) Electric squibs.
- (2) No. 6 and No. 8 blasting caps, including electric.
- (3) Delay electric blasting caps (including No. 6 and No. 8 millisecond).
- (4) Seismograph electric blasting caps (including SSS, Static-Master, Vibrocap SR, and SEISMO SR).
- (5) Oil well perforating devices.

§ 121.06 Apparatus and devices under Category IV(b).

Category IV(b) includes inter alia the following: Fuzes and components thereof, bomb racks and shackles, bomb shackle releases units, bomb ejectors, torpedo tubes, torpedo and guided-missile boosters, guidance system materials (except those having a commercial application), launching racks and projectors, pistols (exploders), igniters, fuze-arming devices intervalometers, and components thereof, guided-missile launchers and specialized handling equipment, and hardened-missile launching facilities.

§ 121.07 Amphibious vehicles.

As used in Category VII(f), the term "amphibious vehicles" includes, but is not limited to, automotive vehicles or chassis embodying all-wheel drive and equipped to meet special military requirements, with adaptation features for deep-water fording and sealed electrical systems.

§ 121.08 Chemical agents.

(See Category XIV(a).)

A chemical agent is a substance useful in war which, by its ordinary and direct chemical action, produces a powerful physiological effect. The term "chemical agents" includes but is not limited to the following chemical compounds:

1. Lung irritants:
 - (a) Diphenylcyanoarsine (DC).
 - (b) Fluorine (but not fluorene).
 - (c) Trichloronitro methane (Chlorpicrin, PS).
2. Vesicants:
 - (a) B Chlorvinylchlorarsine (Lewisite, L).
 - (b) Bisdichlorethyl sulphide (Mustard gas, HD or H).
 - (c) Ethyldichlorarsine (ED).
 - (d) Methylchlorarsine (MD).
3. Lacrimators and tear gases:
 - (a) Bromobenzylcyanide (BBC).
 - (b) Chloroacetophenone (CE).
 - (c) Dibromodimethyl ether.

- (d) Dichlorodimethyl ether (ClCi).
- (e) Ethyldibromoarsine.
- (f) Phenylcarbylamine chloride.
- (g) Tear gas solutions (CNB and CNS).
- (h) Tear gas orthochlorobenzalmalononitrile (CS).

4. Sternutators and irritant smokes:

- (a) Diphenylaminechloroarsine (Adamsite, DM).
- (b) Diphenylchlorarsine (BA).

5. Nerve gases. These are toxic compounds which affect the nervous system, such as:

- (a) Dimethylaminoethoxycyanophosphine oxide (GA).
- (b) Methylisopropoxyfluorophosphine oxide (GB).
- (c) Methylpinacolyloxyfluorophosphine oxide (GD).

6. Antiplant chemicals:

- (a) Butyl, 2,4-dichlorophenoxyacetate (LNA).
- (b) 2,4,5-trichlorophenoxyacetate (LNB).
- (c) Butyl 2-chloro-4-fluorophenoxyacetate (LNF).

§ 121.09 Propellants.

The term "propellants" includes but is not limited to the following:

- (1) Propellant powders including smokeless shotgun powder.
- (2) Hydrazine (including Monomethyl hydrazine and symmetrical dimethyl hydrazine but excluding hydrazine hydrate).
- (3) Unsymmetrical dimethylhydrazine.
- (4) Hydrogen peroxide over 85 percent concentration.
- (5) Nitroguanidine or picrite.
- (6) Nitrocellulose with nitrogen content over 12.20 percent.
- (7) Other solid propellant compositions, including but not limited to the following:
 - (a) Single base (nitrocellulose).
 - (b) Double base (nitrocellulose, nitroglycerin).
 - (c) Triple base (nitrocellulose, nitroglycerin, nitroguanidine).
 - (d) Composite of nitroglycerin, ammonium perchlorate, potassium perchlorate, nitronium perchlorate, guanidine (guanidinium) perchlorate, nitrogen tetroxide, ammonium nitrate or nitrocellulose with plastics, metal fuels, or rubbers added; and compounds composed only of fluorine and one or more of the following: Other halogens, oxygen, or nitrogen.
- (e) Special purpose chemical base high energy solid military fuels.
- (8) Other liquid propellant compositions, including but not limited to the following:
 - (a) Monopropellants (hydrazine, hydrazine nitrate, and water).
 - (b) Bipropellants (hydrazine, fuming nitric acid (HNO₃)).
 - (c) Special purpose chemical base high energy liquid military fuels, and oxidizers.

§ 121.10 Military explosives.

The term "military explosives" includes, but is not limited to, the following:

- (a) Ammonium picrate.
- (b) Black sodie powder.
- (c) Cyclotetramethylene - tetranitramine (HMX).
- (d) Cyclotrimethylene-trinitramine (RDX, Cyclonite, Hexogen or T4).
- (e) Dinitronaphthalene.
- (f) Ethylenedinitramine.
- (g) Hexanitrodiphenylamine.
- (h) Nitroglycerin.
- (i) Nitrostarch.
- (j) Pentaerythritol tetranitrate (penthrate, pentrite or PETN).
- (k) Potassium nitrate powder.
- (l) Tetranitronaphthalene.
- (m) Trinitroanisol.

- (n) Trinitronaphthalene.
- (o) Trinitrophenol (picric acid).
- (p) Trinitrophenylmethyl-nitramine (Tetryl).
- (q) Trinitrotoluene (TNT).
- (r) Trinitroxylyene.
- (s) Ammonium perchlorate nitrocellulose (military grade).
- (t) Any combinations of the above.

§ 121.11 Military fuel thickeners.

The term "military fuel thickeners" includes: compounds (e.g., octal), or mixtures of such compounds (e.g., napalm) specifically formulated for the purpose of producing materials which, when added to petroleum products, provide a gel-type incendiary material for use in bombs, projectiles, flame throwers or other implements of war.

§ 121.12 Vessels of war and special naval equipment.

(See Category VI.)

The term "vessels of war" includes, but is not limited to, the following:

- (a) Combatant:
 - (1) Warships (including nuclear-powered versions):
 - Aircraft carriers (CVA, CVE, CVHE, CVL, CVS).
 - Battleships (BB, BBG).
 - Command ships (CBC, CLC).
 - Cruisers (CA, CAG, CB, CG, CL, CLAA, CLG).
 - Destroyers (DD, DDC, DDE, DDG, DDR, DL, DLG).
 - Submarines (SS, SSB, SSG, SSK, SSR).
 - (2) Amphibious warfare vessels:
 - Amphibious assault ship (LPH).
 - Amphibious force flagship (AGC).
 - Assault helicopter aircraft carrier (CVHA).
 - Attack cargo ship (AKA).
 - Control escort vessel (DEC).
 - Cargo submarine (AK (SS)).
 - Inshore fire support ship (IFS).
 - Landing ships (LSD, LSSF, LSIL, LSM, LSMR, LSSL, LST).
 - Transport submarine (AP(SS)).
 - Transports (APA, APD).
- (3) Landing craft (LCC, LCM, LCP, LCR, LCS, LCU, LCV, LCVLP).
- (4) Landing vehicle, tracked (LVT).
- (5) Mine warfare vessels:
 - Mine hunter, coastal (MHC).
 - Mine countermeasures support ship (MCS).
 - Minelayers (DM, MMA, MMC, MMF).
 - Minesweepers (DMS, MSC, MSC(O), MSF, MSO, MSI, MSB, MSA, YMS, MSL, Ub/MS).
- (6) Patrol vessels:
 - Escort vessels (DE, DER, PCS, PCER, PF, DEG).
 - Gunboats (PCM, PR).
 - Submarine chasers (PC, PCS, SC).
 - Yacht (PY).
- (b) Auxiliary vessels and service craft:
 - (1) Advanced aviation base ship (AVB).
 - (2) Auxiliary submarine (AG(SS)).
 - (3) Cable repairing or laying ship (ARC).
 - (4) Degaussing vessel (ABG).
 - (5) Distilling ship (AW).
 - (6) Drone aircraft catapult control craft (YV).
 - (7) Floating dry docks, cranes, and associated workshops and lighters (AFDB, AFDL, AFDM, ARD, YD, YFD, YFMD, YR, YRDH, YRDM, YHL, YSD).
 - (8) Floating pile driver (YPD).
 - (9) Guided-missile ship (AVM).
 - (10) Harbor utility craft (YFU).
 - (11) Icebreaker (AGB).
 - (12) Logistic support ships (AE, AF, AK, AKS, AO, ACE, AOG, AOR, AO(SS), AVS).
 - (13) Miscellaneous auxiliary (AG, IX, YAG).
 - (14) Miscellaneous cargo ships (AKD, AKL, AKV, AVT).

(15) Naval barges and lighters (YC, YCF, YCK, YCV, YF, YFB, YFN, YFNS, YFNX, YFP, YFR, YFRN, YFRT, YFT, YG, YGN, YO, YOG, YOGN, YON, YOS, YSR, YTT, YW, YWN).

(16) Net laying and tending ships (AKN, AN, YNG).

(17) Oceanographic research ship (AGOR).

(18) Patrol craft (PT, YP).

(19) Repair, salvage, and rescue vessels (AR, ARB, ARG, ARL, ARS, ARSD, ARV, ARVA, ARVE, ASR).

(20) Survey ships (AGS, AGSC).

(21) Target and training submarine (SST).

(22) Tenders (AD, AGP, ARST, AS, AV, AVP, YDT).

(23) Transports and barracks vessels (AP, APB, APC, APL, YHB, YRB, YRBM).

(24) Tugs (ATA, ATF, ATR, YTB, YTL, YTM).

(25) Dredge (YM).

(26) Ocean radar picket ship (AGR).

(27) Submersible craft (X).

(28) Utility aircraft carrier (CVU).

(c) Coast Guard patrol and service vessels and craft:

(1) Submarine repair and berthing barge (YRB).

(2) Labor transportation barracks ship (APL).

(3) Coast Guard cutter (CGC).

(4) Gunboat (WPG).

(5) Patrol Craft (WPC, WSC).

(6) Seaplane tender (WAVP).

(7) Icebreaker (WAGB).

(8) Cargo ship (WAK).

(9) Buoy tenders and boats (WAGE, WD).

(10) Cable layer (WARC).

(11) Lightship (WAL).

(12) Coast Guard tugs (WAT, WXT).

(13) Radio ship (WAGR).

(14) Special vessel (WIX).

(15) Auxiliary vessels (WAG, WAGE).

(16) Other Coast Guard patrol or rescue craft (i) of over 300 horsepower when equipped with a gas turbine engine or engines, and (ii) of over 600 horsepower when equipped with an engine or engines of the internal combustion, reciprocating type.

(d) Air Force craft: Air Force rescue boat.

(e) Army vessels and craft:

(1) Transportation Corps tug: 100 ft. (LT), 65 ft. (ST), T-boat, Q-boat, J-boat, E-boat.

(2) Barges (BG, BC, BR, BSP, BSPI, BKI, BCF, BBL, BARC, BK).

(3) Cranes, floating (BD).

(4) Drydock, floating (FDL).

(5) Repair ship, floating (FMS).

(6) Trainer, amphibious 20-ton wheeled tow boat, inland waterway (LTI, STI).

§ 121.13 Aircraft and related articles.

(a) The term "aircraft" used in Category VIII of the U.S. Munitions List means aircraft designed, modified, or equipped for military purpose as specified in Category VIII, including so-called "demilitarized" aircraft. The exportation and importation of such aircraft are subject to the licensing requirements of the Department of State.

(b) Regardless of "demilitarization," all aircraft bearing an original military designation (including those with cargo or "C" designators such as the C-45, C-46, C-47, and C-54) are included in Category VIII of the U.S. Munitions List.

§ 121.14 Helium gas.

The word "helium" shall be understood to mean "contained helium" at standard atmospheric pressure (14.7 pounds per square inch) and 70° Fahrenheit. The term "contained helium" means the

actual quantity of the element helium (i.e., 100 percent pure helium) in terms of cubic feet present in a mixture of helium and other gases. Purity determination shall be made by usually recognized methods.

§ 121.15 Forgings, castings, and machined bodies.

Items in a partially completed state, such as forgings, castings, extrusions, and machined bodies of any of the articles enumerated in the U.S. Munitions List which have reached a stage in manufacture where they are clearly identifiable as arms, ammunition, and implements of war are considered to be such articles for the purposes of section 414 of the Mutual Security Act, as amended.

§ 121.16 "United States."

For purposes of this subchapter the term "United States," when used in the geographical sense, includes the several States, the insular possessions of the United States, the Canal Zone, the District of Columbia, and any territory over which the United States exercises all and any powers of administration, legislation, and jurisdiction.

§ 121.17 Person.

For the purposes of this subchapter the term "Person" includes a partnership, company, association, or corporation, as well as a natural person.

PART 122—REGISTRATION

- Sec.
- 122.01 Registration requirements.
- 122.02 Application for registration.
- 122.03 Refund of fee.
- 122.04 Notification of changes in information furnished by registrants.
- 122.05 Maintenance of records by persons required to register as manufacturers, importers or exporters of U.S. Munitions List articles.

AUTHORITY: The provisions of this Part 122 issued under sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10698, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redelegation of Authority No. 104-3-A, 28 F.R. 7231.

§ 122.01 Registration requirements.

(a) Persons engaged in the business, in the United States, of manufacturing, exporting, or importing articles enumerated in the U.S. Munitions List are required to register with the Secretary of State. Manufacturers, whether or not they engage in export or import, are required by law to register.

(b) The fabrication of arms, ammunition, and implements of war for experimental or scientific purposes, including research and development, is not considered as manufacture for the purposes of section 414 of the Mutual Security Act of 1954, as amended.¹

(c) Registration is not required of persons whose pertinent business activities are confined to the production, exportation, and importation of unclassified technical data relating to arms, ammunition, and implements of war.

¹Registration is not required of persons whose entire export activity is subject to license under the provisions of the Atomic Energy Act of 1954, as amended.

§ 122.02 Application for registration.

(a) Applications for registration shall be submitted to the Secretary of State on form DSP-9 and shall be accompanied by a registration fee in the form of money order or check payable to the Department of State.

(b) Registration may be effected for periods of 1 or 2 years upon payment of a fee of \$75 and \$150 respectively, at the option of the registrant.

§ 122.03 Refund of fee.

When a 2-year registration fee is paid, a refund for an unused year may be granted, if warranted by reason of changed conditions or new facts developed subsequent to registration. A refund for part of a year, however, will not be granted.

§ 122.04 Notification of changes in information furnished by registrants.

Registered persons shall notify the Secretary of State of significant changes in the information set forth in their applications for registration, such as the establishment of a foreign affiliate.

§ 122.05 Maintenance of records by persons required to register as manufacturers, importers or exporters of U.S. Munitions List articles.

(a) Persons required to register shall maintain for a period of 6 years, subject to the inspection of the Secretary of State or any person designated by him, records bearing on U.S. Munitions List articles, including records concerning the acquisition and disposition of such articles by the registrant. The Secretary may prescribe a longer or shorter period in individual cases as he deems necessary.

(b) Officers of the Office of Security and the Office of Munitions Control of the Department of State and of the U.S. Customs Agency Service, Bureau of Customs, Treasury Department, are hereby designated as the representatives of the Secretary of State for the purposes of this section.

PART 123—LICENSING CONTROLS

LICENSE PROCEDURES

- Sec.
- 123.01 Application for license.
- 123.02 Export license.
- 123.03 Import license.
- 123.04 Intransit license.
- 123.05 Validity and terms of licenses.
- 123.06 License denial, revocation or suspension.
- 123.07 Amendments and alterations.
- 123.08 Ports of exit or entry.
- 123.09 Licenses filed with collectors of customs.
- 123.10 Shipment by mail.
- 123.11 Foreign trade zones.
- 123.12 Export to warehouses or distribution points.
- 123.13 Export of vessels of war.
- 123.14 Repairs or alterations of vessels and aircraft.

COUNTRY OF DESTINATION

- 123.21 Country of ultimate destination.
- 123.22 Shipments to or from certain countries.
- 123.23 Canadian shipments.
- 123.24 U.S. possessions and the Canal Zone.
- 123.25 Domestic aircraft shipments via foreign ports.
- 123.26 Import certificate/delivery verification procedure.

SHIPMENTS BY THE UNITED STATES GOVERNMENT

- 123.40 Shipment by the U.S. Government.

EXEMPTION FOR ARMS AND AMMUNITION SHIPMENTS

- Sec.
123.51 Obsolete small arms.
123.52 Arms and ammunition for personal use.
123.53 Arms for the personal use of members of the Armed Forces.
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123.55 Minor components.

MISCELLANEOUS EXEMPTIONS

- 123.60 Border shipments and shipments transiting Panama Canal.
123.61 Certain helium gas exports.
123.62 Propellants and explosives.
123.63 Smokeless shotgun powder.
123.64 Privately owned military aircraft on temporary sojourn abroad.
123.65 Nuclear materials.

SPECIAL EMERGENCY PROVISIONS

- 123.70 Temporary suspension or modification of the regulations of this subchapter.

AUTHORITY: The provisions of this Part 123 issued under sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6 departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redelegation of Authority No. 104-3-A, 28 F.R. 7231.

LICENSE PROCEDURES

§ 123.01 Application for license.¹

Persons who intend to export from or import into the United States any of the articles enumerated in the U.S. Munitions List shall make application to the Office of Munitions Control, Department of State, Washington, D.C. 20520, on form DSP-5 in the case of exports and DSP-38 in the case of imports. Application for intransit license shall be made on form DSP-61. Application for license to export technical data shall also be made on form DSP-5 (see Part 125 of this chapter).

§ 123.02 Export license.

Articles on the U.S. Munitions List may not be exported from the United States until a license has been issued, or unless covered by an exemption provision of this subchapter. Prior to the issuance of an export license, the Department of State may also require documentary information pertinent to the proposed transaction.

§ 123.03 Import license.

(a) Articles on the U.S. Munitions List may not be imported into the United States until a license has been issued, or unless covered by an exemption provision of this subchapter. Prior to the issuance of an import license, the Department of State may require documentary information pertinent to the proposed transaction.

(b) No military firearms or ammunition of U.S. manufacture may be imported for sale in the United States if such articles were furnished to foreign governments under a U.S. foreign assistance program. This prohibition is appli-

cable to military firearms and ammunition furnished on a grant basis to, or for which payment in full was not made by, a foreign government under the Lend-Lease Act of 1941, as amended; the Greek-Turkish Aid Act of 1947, as amended; the China Aid Act of 1948, as amended; the Mutual Defense Assistance Act of 1949, as amended; the Mutual Security Act of 1951, as amended; the Mutual Security Act of 1954, as amended; the Foreign Assistance Act of 1961, as amended; or any other foreign assistance program of the United States.

(c) The above restriction covers firearms which are advanced in value or improved in condition in a foreign country, but it does not include those which have been so substantially transformed as to become, in effect, articles of foreign manufacture (see § 121.02).

(d) A person desiring to import military firearms and ammunition which were manufactured in the United States must certify that the importation of such firearms or ammunition is not prohibited by the provision of paragraph (b) of this section, and that none of the firearms or ammunition being imported was furnished on a grant basis to, or was acquired without full payment by, a foreign government under a foreign assistance program of the United States as set forth in paragraph (b) of this section. The certification statement must be accompanied by documentary information on the original foreign source of the material.

NOTE: For the purpose of this section, the term "military firearms and ammunition" includes all firearms and ammunition furnished under the foreign assistance programs of the United States as set forth in paragraph (b) of this section. The term "payment in full" as used in paragraph (b) of this section, means the payment of a sale price established by the U.S. Government as the full value of the property at the time of initial transfer.

§ 123.04 Intransit license.

An intransit license must be obtained prior to the entry of any article enumerated in the U.S. Munitions List into the United States for transshipment to a third country (see also § 123.60).

§ 123.05 Validity and terms of licenses.

(a) Licenses are valid for 6 months from their issuance date unless a different period of validity is stated thereon. They are not transferable.

(b) The period of validity of licenses may not be extended. If shipment cannot be completed during the period of validity of the license, another application must be submitted for license to cover the unshipped balance. Such an application shall make specific reference to the previous license and should not include any materials other than the unshipped balance.

(c) Upon request by the applicant, licenses for the exportation of technical data as defined in § 125.01 may be issued for a validity period of 1 year.

§ 123.06 License denial, revocation or suspension.

(a) Licenses may be denied, revoked, suspended, or revised by the Department

of State without prior notice whenever the Department deems such action to be advisable in furtherance of (1) world peace; (2) the security of the United States; (3) the foreign policy of the United States; or (4) whenever the Department has reason to believe section 414 of the Mutual Security Act of 1954, as amended, or any regulation contained in this subchapter has been violated.

(b) Whenever, after appropriate consideration, a license application is denied, or an outstanding license is revoked, suspended, or revised, the applicant or licensee shall be advised promptly in writing of the Department's decision, and the reasons therefor as specifically as security and foreign relations considerations permit.

(c) Upon written request made within 30 days after receipt of an adverse decision, the applicant or licensee shall be accorded an opportunity to present additional information and a full review of his case by the Department.

(d) Unused, expired, suspended, or revoked licenses must be returned immediately to the Department of State.

§ 123.07 Amendments and alterations.

No amendments or alteration of a license may be made except by the Department of State, or by collectors of customs or postmasters when specifically authorized to do so by the Department of State. No photographic or other copy may be made of an original license unless authorized by the Department of State.

§ 123.08 Ports of exit or entry.

Applications for license shall show the proposed port or ports of exit or entry in the United States. If, subsequent to the issuance of a license, shipping arrangements necessitate a change in port, the Department of State must be notified by letter of the change in port.

§ 123.09 Licenses filed with collectors of customs.

(a) Prior to exportation or importation, licenses shall be filed with the collector of customs at the port through which the shipment is being made, except for exports by mail (see § 123.10). A Shipper's Export Declaration (U.S. Department of Commerce form 7525-V) must also be filed with, and authenticated by, the collector of customs before the articles are exported. The collector of customs shall endorse each license to reflect shipments made. Licenses must be returned by the collector to the Department of State upon expiration of the validity period, or upon completion of the shipment of the articles licensed whichever first occurs.

(b) Collectors of Customs are authorized to permit the exportation or importation of articles identified on an issued license where the total value at the time of shipment does not exceed by more than ten (10) percent that stated on the license.

§ 123.10 Shipment by mail.

(a) Export licenses for U.S. Munitions List articles, except technical data (see

¹ The procedures governing the export of classified information or equipment are outlined in Part 125.

§§ 125.40 and 125.41), which are being transported by mail shall be filed with the postmaster at the post office where the articles are mailed. A Shipper's Export Declaration (U.S. Department of Commerce form 7525-V) must also be filed with, and authenticated by, the postmaster before the articles are exported. The postmaster shall endorse each license to reflect shipments made. Licenses must be returned by the postmaster to the Department of State upon expiration of the validity period, or upon completion of the shipment, whichever first occurs.

(b) Licenses covering imports by mail shall be filed with the collectors of customs at the port of entry.

§ 123.11 Foreign trade zones.

A Foreign Trade Zone of the United States is considered an integral part of the United States for the purpose of this subchapter and as such, a license is not required for shipments between the United States and a Foreign Trade Zone. However, a license is required for all other shipments of U.S. Munitions List articles to and from such Foreign Trade Zones.

§ 123.12 Export to warehouses or distribution points.

Applications for license to export U.S. Munitions List articles to warehouses or distribution points for subsequent resale will be considered by the Department. Licenses issued for such applications will normally contain conditions for special distribution controls and reporting.

§ 123.13 Export of vessels of war.

(a) The transfer of a vessel of war as defined by § 121.12 of this subchapter from United States to foreign registry is considered an exportation for which an approval or license from the Department of State is required. If the vessel to be exported is physically located in the United States, an export license must be obtained. If the vessel is located abroad, the Department's written approval in the form of a letter must be obtained prior to its transfer of registry.

(b) The registration under a foreign flag of an undocumented vessel of war located in the United States is considered an exportation for which a license is required from the Department of State.

Note: Such transactions also require the prior approval of the Maritime Administration (see 46 U.S.C. 808 and 835).

§ 123.14 Repairs or alterations of vessels and aircraft.

Persons effecting repairs or alterations on foreign vessels of war as defined in § 121.12, and foreign aircraft as defined in § 121.13, in the United States shall obtain an export license for articles enumerated in the U.S. Munitions List which are required in connection with such repairs or alterations. The entry of such a vessel or aircraft into the United States for the purpose of repairs or alterations is considered an importation for which an import license from the Department of State is required. The exit of such a

vessel or aircraft likewise requires an export license from the Department of State.

COUNTRY OF DESTINATION

§ 123.21 Country of ultimate destination.

(a) The country designated on an application for export license as the country of ultimate destination must be the country wherein the articles being exported ultimately are to receive end use, even though incorporated through an intermediate process into other end items.

(b) The prior written approval of the Department of State must be obtained before U.S. Munitions List articles previously exported from this country under license may be resold, diverted, transferred, transshipped, reshipped, or re-exported to, or used in any country other than that described on the export license as the country of ultimate destination.

(c) The following statement shall be entered on the shipper's export declaration, the bill of lading and the invoice, whenever U.S. Munitions List articles are to be exported: "These commodities are licensed by the U.S. Government for export to _____

(Country of ultimate destination)

Diversion contrary to U.S. law prohibited." The U.S. exporter shall have the responsibility of entering such a statement. This responsibility continues even when the exporter acts through a freight forwarder or other forwarding agent.

§ 123.22 Shipments to or from certain countries.

The policy of the Department of State is to deny license applications for U.S. Munitions List Articles destined for or originating in Albania, Bulgaria, Communist China, Cuba, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, North Korea, Outer Mongolia, Poland, Rumania, Union of Soviet Socialist Republics, any of the area of Viet-Nam which is under de facto Communist control, or any other area which is from time to time determined by the Department of State to be under Communist control. The exemptions provided by this part do not apply to shipments destined for or originating in any of the foregoing countries or areas.

§ 123.23 Canadian shipments.

Collectors of custom may release shipments of arms, ammunition, and implements of war which do not bear a military security classification to or from Canada without a license with the following exceptions:

(a) Intransit shipments through the United States to or from Canada or intransit shipments through Canada to or from the United States.

(b) No military firearms or ammunition of U.S. manufacture may be imported for sale in the United States except in compliance with § 123.03.

(c) The following articles require a license for export to Canada:

(1) Helium gas as defined in Category XV;

(2) Nuclear Weapons Design and Test Equipment as defined in Category XVI;

(3) Naval nuclear propulsion items as defined in Category VI(e); and

(4) Nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment therefor (see § 125.32).

(d) The following articles require a license for import from Canada:

(1) Firearms as defined in Category I except firearms of Canadian manufacture; and

(2) Ammunition for firearms in Category I (a) and (b) except ammunition of Canadian manufacture.

§ 123.24 U.S. possessions and the Canal Zone.

Export and import licensing controls do not apply to shipments between the United States, U.S. possessions, and the Canal Zone. Licenses are required, however, for shipments between such areas and foreign countries.

§ 123.25 Domestic aircraft shipments via foreign ports.

A written statement must be filed by the pilot with the collector of customs at the port of exit for airborne shipments of arms, ammunition, and implements of war being transported from a port in the United States to another U.S. port via a foreign country other than Canada. The original of the statement shall be filed with the collector at the port of exit and a duplicate thereof filed with the collector at the port of reentry, for endorsement by him and transmission to the collector at the port of exit. The content of the statement shall be as follows:

STATEMENT

DOMESTIC SHIPMENTS VIA FOREIGN PORTS OF ARTICLES ON U.S. MUNITIONS LIST

The undersigned certifies that the articles listed below are being shipped from _____ via _____ (U.S. port of exit) (Foreign port) and that the final destination is _____

(U.S. port of entry)

Amount	Description of article	Value
-----	-----	-----
-----	-----	-----

Signed: _____

Endorsement: Customs Inspector.

Port of exit _____ Date: _____

Endorsement: Customs Inspector.

Port of entry _____ Date: _____

§ 123.26 Import certificate/delivery verification procedure.

(IC/DV) General. The United States and a number of foreign countries have agreed on a procedure designed to assure that certain articles imported into their territories will not be diverted, transshipped, or reexported to another destination except in accordance with export control regulations of the importing

* The exemption from import licensing requirements for Canadian manufactured Category I firearms does not apply to firearms which include any of the following major components of non-Canadian manufacture: Barrels, cylinders, receivers (frames), or complete breech mechanisms.

country. The procedure covered by such agreement is known as the Import Certificate/Delivery Verification Procedure (IC/DV) and may be invoked with respect to articles on the U.S. Munitions List.

(a) *Exports.* As a supplement to normal control procedures, the Department may utilize the IC/DV procedure on proposed exports of Munitions List articles to nongovernment entities in the following countries: Austria, Belgium, Denmark, France, Federal Republic of Germany, Greece, Hong Kong, Italy, Japan, Luxembourg, the Netherlands, Norway, Portugal, Turkey, and the United Kingdom. In each case in which the Department invokes the IC/DV procedure, U.S. exporters will be required to submit, in addition to an export license application (a completed form DSP-5), the original Import Certificate authenticated by the government of the importing country. This document will serve as evidence that the foreign importer has complied with the import regulations of the government of the importing country and that he has declared his intentions not to divert, transship or reexport the material described therein without prior approval of that government. After delivery of the articles to the foreign consignee, the Department may also require U.S. exporters to furnish documentation (Delivery Verification) from the government of the importing country attesting to the delivery in accordance with the terms of the approved export license. Both the Import Certificate and the Delivery Verification will be obtained and furnished to the U.S. exporter by the foreign importer.

(b) *Imports.* Participating foreign governments may also invoke the IC/DV procedure on Munitions List articles imported into the United States. In each case in which a foreign government invokes the IC/DV procedure, the Department will certify for the U.S. importer a "Declaration of Destination on Foreign Exports of Munitions List Items" (completed form DSP-53). Normally, the U.S. importer will submit this form to the Department at the time he applies for an import license. This document (the Department's equivalent of the "Import Certificate" cited above), will serve as evidence to the government of the exporting country that the U.S. importer has complied with import regulations of the U.S. Government and is prohibited from diverting, transshipping, or reexporting the material described therein without the approval of the U.S. Government. Foreign governments may also require documentation attesting to the delivery of the material into the United States. When such delivery certification is requested by a foreign government, the U.S. importer may obtain directly from the U.S. collector of customs the authenticated Delivery Verification (form FC-908/DSP-68) for this purpose.

(c) *Triangular transaction.* When a transaction involves three or more countries, internationally participating governments may stamp a triangular symbol

on the "Import Certificate." This symbol is usually placed on the "Import Certificate" when the applicant for the "Import Certificate" (the importer) has stated either (1) he is uncertain whether the items covered by the "Import Certificate" will be imported into the country issuing the "Import Certificate;" (2) that he knows that the items will not be imported into the country issuing the "Import Certificate;" or (3) that, if the items are to be imported into the country issuing the "Import Certificate," they will subsequently be reexported to another destination. Consequently, it is possible that the ultimate consignee and the country of ultimate destination will not coincide with that of the importer. All parties, including the ultimate consignee in the true country of ultimate destination will be shown on the completed form DSP-53. When a U.S. importer is a principal to a triangular transaction involving articles on the U.S. Munitions List, he may receive a triangular symbol on the completed form DSP-53.

SHIPMENTS BY THE U.S. GOVERNMENT

§ 123.40 Shipment by the U.S. Government.

The exportation or importation of arms, ammunition, and implements of war by the U.S. Government is not subject to the provisions of section 414 of the Mutual Security Act of 1954, as amended. A license to import and export such articles is not required, therefore, when all aspects of the transaction are handled by a U.S. Government agency. A license is required, however, when a private individual or firm or forwarding agent is involved in any aspect of the transaction unless the consignor, consignee, and intermediate consignee (if any) are agencies of the U.S. Government and the exportation or importation is covered by a U.S. Government Bill of Lading. This section does not authorize any government agency to export or import any items listed in § 121.01 which are subject to restrictions by reason of other statutory provisions.

EXEMPTIONS FOR ARMS AND AMMUNITION SHIPMENTS

§ 123.51 Obsolete small arms.

Subject to the provisions of § 123.03 (b), collectors of customs are authorized to permit the importation or exportation, without a license, of firearms covered by Category I(a) of the U.S. Munitions List, which were manufactured prior to 1898, on presentation of satisfactory evidence of age.

§ 123.52 Arms and ammunition for personal use.

(a) Subject to the provisions of §§ 123.22 and 123.23, Collectors of Customs are authorized to permit, after declaration by the individual and inspection by a customs officer, not more than three nonautomatic firearms and not more than 1,000 cartridges therefor, to enter the United States or depart therefrom without a license, when these firearms are on the person of an individual

or with his baggage or effects, whether accompanied or unaccompanied, and are intended exclusively for his personal use for sporting or scientific purposes or for personal protection and not for resale. This exemption shall extend to not more than three tear gas guns or other type hand dispensers and not more than 100 gas cartridges therefor. The foregoing exemption is not applicable to crewmembers of vessels or aircraft.

(b) Subject to the provisions of §§ 123.22 and 123.23, collectors of customs are authorized to permit the exportation, without a license, of ammunition for firearms, provided the quantity does not exceed 1,000 rounds in any shipment and the ammunition is for the personal use of the consignee and not for resale. A license is required, however, for exportation to Bahrain, Kuwait, Qatar, the Trucial States, Muscat, Oman, and the Republic of South Africa.

§ 123.53 Arms for the personal use of members of the Armed Forces.

(a) Collectors of customs are authorized to permit members of the U.S. Armed Forces or U.S. civilian personnel employed by those forces to ship or bring into the United States, without license, nonautomatic firearms and ammunition therefor, upon presentation of written authorization from their commanding officer, which authorization shall include a certification that such firearms are bona fide war trophies or war souvenirs.

(b) Collectors of customs are authorized to permit Category I(a) firearms and parts for such weapons to leave the United States without a license, provided they are consigned to servicemen's clubs overseas or to individual members of the Armed Forces of the United States, and are accompanied by a written authorization from the commanding officer.

§ 123.54 Sample shipments.

Collectors of customs are authorized to permit up to an inclusive total of three rifles, carbines (excluding automatic and semiautomatic models), revolvers and pistols to be exported or imported without a license, providing the articles being shipped are not for sale and will be returned to the same exporter or importer. Collectors of customs may also permit the exportation and importation of such sample weapons, without a license, when they are being returned to their owner.

§ 123.55 Minor components.

Collectors of Customs are authorized to permit the importation or exportation without a license of shipments of components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

MISCELLANEOUS EXEMPTIONS

§ 123.60 Border shipments and shipments transiting Panama Canal.

Shipments originating in Canada or Mexico which incidentally transit the United States en route to a delivery point in the country of origin are exempt from the requirement of an intransit license.

Vessels transiting the Panama Canal without off-loading cargo are exempt from the requirement of an intransit license.

§ 123.61 Certain helium gas exports.

Subject to the provisions of § 123.22, collectors of customs are authorized to permit the exportation or importation, without a license, of miniature cylinders containing helium gas in fractional cubic foot quantities mixed with other gases, provided that the gas is intended for medical use and shipment does not exceed 10 cubic feet of "contained helium" to any consignee.

§ 123.62 Propellants and explosives.

Subject to the provisions of § 123.22, collectors of customs are authorized to permit the exportation, without a license, of propellants and explosives for non-explosive uses such as medical uses and laboratory tests. Such shipments must be clearly marked as to content, include no materials classified from a military security point of view, and weigh no more than 25 pounds.

§ 123.63 Smokeless shotgun powder.

Collectors of customs are authorized to permit the importation of smokeless shotgun powder without a license (see Category V of the U.S. Munitions List).

§ 123.64 Privately owned military aircraft on temporary sojourn abroad.

(a) A certificate of temporary sojourn may be issued by the Department in appropriate instances in lieu of an export license to authorize the departure of privately owned military aircraft from the United States for a temporary sojourn abroad not to exceed 6 months' duration. The Department may require documentary evidence pertinent to the aircraft or proposed sojourn before issuance of a certificate of temporary sojourn.

(b) Private owners of military aircraft to be flown or shipped from the United States under the provisions of paragraph (a) of this section shall complete and submit a request for a certificate of temporary sojourn, form DSP-73, in triplicate to the Department for its approval.

(c) An original and duplicate copy of the certificate of temporary sojourn issued by the Department must be presented to the collector of customs at the port of departure. The certificate is for endorsement by the collector provided he finds no discrepancy in the statements made therein. The endorsed certificate shall be returned to the pilot and carried on the aircraft as evidence that the required permission has been granted and the duplicate retained by the collector for his records pending the completion of the temporary sojourn. The pilot or operator is required to depart from the United States at an airport where a customs officer is available for outward endorsement on the certificate. The outward clearance cannot be obtained by telephone or other informal means.

(d) Upon completion of the temporary sojourn, the certification shall be surrendered to the collector of customs at the port of entry. If the ports of entry

and departure differ, the customs officer shall forward the surrendered certificate, properly endorsed, to the customs authorities at the original port of departure. The completed certificate must be returned to the Department.

(e) The Department may permit a privately owned military aircraft to make a series of flights to and from the United States under a certificate of temporary sojourn not to exceed 6 months' duration. Full details of the proposed flights must be given.

(f) The dates of actual departure and entry shall be noted on the reverse side of the certificate and endorsed by appropriate customs officials. No action is to be taken on the copy of the certificate which is returned to the original port of exit until the pilot's copy of the certificate is taken up by the customs officer upon his last entry into the United States prior to the expiration of the authorized period.

(g) Requests for extension of a certificate of temporary sojourn must be submitted to the Department of State on a new application form (DSP-73) reflecting the original port of departure.

§ 123.65 Nuclear materials.

To the extent that articles or technical data, the export of which is controlled by the Atomic Energy Commission under the Atomic Energy Act of 1954, as amended, are coextensive with articles or technical data in Category VI(e), Category XVI, and Category XVIII, this subchapter shall not apply.

SPECIAL EMERGENCY PROVISIONS

§ 123.70 Temporary suspension or modification of the regulations of this subchapter.

The Director, Office of Munitions Control, Department of State, is authorized to order the temporary suspension or modification of any or all of the regulations of this subchapter in the interest of furthering the objectives of world peace and the security and foreign policy of the United States.

PART 124—LICENSE AND TECHNICAL ASSISTANCE AGREEMENTS

- Sec. 124.01 Manufacturing license agreements.
- 124.02 Technical assistance agreements.
- 124.03 Exportation of technical data in furtherance of an agreement.
- 124.04 Required information in agreements.

AUTHORITY: The provisions of this Part 124 issued under sec. 414, as amended, 68 Stat. 848, 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redelegation of Authority No. 104-3-A, 7231.

§ 124.01 Manufacturing license agreements.¹

Agreements between persons or companies in the United States and foreign

¹ Agreements should be submitted to the Department of State under cover of a letter and not on Export Application Form DSP-5. The letter of transmittal should set forth detailed information concerning the agreement, including all the information required by § 124.04 which is not otherwise required to be included in the agreement.

persons, or entities, private or governmental, for the manufacture abroad of articles designated as arms, ammunition, and implements of war, are required to be submitted to the Department of State before the effective date of the agreement for approval from the standpoint of U.S. foreign policy and military security.

§ 124.02 Technical assistance agreements.¹

Agreements entered into between persons or companies in the United States and foreign persons or entities, private or governmental, for the furnishing of technical assistance and technical information relating to articles designated as arms, ammunition, and implements of war are required to be submitted to the Department of State before the effective date of the agreement for approval from the standpoint of U.S. foreign policy and military security.

§ 124.03 Exportation of technical data in furtherance of an agreement.

(a) Collectors of Customs or postal authorities may permit the exportation without a license of unclassified technical data in furtherance of a manufacturing license or technical assistance agreement covering U.S. Munitions List items which has been approved in writing by the Department of State unless the data exceeds the technical and/or product limitations approved in the agreement. The U.S. principal to the agreement shall be responsible for certifying that the exempted data is within the limitations of this paragraph, and for seeking Department of State approval for the exportation of any data which exceeds such limitations.

(b) The exportation of classified information in furtherance of an approved manufacturing license or technical assistance agreement which provides for the conveyance of classified information does not require further Department of State approval provided:

(1) The U.S. principal certifies to the Department of Defense transmittal authority that the data does not exceed the technical and/or product limitations in the agreement approved by the Department of State, and

(2) The U.S. principal meets requirements of the Department of Defense Industrial Security Manual relating to the transmission of such classified information and any other requirements of cognizant U.S. departments or agencies.

§ 124.04 Required information in agreements.

(a) Manufacturing license or technical assistance agreements should define in precise terms the following:

(1) The equipment and technology involved as described by military nomenclature, contract number, Federal stock number, nameplate data, or other specific information;

(2) The detail scope of the information to be furnished;

(3) The period of duration of the agreement;

(4) Identification of the countries or areas in which manufacturing, production, or processing, sale or other form of transfer is licensed.

(5) A statement to the effect that the article to be produced under license or otherwise, or the technical data, or the direct product thereof, is not authorized to be directly or indirectly sold, leased, re-leased, assigned, transferred, conveyed, or in any manner disposed of in or to any country or area enumerated in § 123.22.

(6) A statement to the effect that the agreement is subject to all applicable United States laws and regulations.

(b) Manufacturing license or technical assistance agreements should be accompanied by the following:

(1) Statement of ownership of equipment and special tools involved (especially U.S. Government-owned) which would be utilized or made available in connection with the agreement.

(2) A statement identifying any United States Government contract under which the equipment or technical data was produced or developed, and if the equipment or technical data involved is of advanced design, process, or technique, the statement should indicate whether it was derived from any bid or other proposal to the United States Government.

(3) If only unclassified equipment or technical data is involved, it shall be so indicated. If classified information is involved, the highest degree of security classification shall be specified.

(c) U.S. parties to an approved agreement shall furnish the Department of State with a copy of the agreement as finally concluded in the event any changes have been required as a condition of approval and shall advise the Department of State of the termination prior to expiration of an approved agreement, including information as to the continuation of any license rights or flow of technical data to licensees.

(d) (1) It is the policy of the U.S. Government not to pay or allow to be paid in connection with purchases made with Military Assistance Program or other U.S. Government funds, a charge for patent rights in which it holds a royalty-free license, or for technical data which it has a right to use and disclose to others for purposes of the Military Assistance or other U.S. Government Program or which are in the public domain, or with respect to which it has been placed in possession without restriction upon their use and disclosure to others. Reasonable charges for reproduction, handling, mailing, and other similar administrative costs do not fall within this policy.

(2) Pursuant to the above policy (subparagraph (1) of this paragraph), all agreements shall reflect the following provisions: (i) purchases of items by or for the U.S. Government, or with funds derived through the Military Assistance or other U.S. Government Programs, will not include a charge (a) for technical data in the possession of the U.S. Government, or in which the U.S. Govern-

ment has a right to possession, and regarding which there is no prohibition against use by the U.S. Government and disclosure to others and (b) for royalties or amortization for patents or inventions in which the U.S. Government holds a royalty free license; and (ii) the license rights transferred by the agreement are subject to existing rights of the U.S. Government.

(e) No liability shall be incurred by or attributed to the U.S. Government by reason of this approval requirement in connection with any possible infringement of privately owned patent or proprietary rights, either domestic or foreign. The applicant shall acknowledge this provision of the regulations either by its inclusion in the agreement or by letter over the signature of an appropriate officer of the company.

NOTE: Proposed manufacturing licenses or technical assistance agreements for the production in a foreign country of any item on the U.S. Munitions List, and particularly for the production of such items developed under a Government contract, are subject to technical and security review by the Department of Defense. When this is necessary, the Department will assign a case number to the draft agreement and will inform the U.S. firm of that number and of the date of referral of the case to the Department of Defense. This is to enable the firm to confer, if it so desires, with cognizant military officials on technical and security requirements of the agreements. After the Department of Defense has submitted its recommendations to the Department of State on the proposed agreement, the Department of State will take final action on the case.

PART 125—TECHNICAL DATA

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AUTHORITY: The provisions of this Part 125 issued under sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10409; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redellegation of Authority No. 104-3-A, 28 F.R. 7231.

§ 125.01 Technical data.

As used in this subchapter the term "technical data" means:

(a) Information concerning an article on the U.S. Munitions List which enables its use, operation, maintenance, repair, overhaul, production, or manufacture, or,

(b) Research, development, and engineering technology concerning an article on the U.S. Munitions List, or,

(c) Any technology which advances the state-of-the-art or establishes a new art in an area of significant military applicability,¹ or,

(d) Information as defined in § 125.03 (b).

§ 125.02 Exportation of technical data.

The export controls established under the provisions of section 414 of the Mutual Security Act of 1954, as amended, relating to technical data cover (a) the exportation of unclassified technical data on articles designated as arms, ammunition, and implements of war, and (b) the exportation of classified information as defined in § 125.03(b). These controls are applicable whether such information is to be exported by oral, visual, or documentary means. Therefore, an exportation is effected whenever technical data is, inter alia, mailed or shipped outside the United States, carried by hand outside the United States, disclosed through foreign visits by American personnel (including participation in briefings or symposia), disclosed to foreign nationals in the United States (including plant visits and participating in briefings or symposia). (See § 125.30 for exemptions.)

§ 125.03 Classified information.

Classified information is either (a) equipment, or (b) information relating to a U.S. Munitions List article, which has been assigned a United States security classification as requiring protection in the interest of national defense.

§ 125.11 Exportation of unclassified technical data.

(a) A license issued by the Department of State is required for the exportation of unclassified technical data relating to arms, ammunition, and implements of war, unless the exportation falls within the exemption provisions of these regulations (see § 125.30). The application for license must be submitted on the prescribed form (DSP-5), complete in all details so as to afford adequate identification of data or material, together with five (5) copies of the technical data.

(b) A license issued by the Department of State is required for the exportation of unclassified technical data relating to arms, ammunition, and implements of war, which are included in any applications for a foreign patent. This licensing requirement is in addition to the license for foreign filing, which must be obtained by an exporter from the Patent Office during the first 6 months of the pendency of a patent application. After 6 months, only a Department of State license is required. If the patent application is covered by a secrecy order, all questions relating thereto should be addressed to the Patent Office. (See § 125.30.)

(c) A license issued by the Department of State is required for the exportation of unclassified technical data to be disclosed to foreign nationals either in connection with visits to foreign countries by Ameri-

¹ The initial burden of determining whether the technology in question advances the state-of-the-art or establishes a new art is upon the U.S. principal or applicant.

can personnel, or in connection with visits to the United States by foreign personnel. (See § 125.30.)

§ 125.12 Exportation of classified information.

(a) Any request for authority to export classified information by other than the cognizant department or agency of the U.S. Government must first be submitted to the Department of State for approval.² In the event classified information is involved in a proposed exportation, a letter must be submitted to the Department of State setting forth the full details of the proposed transaction, accompanied by five (5) copies of any documentary information. The letter to the Department of State should indicate:

(1) The highest degree of security classification of the equipment or information involved;

(2) The cognizant project or contracting agency; and

(3) If the equipment or information was not directly contracted for, whether it was derived from U.S. Government sources, project development, bid requirements, or contractual arrangements.

(b) Classified information, as defined in § 125.03, which is approved for export by the Department of State, may only be transferred or communicated in accordance with the requirements of the Department of Defense Industrial Security Manual relating to the transmission of such information and any other requirements of cognizant U.S. departments or agencies.

(c) The approval of the Department of State is required for the exportation of classified information to be disclosed to foreign nationals either in connection with visits to foreign countries by American personnel, or in connection with visits to the United States by foreign personnel. (See § 125.30(b)(2).)

§ 125.20 Government agency shipments.

The exportation of technical data by the U.S. Government is not subject to the provisions of section 414 of the Mutual Security Act of 1954, as amended. A license to export technical data is not required, therefore, when all aspects of the transaction are handled by a U.S. Government agency. This exemption has no application to the situation where a U.S. Government agency on behalf of a private individual or firm, acts as a transmittal agent either as a convenience, or in satisfaction of security requirements.

TECHNICAL DATA EXEMPTIONS

§ 125.30 General exemptions.

(a) Collectors of Customs or postal authorities may permit the exportation without a license of unclassified technical data as follows:

(1) If it is in published form and subject to public dissemination by being:

- (i) Sold at newsstands and bookstores;
- (ii) Available by subscription or purchase without restrictions to any person or available without cost to any person;
- (iii) Granted second class mailing privileges by the U.S. Government;
- (iv) Freely available at public libraries.³

(2) If it has been approved for public release by any department or agency having authority for the classification of information or material under Executive Order 10501, as amended, and has in fact been publicly disseminated or presented at a symposium authorized for attendance by the public.

(3) If the exportation is in furtherance of an approved manufacturing license or technical assistance agreement in accordance with § 124.03(a).

(4) If it is being exported in furtherance of a contract with an agency of the U.S. Government or a contract between an agency of the U.S. Government and a foreign manufacturer or other foreign entity, provided the contract calls for transmission of relevant technical data.

(5) If it relates to firearms not in excess of caliber .50 and ammunition for such weapons, except unclassified technical data containing advanced designs, processes, and manufacturing techniques.

(6) If it consists of technical data, other than design, development, or production information, relating to equipment, the exportation of which has been previously authorized to the same destination.⁴

(7) If it consists of operations, maintenance, and training manuals, and aids, relating to equipment, the exportation of which has been authorized to the same destination.⁴

(8) If it consists of additional copies of technical data previously approved for exportation to the same destination.

(9) If it consists solely of technical data being retransmitted to destinations from which it was originally imported.

(10) If it is being exported in direct support of, and within the technical and/or product limitations of, a "U.S. Government approved project" and the exporter so certifies. The Office of Munitions Control will verify, upon request, those projects which are "U.S. Government approved" and accord an exemption where appropriate under this subparagraph.⁵

² The burden for obtaining appropriate U.S. Government approval for the publication of technical data falling within the definition in § 125.01, including such data as is developed under other than U.S. Government contract, is on the person or company seeking publication.

³ Not applicable to technical data relating to Category VI(e) and Category XVI.

⁵ Classified information may also be transmitted in direct support of and within the technical and/or product limitations of such verified "U.S. Government approved projects" without prior Office of Munitions Control approval provided the U.S. principal so certifies and meets the requirements of the Department of Defense Industrial Security Manual relating to the transmission of such classified information and any other requirements of cognizant U.S. departments or agencies.

(11) If it is being exported solely for the use of American citizen employees of U.S. firms provided the U.S. firm certifies its overseas employee as a qualified recipient.⁶

(b) Plant Visits.⁷

(1) No license is required for the release of unclassified technical data in the course of plant visits by foreign nationals provided:

(i) The data is directly concerned with the subject matter of a classified plant visit approved by the Department of Defense or other cognizant department or agency;

(ii) The data is to be disclosed by oral or visual means during, and is directly concerned with the subject matter of, an unclassified plant visit arranged under U.S. Government auspices; or

(iii) The documentary data is a verbatim presentation of the oral and visual data disclosed under (ii) of this subparagraph.

(2) The arrangement of an unclassified plant visit or the approval of a classified plant visit by the Department of Defense or other cognizant department or agency shall include appropriate Department of State approval for the release of any technical data beyond that exempted by (1) above which is to be disclosed to foreign nationals. (See §§ 125.40 and 125.42.)

§ 125.31 Importation of technical data.

A license is not required for the importation of technical data.

§ 125.32 Canadian shipments.

Collectors of customs or postal authorities may permit unclassified technical data to be exported to Canada without presentation of an export license, except such technical data as relates to the items enumerated in § 123.23 (c) (2), (3), and (4).

MAILING AND SHIPPING PROCEDURES

§ 125.40 Certification requirements.

If the exporter wishes to claim the benefit of an exemption from the requirement of an individual license in accordance with the provisions of § 125.30, he is required to certify that the proposed exportation is covered by one of the provisions of that section. He shall so certify by marking the package or letter "22 CFR 125.30 * * * applicable," identifying the specific subsection or subsections under which the exemption is claimed.

⁶ Classified information may also be exported to such certified American citizen employees without prior Office of Munitions Control approval provided the U.S. principal meets the requirements of the Department of Defense Industrial Security Manual relating to the transmission of such classified information and any other requirements of cognizant U.S. departments or agencies. Such technical data or information (classified or unclassified) shall not be released by oral, visual, or documentary means to any foreign national or foreign entity.

⁷ Nationals of the countries or areas enumerated in § 125.42 are not included in this exemption.

² See however § 125.30(b)(2) concerning plant visits.

§ 125.41 Clearance of exports.

Licenses covering nonexempt technical data exports must be presented to the appropriate collector of customs or postal authority when shipment is made.

§ 125.42 Sino-Soviet bloc destinations.

The policy of the Department of State is to deny export license applications for technical data destined for Albania, Bulgaria, Communist China, Cuba, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, North Korea, Outer Mongolia, Poland, Rumania, Union of Soviet Socialist Republics, any of the area of Viet-Nam which is under de facto Communist control, or any other area which is from time to time determined by the Department of State to be under Communist control. The exemptions provided by this part, except by § 125.30(a) (1) and (2), do not apply to the foregoing destinations.

PART 126—VIOLATIONS AND PENALTIES

Sec.

- 126.01 Violations in general.
- 126.02 Misrepresentation and concealment of facts.
- 126.03 Penalties for violations.
- 126.04 Authority of collectors of customs.
- 126.05 Seizure.

AUTHORITY: The provisions of this Part 126 issued under sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redlegation of Authority No. 104-3-A, 28 F.R. 7231.

§ 126.01 Violations in general.

It shall be unlawful for any person to export or attempt to export from the United States any of those articles designated by the U.S. Munitions List or to import or attempt to import such articles into the United States without first having obtained a license therefor, unless written approval was obtained from the Department of State or an exemption from this requirement is authorized by this subchapter.

§ 126.02 Misrepresentation and concealment of facts.

(a) It shall be unlawful willfully to use, or attempt to use, for the purpose of exportation or importation of U.S. Munitions List articles, any export or import control document which contains a false statement or misrepresents or conceals a material fact. Any such false state-

ment, misrepresentation or concealment of material fact in such a document shall be considered, as made in a matter within the jurisdiction of a department or agency of the United States, in violation of section 1001 of Title 18, United States Code and section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934).

(b) For the purpose of this section, the term export or import control document shall include the following when used for the purpose of exportation or importation, or attempted importation or exportation of U.S. Munitions List articles:

- (1) Applications for import, export, or intransit license and supporting documents.
- (2) Shipper's export declarations.
- (3) Invoices.
- (4) Declarations of destination.
- (5) Delivery verifications.
- (6) Applications for certificate of temporary sojourn.
- (7) Applications for registration.
- (8) Purchase orders.
- (9) Foreign import certificates.
- (10) Bills-of-lading.
- (11) Air way bills.

§ 126.03 Penalties for violations.

Any person who willfully violates any provision of section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934), or any rule or regulation issued under that section, or who willfully, in a registration or license application, makes any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein not misleading, shall, upon conviction, be fined not more than \$25,000, or imprisoned not more than 2 years, or both.

§ 126.04 Authority of collectors of customs.

(a) Collectors of customs are authorized to take appropriate action to insure observance of this subchapter as to the importation or exportation, or the attempted importation or exportation, of arms, ammunition, and implements of war, whether or not authorized by licenses or written approval issued under this subchapter, including, but not limited to, inspection of loading or unloading of carriers.

(b) Upon the presentation of a license or written approval to a collector of customs, authorizing the exportation or importation of arms, ammunition, and im-

plements of war, the collector may require, in addition to such documents as may be required by customs regulations, the production of other relevant documents and information relating to the proposed exportation or importation, including, but not limited to, invoices, orders, packing lists, shipping documents, correspondence, and instructions.

§ 126.05 Seizure.

Whenever an attempt is made to import, or bring into the United States, or to export, or ship from or take out of the United States, any arms, ammunition, implements of war, and technical data relating thereto in violation of law, the several collectors of customs, or officials of such other United States agencies as may be authorized to perform law enforcement functions, may seize and detain any such arms, ammunition, and implements of war, and the vessel, vehicle or aircraft containing the same, and retain possession thereof until released or disposed of as directed by law.

PART 127—ADMINISTRATIVE PROCEDURES

§ 127.01 Exclusion of functions under section 414 of the Mutual Security Act of 1954, as amended.

The functions conferred by section 414 of the Mutual Security Act of 1954, as amended, are excluded from the operation of the Administrative Procedures Act (60 Stat. 237), as contemplated by sections 1003 and 1004 thereof.

(Sec. 414, as amended, 68 Stat. 848; 22 U.S.C. 1934; secs. 101 and 105, E.O. 10973, 26 F.R. 10469; sec. 6, Departmental Delegation of Authority No. 104, 26 F.R. 10608, as amended, 27 F.R. 9925, 28 F.R. 7231; and Redlegation of Authority No. 104-3-A, 28 F.R. 7231)

NOTE: The recordkeeping and reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

The provisions of section 4 of the Administrative Procedure Act (60 Stat. 283; 5 U.S.C. 1003) relative to notice of proposed rule making are inapplicable to this order because the regulations contained therein involve foreign affairs functions of the United States.

Dated: November 28, 1966.

DEAN RUSK,
Secretary of State.

[F.R. Doc. 66-12981; Filed, Dec. 1, 1966; 8:46 a.m.]