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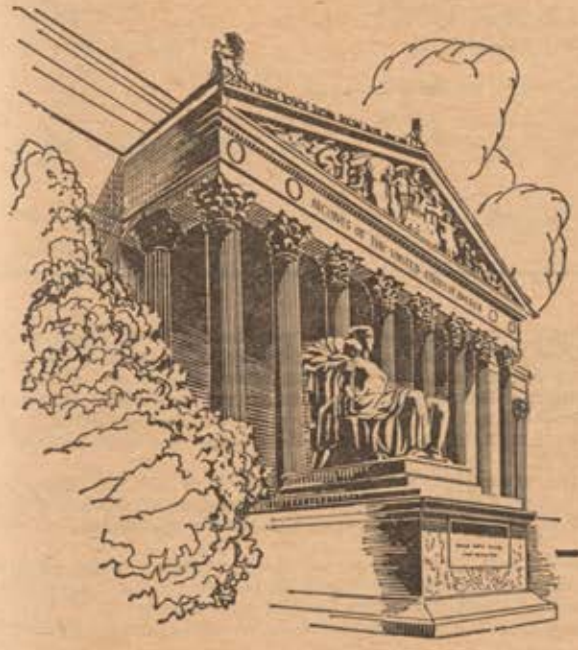

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FEDERAL REGISTER

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The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

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Title 3—THE PRESIDENT

Proclamation 3800

THIRTIETH ANNIVERSARY OF THE BONNEVILLE PROJECT ACT

By the President of the United States of America

A Proclamation

Until the 20th of August 1937, the great Columbia River System was an untamed, untapped resource.

On that day, President Franklin D. Roosevelt signed the Bonneville Project Act—and a new era began in the Pacific Northwest.

Within a few years after its creation, the Bonneville system was providing power for the aircraft factories, the shipyards, and other critical industries of World War II.

Now, thirty years later, the Bonneville Power Administration is the Nation's largest hydroelectric utility. It utilizes twenty-one Federal dams, and nine more are under construction.

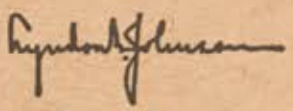
Today—through the facilities of the Bonneville Power Administration—Pacific Northwest families use more than ten times as much electricity as they did in 1940.

In the future, Bonneville will play a central role in complex power systems extending from the Canadian Treaty dams in British Columbia to Southern California and Arizona.

It is appropriate that Americans should celebrate the thirtieth anniversary of an Act that has contributed so greatly to our economic development.

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby proclaim August 20, 1967, as Bonneville Project Day. I urge State and local public officials, industrial leaders, the press, and all private citizens in the Pacific Northwest and around the Nation to join in observing the Bonneville anniversary.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of August in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-second.



THE WHITE HOUSE

[F.R. Doc. 67-9915; Filed, Aug. 21, 1967; 9:52 a.m.]

Executive Order 11367

PLACING AN ADDITIONAL POSITION IN LEVEL IV OF THE FEDERAL EXECUTIVE SALARY SCHEDULE

By virtue of the authority vested in me by section 5317 of title 5 of the United States Code, as amended, and as President of the United States, section 1 of Executive Order No. 11248 of October 10, 1965, as amended, is further amended by adding thereto the following:

(5) Assistant Director for Executive Management, Bureau of the Budget, Executive Office of the President.

THE WHITE HOUSE,
August 18, 1967.

[F.R. Doc. 67-9616; Filed, Aug. 21, 1967; 9:52 a.m.]

Rules and Regulations

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 10—MIGRATORY BIRDS

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

Section 10.53(b) of Title 50 CFR is revised to read as follows:

§ 10.53 Seasons and limits on waterfowl, coots, and Wilson's snipe.

* * * * *

(b) (1) A special open season for taking scoter, eider, and old-squaw ducks is prescribed during the period between September 25 and January 10 in all coastal waters and all waters of rivers and streams lying seaward from the first upstream bridge in the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Connecticut; and in those coastal waters of New York State lying in Long Island and Block Island Sounds and the waters of Gardiner's Bay lying east of a line from the Long Beach Bay lighthouse to the most easterly point of Ram Head on Shelter Island to the Cedar Point light, including any coastal waters of New York lying south of Long Island; and the States of New Jersey, Maryland, and North Carolina in any waters of the Atlantic Ocean and/or in any tidal waters of any bay which are separated by at least 1 mile of open water from any shore, island and emergent vegetation: *Provided*, That any such areas have been described, delineated, and designated as special sea duck hunting areas under the hunting regulations adopted by the respective States. The daily shooting hours are from one-half hour before sunrise until sunset, and the daily bag limit is seven and the possession limit is 14, singly or in the aggregate of these species. In all other areas of these States and in all other States in the Atlantic Flyway, scoter, eider, and old-squaw ducks may be taken only during the open season for taking other ducks. During the open season on other ducks in all States in the Atlantic Flyway, a daily bag limit of seven and a possession limit of 14 scoter, eider, and old-squaw ducks, singly or in the aggregate of these species, are permitted in addition to the basic daily bag and possession limits prescribed for other ducks.

(2) Notwithstanding the provisions of § 10.3(b)(4), the shooting of crippled waterfowl from a motorboat under power will be permitted on those coastal water areas open to sea duck hunting during the special open season and all waters of rivers and streams lying seaward from the first upstream bridge in the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Connecticut; and in those coastal waters of New York State lying in Long Island and Block Island Sounds and the waters of Gardiner's Bay lying east of a line from the Long Beach Bay lighthouse to the most easterly point of Ram Head on Shelter Island to the Cedar Point light, including any coastal waters of New York State lying south of Long Island; and the States of New Jersey, Maryland, and North Carolina, under the following conditions: Any person who cripples any migratory waterfowl while shooting from a fixed position may, within a 200-yard radius of such fixed position, pursue, shoot, and retrieve such crippled waterfowl from a motorboat under power.

* * * * *

This revision relieves an existing restriction and shall become effective on date of publication in the FEDERAL REGISTER.

JOHN S. GOTTSCHALK,
Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 17, 1967.

[F.R. Doc. 67-9844; Filed, Aug. 21, 1967; 8:48 a.m.]

SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM

PART 32—HUNTING

Wapanocca National Wildlife Refuge, Ark.

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222, 16 U.S.C. 715), and the Endangered Species Preservation Act of October 15, 1966 (80 Stat. 926, 16 U.S.C. 668aa), it is proposed to amend 50 CFR 32.11 by the addition of Wapanocca National Wildlife Refuge, Ark., to the list of areas open to the hunting of migratory game birds, as legislatively permitted.

It has been determined that the regulated hunting of migratory game birds may be permitted as designated on Wapanocca National Wildlife Refuge without detriment to the objectives for which the area was established.

Notice and public procedure on this amendment are deemed contrary to the public interest because of the proximity of the migratory game bird season in the State of Arkansas. Since the amendment benefits the public by allowing migratory game bird hunting on Wapanocca National Wildlife Refuge, it shall become effective upon publication in the FEDERAL REGISTER.

Section 32.11 is amended by the addition of the following area as one where hunting of migratory game birds is authorized:

§ 32.11 List of open areas; migratory game birds.

* * * * *

ARKANSAS

WAPANOCCA NATIONAL WILDLIFE REFUGE

* * * * *

JOHN S. GOTTSCHALK,
Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 17, 1967.

[F.R. Doc. 67-9812; Filed, Aug. 21, 1967; 8:45 a.m.]

PART 32—HUNTING

Washita National Wildlife Refuge, Okla.

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

OKLAHOMA

WASHITA NATIONAL WILDLIFE REFUGE

The public hunting of quail and rabbits on the Washita National Wildlife Refuge, Okla., is permitted only on the areas designated by signs as open to hunting. This open area, comprising 1,560 acres, is delineated on maps available at refuge headquarters, Butler, Okla., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103.

Upland game hunting shall be in accordance with all applicable State regulations governing the hunting of quail and rabbits subject to the following special conditions:

(1) The open season for quail hunting on the refuge extends from November 20, 1967, through January 15, 1968, inclusive.

(2) The open season for rabbit hunting on the refuge extends from November 20, 1967, through January 15, 1968, inclusive. Hunting will be permitted only on Tuesdays, Thursdays, Saturdays, and national holidays.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 15, 1968.

LESLIE F. BEATY,
Refuge Manager, Washita National Wildlife Refuge, Butler, Okla.

AUGUST 4, 1967.

[F.R. Doc. 67-9813; Filed, Aug. 21, 1967; 8:45 a.m.]

PART 32—HUNTING

Necedah National Wildlife Refuge, Wis.

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

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

WISCONSIN

NECEDAH NATIONAL WILDLIFE REFUGE

Public hunting of deer, coyote, fox, skunk, and raccoon on the Necedah National Wildlife Refuge, Wis., is permitted with bow and arrow from September 23 through November 12, 1967, and December 2 through December 31, 1967, and with firearms from November 18 through November 26, 1967, but only on those areas designated by signs as open to hunting. These open areas, comprising approximately 39,500 acres are delineated on a map available at the refuge headquarters, Necedah, Wis., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special condition:

(1) The carrying of firearms by bow hunters is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1967.

EDWARD J. COLLINS,
Refuge Manager, Necedah National Wildlife Refuge, Necedah, Wis.

AUGUST 15, 1967.

[F.R. Doc. 67-9814; Filed, Aug. 21, 1967; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 15694; FCC 67-930]

PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

Authorization of Facilities; Memorandum Opinion and Order

In the matter of amendment of §§ 21.503 and 21.504(a) of the Commission's rules concerning the authorization of facilities in the 35–44 Mc/s, 152–162 Mc/s and 450–460 Mc/s bands allocated to the Domestic Public Land Mobile Radio Service.

1. On November 16, 1964, the Commission issued a notice of proposed rule making in the above-entitled matter which was duly published in the FEDERAL REGISTER (29 F.R. 15584, Nov. 20, 1964). It was proposed therein to amend certain sections of Part 21 of the Commission's rules and regulations to readjust the location of radio signal field strength contours within which base stations in various frequency bands in the Domestic Public Land Mobile Radio Service will be afforded protection from harmful cochannel electrical interference and within which consideration will be accorded claims of competitive economic injury. Comments were invited regarding these proposals on or before December 22, 1964, and January 22, 1965, was fixed as the date by which comments or briefs in reply should be submitted. Upon good cause shown in National Mobile Radio System's "Petition for Extension of Time" (filed Dec. 22, 1964), these filing dates were respectively extended to February 24, 1965 and March 22, 1965, by Commission order issued January 4, 1965, and published in the FEDERAL REGISTER (30 F.R. 155, Jan. 7, 1965). Written comments, which are hereinafter considered, were filed by American Telephone and Telegraph Co. (AT&T) and National Mobile Radio System (NMRS).

2. Both AT&T and NMRS comments strongly supported the Commission's rule making proposal. Generally, both desire assurance that proposed rules will be administered judiciously and that departures from these rules may be allowed for good cause in any specific case if the public interest, convenience and necessity would be served thereby.

3. Inasmuch as the proposed rule changes (§§ 21.503 and 21.504(a)) are intended to apply equally to miscellaneous common carriers and to wireline telephone companies, AT&T pointed out the propriety of also amending related § 21.502 to make it applicable to all common carriers in the Domestic Public Land Mobile Radio Service in lieu of its present limited applicability to miscellaneous common carriers only. The AT&T recommendation is accepted and § 21.502 is accordingly amended herein. In its comments directed at proposed § 21.503, AT&T indicated a need to amend the proposed rules to enable cochannel stations to be authorized at mileage separations less than those tabulated in § 21.503 in cases where transmitting antennas are employed, which do not have uniform radiation characteristics in all directions in the horizontal plane. We agree in principle and therefore § 21.502 is also amended to show that the classification of a base station in any specific direction is dependent upon the combination of effective radiated power and the transmitting antenna height above average terrain in that direction. Thus, a base station using an antenna with a directional radiation pattern is a station of changing classification, the class changing with changes in the azimuth of the radiated signal. Since the rule modifications herein being made in § 21.502 are directly related to the matter under consideration in this proceeding and are editorial in nature, public rule making procedure is not required with regard to § 21.502 prior to adoption of the changes indicated.

4. In commenting on proposed § 21.503, AT&T expressed concern that no deviation from the tabulated minimum mileage separations specified therein could be permitted except in situations where unusual propagation conditions are involved. We do not agree. Consideration will be given to requests for short-spacing between cochannel base stations where the applicant can conclusively show that service required to be rendered cannot be provided in conformity with engineering criteria specified by the rules and that the authorization of the short-spaced station will be in the public interest, convenience and necessity. Because the factors in support of any requests for short-spaced station authorizations vary considerably from case to case, it is not practicable to set forth in a rule the situations where short-spacing will be permitted. Each case must be judged upon its own merit and will be considered only in instances where an appropriate request for rule waiver is submitted in compliance with § 21.20(b).

5. NMRS in its request urges that the Commission set forth a declaration of policy in specific language in the proposed rule amendments to indicate "its willingness to consider other engineering criteria in individual cases, which clearly justify determinations at variance from the criteria of the Carey Report". Further, with respect to the proposed § 21.504, NMRS suggests that where a more reliable technical standard (for defining the service areas of a base station for purposes of affording protection against harmful cochannel electrical interference and for defining the area

within which consideration will be accorded claims of competitive economic injury) can be demonstrated, the Commission should be receptive to such a showing, provided it does not depend solely upon the preference or unexplained conclusions of the carrier. The NMRS proposal for a Commission declaration of policy with respect to these matters is rejected in light of the provisions of § 21.20(b) which assures that consideration will be given to all requests for rule waivers which are properly made. However, to be meaningful, we expect such requests to be supported by extensive quantitative engineering field strength measurement data gathered over a significant geographic area and covering a substantial time period within each of the four seasons of the year. We wish to stress that requests for waivers of our rules should be submitted only in the most exceptional circumstances.

6. AT&T pointed out the desirability of incorporating into § 21.504 the radio wave propagation curves upon which the instant rule making is predicated. We concur, and § 21.504(b) is herein amended accordingly.

7. The instant rule making did not propose to amend § 21.506 to effect a change in the maximum permissible effective radiated power of base stations. Therefore, AT&T's request in the proceeding that the maximum permissible effective radiated power for base stations in the 450–460 Mc/s band be raised to provide communication range equivalent to that obtainable from a base station operating with 500 watts effective radiated power in the 152–162 Mc/s band is beyond the scope of this proceeding. Similarly, AT&T's recommendation that the 43 decibels above one microvolt per meter service contour for base stations providing one-way signaling service be made applicable to the 35–44 Mc/s band only is also outside the scope of the instant proceeding. Accordingly, such request and recommendation are not considered herein. We do not mean to suggest that we would not give favorable consideration to constructive proposals submitted in an appropriate rule making petition proposing higher power and other field strengths for certain bands of frequencies provided that sufficient engineering data is supplied to support such a proposal.

8. In connection with the adoption of the attached Memorandum Opinion and Order, the Commission notes that Working Group No. 5 of the Advisory Committee for Land Mobile Radio Services has compiled a report which contains, among other things, radio wave propagation charts that are not in exact agreement with the charts which we are now adopting for Part 21 of our rules. When that report is filed with the Commission, it will be given due consideration in determining whether further amendment of Part 21 is necessary. However, we believe that the adoption of the Part 21 rule changes proposed at this time will not be an obstacle in further rule changes should this appear desirable.

9. Authority for the amendments adopted herein is contained in sections 4(i), 4(j), 303(r), and 409(c) of the Communications Act of 1934, as amended. *Accordingly, it is ordered*, Effective September 22, 1967, that §§ 21.502, 21.503, 21.504(a) and 21.504(b) of the rules and regulations are amended as set forth below, and that this proceeding is terminated.

(Secs. 4, 303, 409, 48 Stat. as amended, 1066, 1082, 1096; 47 U.S.C. 154, 303, 309)

Adopted: August 9, 1967.

Released: August 15, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

1. Section 21.502 is amended to read as follows:

§ 21.502 Classification of base stations.

Base stations in the Domestic Public Land Mobile Radio Service shall be classified, as set forth below, according to their transmitting antenna height above average terrain in any particular direction and according to their effective radiated power in the horizontal plane of the antennas in that direction.

Antenna height above average terrain (feet)	Class of station				
400 to 500	C	B	B	A	A
300 to 400	C	C	B	B	A
200 to 300	D	C	C	B	B
100 to 200	D	D	C	C	B
0 to 100	E	D	D	C	C
	30	60	120	250	500

Effective radiated power (watts).

2. Section 21.503 is amended to read as follows:

§ 21.503 Geographical separation of co-channel stations.

(a) Base stations engaged in two-way communications, employing frequency modulation or phase modulation and operating cochannel in this service, shall normally be separated by not less than the distances shown below:

Class of station in the band 35–44 Mc/s	Minimum mileage separation between co-channel stations				
A	105				
B	99	92			
C	93	87	76		
D	88	81	70	58	
E	82	75	65	52	40
	A	B	C	D	E

Class of station

Class of station in the band 152–162 Mc/s	Minimum mileage separation between co-channel stations				
A	83				
B	78	72			
C	73	67	58		
D	69	62	54	43	
E	65	59	50	39	29
	A	B	C	D	E

Class of station

Class of station in the band 450–460 Mc/s	Minimum mileage separation between co-channel stations				
A	73				
B	69	59			
C	66	56	43		
D	63	53	41	38	
E	60	51	38	35	27
	A	B	C	D	E

Class of station

(b) In any particular case, where it appears that unusual radio wave propagation conditions are involved, the Commission may require greater separation than indicated in the tables in paragraph (a) of this section, or make assignments at lesser station spacing. Reference may be made to § 73.611(d) of this chapter for methods of computing mileage separation between station locations.

3. Section 21.504 is amended to read as follows:

§ 21.504 Service area of base station.

(a) The limits of reliable service area of a base station engaged in two-way communication service with mobile stations are considered to be described by a field strength contour of 31 decibels above one microvolt per meter for stations operating on frequencies in the 35–44 Mc/s band, 37 decibels above one microvolt per meter for stations operating on frequencies in the 152–162 Mc/s band, and 39 decibels above one microvolt per meter for stations operating on frequencies in the 450–460 Mc/s band. The limits of reliable service area of a base station engaged in one-way signaling service is considered to be 43 decibels above one microvolt per meter. Service within such areas is generally expected to have an average reliability of not less than 90 percent.

(b) The field strength contours described in paragraph (a) of this section shall be regarded as determining the limits of the reliable service area of the related base stations for the purpose of providing protection to such stations from co-channel electrical harmful interference and defining the area within which consideration will be accorded claims of economic competitive injury. The following F(50,50) radio wave propagation charts shall be used in connection with making such determinations, and shall be used in combination with the following F(50,10) radio wave propagation charts in the determination of areas of harmful interference between co-channel stations:

[1] Commissioners Loevinger, Wadsworth, and Johnson absent.

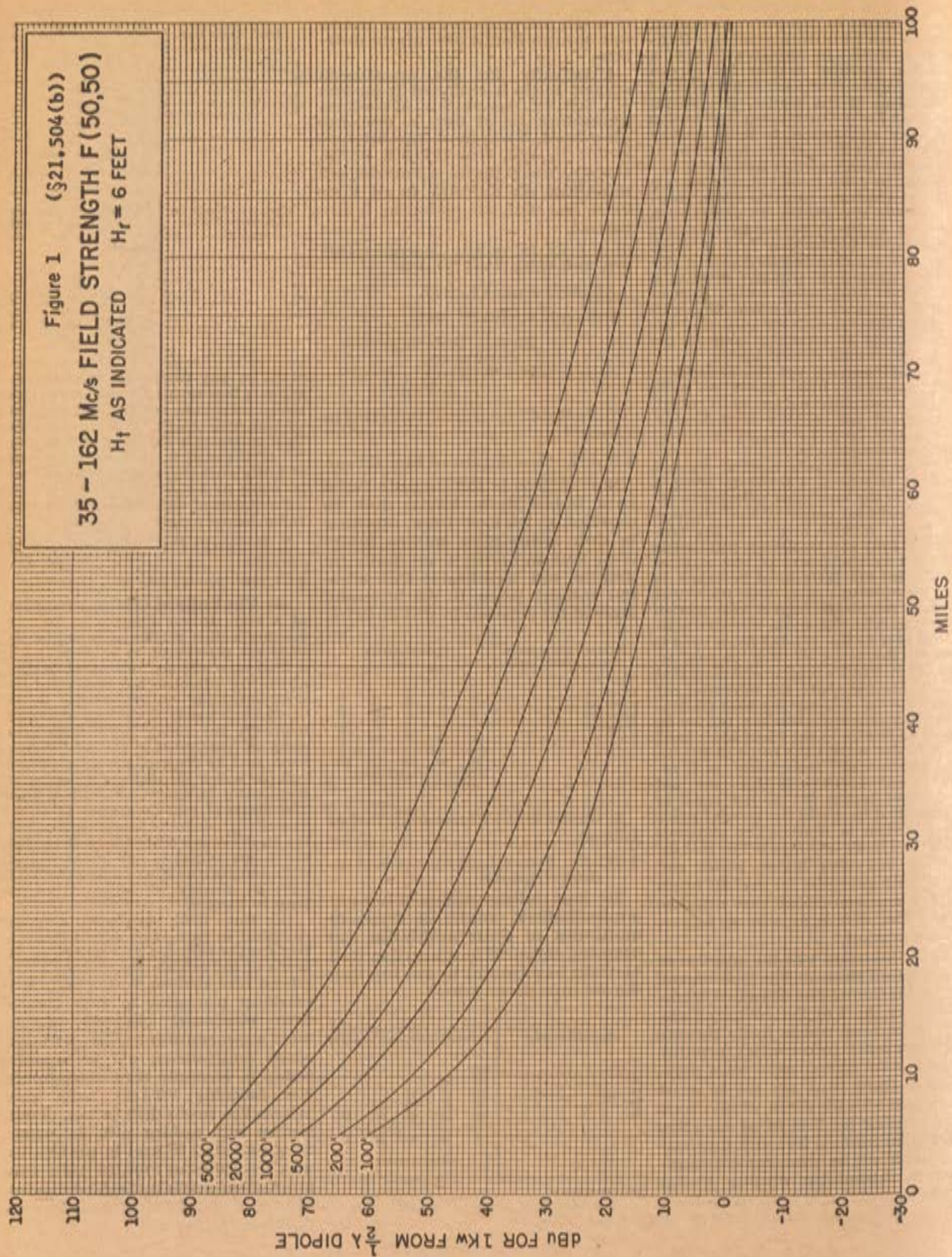


Figure 1 (§21.504(b))
35 – 162 Mc/s FIELD STRENGTH F(50,50)
H_t AS INDICATED H_r = 6 FEET
5000'
2000'
1000'
500'
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dBu FOR 1KW FROM $\frac{1}{2}\lambda$ DIPOLE
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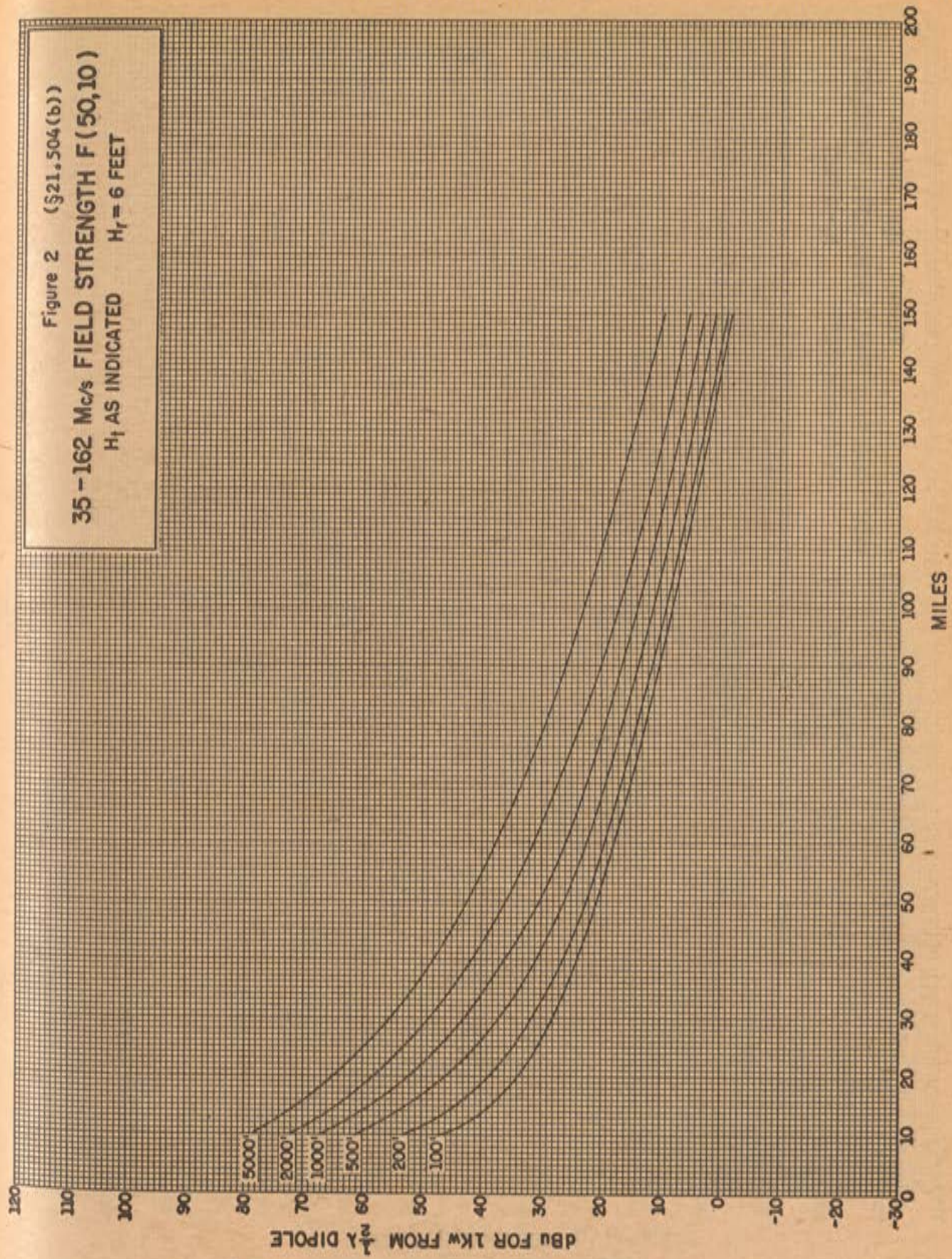
Figure 2 (§21.504(b))
35-162 Mc/s FIELD STRENGTH F(50,10)
H_t AS INDICATED H_r = 6 FEET
5000'
2000'
1000'
500'
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dBu FOR 1KW FROM $\frac{1}{2}\lambda$ DIPOLE
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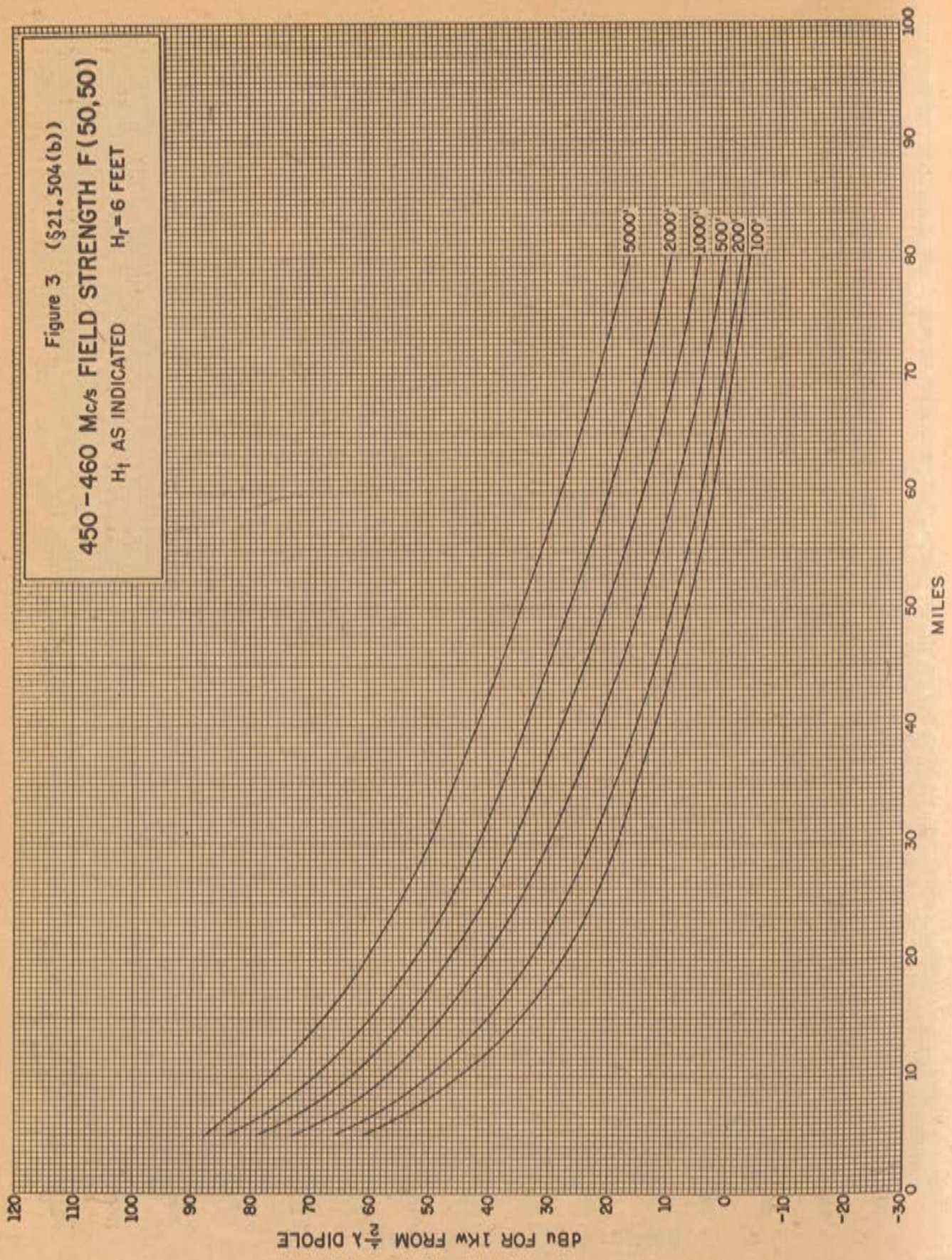
Figure 3 (§21.504(b))
450–460 Mc/s FIELD STRENGTH F(50,50)
H_t AS INDICATED H_r=6 FEET
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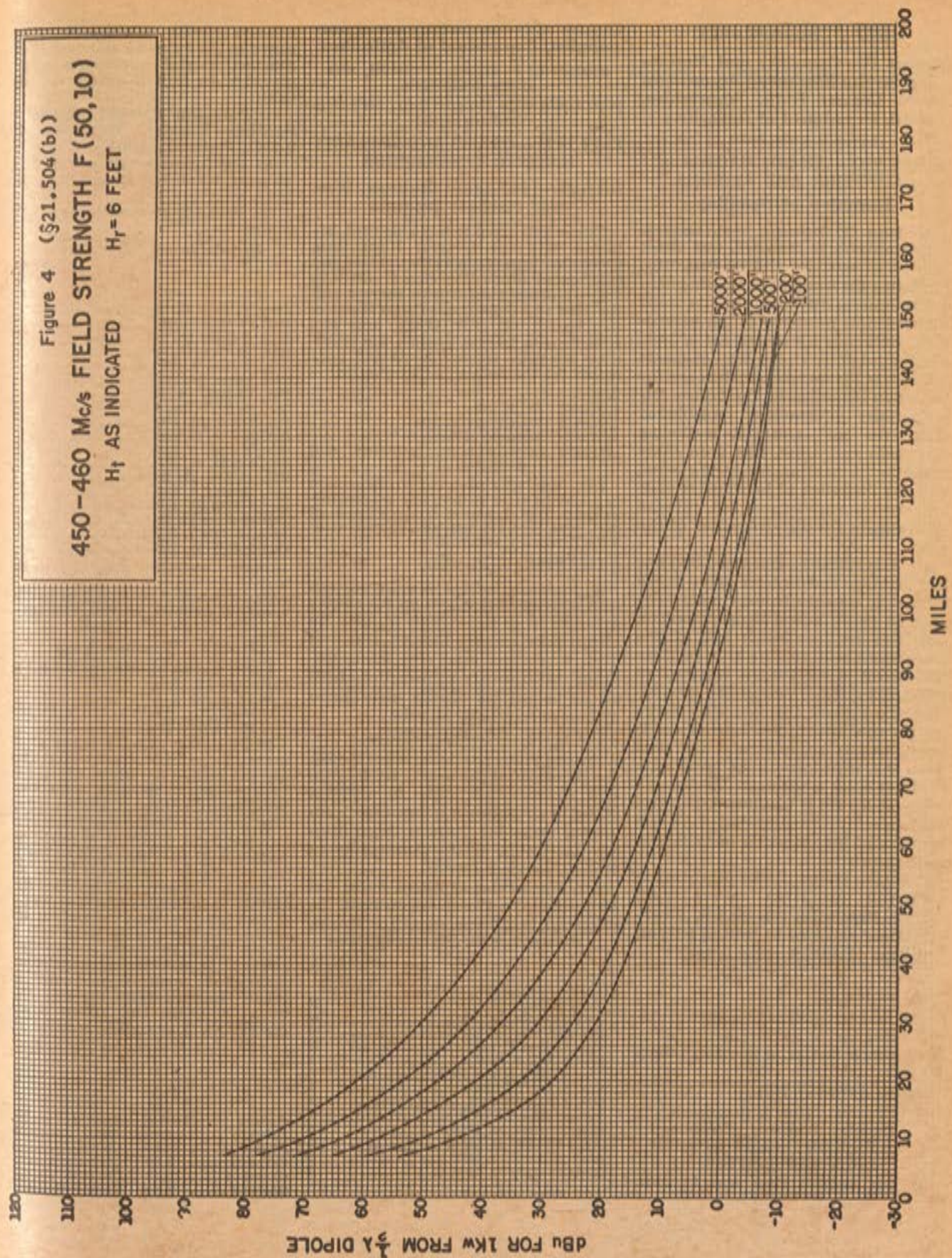


[F.R. Doc. 67-9754; Filed, Aug. 21, 1967; 8:45 a.m.]

Title 7—AGRICULTURE

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

[Lemon Reg. 280, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

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

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553 (1966)) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.580 (Lemon Regulation 280, 32 F.R. 11697) are hereby amended to read as follows:

§ 910.580 Lemon Regulation 280.

* * * * *

(b) *Order.* (1) * * *

(ii) District 2: 279,000 cartons;

* * * * *

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

Dated: August 17, 1967.

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

[F.R. Doc. 67-9842; Filed, Aug. 21, 1967; 8:47 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1967-Crop Soybean Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1967-Crop Soybean Loan and Purchase Program

This annual crop year supplement, together with the General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941), and any amendments thereto, and the 1966 and Subsequent Crops Soybean Supplement (31 F.R. 6013), and any amendments thereto, contain the provisions for price support loans and purchases for the 1967-crop of soybeans.

Sec.
1421.2971 Availability.
1421.2972 Warehouse charges.
1421.2973 Maturity of loans.
1421.2974 Support rates, premiums, and discounts.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 203, 301, 401, 63 Stat. 1054; 7 U.S.C. 1446(d), 1447,1421.

§ 1421.2971 Availability.

A producer desiring a price support loan must request a loan on his eligible soybeans on or before June 30, 1968. To obtain price support through a sale to CCC, a producer must give the appropriate ASCS county office notice of his intent to sell his eligible soybeans to CCC on or before July 31, 1968.

§ 1421.2972 Warehouse charges.

Subject to the provisions of §1421.2958, the schedules of deductions set forth in this section shall apply to soybeans stored in an approved warehouse (i) operating under the Uniform Grain Storage Agreement, or (ii) operated by an Eastern common carrier.

(a) *Warehouses approved under the Uniform Grain Storage Agreement.*

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES FOR MATURITY DATE OF JULY 31, 1968

Storage start date: [1]	Deduction (cents per bushel)
Prior to Aug. 17, 1967	13
Aug. 17–Sept. 13, 1967	12
Sept. 14–Oct. 11, 1967	11
Oct. 12–Nov. 8, 1967	10
Nov. 9–Dec. 6, 1967	9
Dec. 7, 1967–Jan. 3, 1968	8
Jan. 4–Jan. 31, 1968	7
Feb. 1–Feb. 28, 1968	6
Feb. 29–Mar. 27, 1968	5
Mar. 28–April 24, 1968	4
April 25–May 22, 1968	3
May 23–June 19, 1968	2
June 20–July 31, 1968	1

[1] All dates inclusive.

(b) *Warehouses operated by Eastern common carriers.* (1) Eligible soybeans stored in the following approved Eastern common carrier warehouses may be placed under loan or offered for sale to CCC:

(i) Canadian National Railway Co., Portland Elevator, Warehouse Code 9–2101, Portland, Maine.

(ii) Pennsylvania Railroad Co., Canton Elevator, Warehouse Code 9–2151, Baltimore, Md.

(2) Schedule of deductions for storage charges:

Maturity date of July 31, 1968 [1]

	Deduction (cents per bushel) [2]
Prior to Aug. 17, 1967	18
Aug. 17–Sept. 5, 1967	17
Sept. 6–Sept. 25, 1967	16
Sept. 26–Oct. 15, 1967	15
Oct. 16–Nov. 4, 1967	14
Nov. 5–Nov. 24, 1967	13
Nov. 25–Dec. 14, 1967	12
Dec. 15, 1967–Jan. 3, 1968	11
Jan. 4–Jan. 23, 1968	10
Jan. 24–Feb. 12, 1968	9
Feb. 13–Mar. 3, 1968	8
Mar. 4–Mar. 23, 1968	7
Mar. 24–Apr. 12, 1968	6
Apr. 13–May 2, 1968	5
May 3–May 22, 1968	4
May 23–June 11, 1968	3
June 12–July 1, 1968	2
July 2–July 31, 1968	1

[1] Storage commence date, all dates inclusive.

[2] Deduction shall be reduced by 2 cents per bushel if producer presents evidence that elevation charges were prepaid.

§ 1421.2973 Maturity of loans.

Loans mature on demand but not later than July 31, 1968.

§ 1421.2974 Support rates, premiums and discounts.

Farm-stored soybean loans shall be made at the basic county support rate for the county in which the soybeans were produced, adjusted only for the Weed Control discount where applicable. The support rate for warehouse-storage loans and for soybeans acquired under a loan or by purchase shall be the basic support rate for the county in which the soybeans were produced adjusted by the applicable premiums and discounts prescribed in paragraphs (b) and (c) of this section. Settlement of loans and purchases shall be made as provided in § 1421.72 of the General Regulations.

(a) *Basic county support rates.* Basic county support rates for the classes Green Soybeans and Yellow Soybeans grading No. 2 and containing from 13.8 to 14.0 percent moisture are as follows:

ALABAMA

County	Rate per Bushel	County	Rate per Bushel
Baldwin	$2.55	Clark	$2.52
Blount	2.50	Clay	2.50
Calhoun	2.50	Cleburne	2.50
Cherokee	2.50	Conecuh	2.51
Choctaw	2.50	Covington	2.50

ALABAMA—Continued

County	Rate per Bushel	County	Rate per Bushel
Cullman	$2.49	Marshall	$2.50
DeKalb	2.50	Mobile	2.55
Escambia	2.52	Monroe	2.52
Etowah	2.50	Morgan	2.49
Jackson	2.50	Randolph	2.50
Jefferson	2.49	St. Clair	2.49
Lauderdale	2.49	Talladega	2.50
Lawrence	2.49	Washington	2.52
Limestone	2.49	Wilcox	2.50
Madison	2.50	All other counties	2.48
Marengo	2.50		

ARIZONA

All counties	$2.36

ARKANSAS

Arkansas	$2.54	Lawrence	$2.52
Ashley	2.51	Lee	2.54
Baxter	2.49	Lincoln	2.53
Benton	2.44	Little River	2.46
Boone	2.46	Logan	2.46
Bradley	2.50	Lonoke	2.52
Calhoun	2.49	Madison	2.45
Carroll	2.45	Marion	2.47
Chicot	2.52	Miller	2.46
Clark	2.48	Mississippi	2.54
Clay	2.53	Monroe	2.54
Cleburne	2.50	Montgomery	2.46
Cleveland	2.51	Nevada	2.47
Columbia	2.48	Newton	2.46
Conway	2.49	Ouachita	2.48
Craighead	2.54	Perry	2.49
Crawford	2.45	Phillips	2.54
Crittenden	2.54	Pike	2.46
Cross	2.54	Poinsett	2.54
Dallas	2.49	Polk	2.45
Desha	2.54	Pope	2.48
Drew	2.52	Prairie	2.53
Faulkner	2.50	Pulaski	2.51
Franklin	2.46	Randolph	2.52
Fulton	2.50	St. Francis	2.54
Garland	2.48	Saline	2.49
Grant	2.51	Scott	2.45
Greene	2.53	Searcy	2.48
Hempstead	2.46	Sebastian	2.45
Hot Spring	2.49	Sevier	2.45
Howard	2.45	Sharp	2.51
Independence	2.52	Stone	2.50
Izard	2.50	Union	2.49
Jackson	2.53	Van Buren	2.49
Jefferson	2.53	Washington	2.45
Johnson	2.47	White	2.52
Lafayette	2.46	Woodruff	2.53
		Yell	2.47

CALIFORNIA

All counties	$2.36

DELAWARE

Kent	$2.51	Sussex	$2.52
New Castle	2.50		

FLORIDA

Escambia	$2.51	All other counties	$2.45
Okaloosa	2.47		
Santa Rosa	2.49		

GEORGIA

All counties	$2.49

ILLINOIS

Adams	$2.53	Coles	$2.56
Alexander	2.53	Cook	2.57
Bond	2.55	Crawford	2.54
Boone	2.53	Cumberland	2.56
Brown	2.53	De Kalb	2.55
Bureau	2.53	De Witt	2.56
Calhoun	2.53	Douglas	2.56
Carroll	2.53	Du Page	2.56
Cass	2.54	Edgar	2.56
Champaign	2.56	Edwards	2.51
Christian	2.56	Effingham	2.56
Clark	2.55	Fayette	2.56
Clay	2.54	Ford	2.56
Clinton	2.53	Franklin	2.51

ILLINOIS—Continued

County	Rate per Bushel	County	Rate per Bushel
Fulton	$2.53	Mercer	$2.53
Gallatin	2.50	Monroe	2.53
Greene	2.54	Montgomery	2.55
Grundy	2.56	Morgan	2.55
Hamilton	2.51	Moultrie	2.56
Hancock	2.53	Ogle	2.53
Hardin	2.50	Peoria	2.54
Henderson	2.53	Perry	2.52
Henry	2.53	Piatt	2.56
Iroquois	2.56	Pike	2.53
Jackson	2.53	Pope	2.50
Jasper	2.55	Pulaski	2.51
Jefferson	2.52	Putnam	2.53
Jersey	2.53	Randolph	2.53
Jo Daviess	2.51	Richland	2.53
Johnson	2.51	Rock Island	2.53
Kane	2.55	St. Clair	2.54
Kankakee	2.56	Saline	2.50
Kendall	2.56	Sangamon	2.56
Knox	2.54	Schuyler	2.53
Lake	2.55	Scott	2.54
LaSalle	2.56	Shelby	2.56
Lawrence	2.52	Stark	2.54
Lee	2.53	Stephenson	2.51
Livingston	2.56	Tazewell	2.55
Logan	2.56	Union	2.53
McDonough	2.53	Vermilion	2.56
McHenry	2.54	Wabash	2.51
McLean	2.56	Warren	2.53
Macon	2.56	Washington	2.53
Macoupin	2.55	Wayne	2.52
Madison	2.54	White	2.50
Marion	2.54	Whiteside	2.53
Marshall	2.55	Will	2.56
Mason	2.54	Williamson	2.51
Massac	2.49	Winnebago	2.52
Menard	2.54	Woodford	2.55

INDIANA

Adams	$2.51	Lawrence	$2.51
Allen	2.52	Madison	2.50
Bartholomew	2.50	Marion	2.51
Benton	2.56	Marshall	2.52
Blackford	2.50	Martin	2.51
Boone	2.51	Miami	2.50
Brown	2.50	Monroe	2.51
Carroll	2.52	Montgomery	2.52
Cass	2.51	Morgan	2.51
Clark	2.48	Newton	2.57
Clay	2.52	Noble	2.53
Clinton	2.52	Ohio	2.48
Crawford	2.48	Orange	2.49
Daviess	2.51	Owen	2.51
Dearborn	2.48	Parke	2.53
Decatur	2.50	Perry	2.48
De Kalb	2.52	Pike	2.50
Delaware	2.50	Porter	2.56
Dubois	2.49	Posey	2.50
Elkhart	2.52	Pulaski	2.54
Fayette	2.50	Putnam	2.52
Floyd	2.48	Randolph	2.50
Fountain	2.55	Ripley	2.48
Franklin	2.49	Rush	2.50
Fulton	2.52	St. Joseph	2.53
Gibson	2.51	Scott	2.48
Grant	2.50	Shelby	2.50
Greene	2.52	Spencer	2.48
Hamilton	2.51	Starke	2.54
Hancock	2.50	Steuben	2.52
Harrison	2.48	Sullivan	2.53
Hendricks	2.51	Switzerland	2.48
Henry	2.50	Tippecanoe	2.53
Howard	2.51	Tipton	2.52
Huntington	2.51	Union	2.50
Jackson	2.50	Vanderburgh	2.50
Jasper	2.55	Vermillion	2.55
Jay	2.50	Vigo	2.54
Jefferson	2.48	Wabash	2.50
Jennings	2.48	Warren	2.55
Johnson	2.50	Warrick	2.49
Knox	2.52	Washington	2.48
Kosciusko	2.52	Wayne	2.50
Lagrange	2.53	Wells	2.51
Lake	2.57	White	2.54
La Porte	2.54	Whitley	2.53

IOWA

County	Rate per Bushel	County	Rate per Bushel
Adair	$2.46	Jefferson	$2.49
Adams	2.45	Johnson	2.50
Allamakee	2.47	Jones	2.50
Appanoose	2.47	Keokuk	2.49
Audubon	2.46	Kossuth	2.46
Benton	2.50	Lee	2.50
Black Hawk	2.48	Linn	2.50
Boone	2.47	Louisa	2.50
Bremer	2.47	Lucas	2.47
Buchanan	2.49	Lyon	2.44
Buena Vista	2.46	Madison	2.46
Butler	2.47	Mahaska	2.48
Calhoun	2.46	Marion	2.48
Carroll	2.46	Marshall	2.49
Cass	2.45	Mills	2.44
Cedar	2.51	Mitchell	2.46
Cerro Gordo	2.46	Monona	2.44
Cherokee	2.45	Monroe	2.47
Chickasaw	2.46	Montgomery	2.44
Clarke	2.46	Muscatine	2.51
Clay	2.46	O'Brien	2.45
Clayton	2.48	Osceola	2.45
Clinton	2.51	Page	2.44
Crawford	2.45	Palo Alto	2.46
Dallas	2.47	Plymouth	2.44
Davis	2.48	Pocahontas	2.46
Decatur	2.46	Polk	2.48
Delaware	2.49	Pottawattamie	2.44
Des Moines	2.50	Poweshiek	2.49
Dickinson	2.45	Ringgold	2.45
Dubuque	2.49	Sac	2.46
Emmet	2.46	Scott	2.51
Fayette	2.48	Shelby	2.45
Floyd	2.46	Sioux	2.44
Franklin	2.47	Story	2.48
Fremont	2.44	Tama	2.49
Greene	2.46	Taylor	2.45
Grundy	2.48	Union	2.45
Guthrie	2.46	Van Buren	2.49
Hamilton	2.47	Wapello	2.48
Hancock	2.46	Warren	2.47
Hardin	2.48	Washington	2.49
Harrison	2.44	Wayne	2.47
Henry	2.49	Webster	2.47
Howard	2.46	Winnebago	2.46
Humboldt	2.46	Winneshiek	2.47
Ida	2.45	Woodbury	2.44
Iowa	2.50	Worth	2.46
Jackson	2.51	Wright	2.47
Jasper	2.49		

KANSAS

Allen	$2.42	Linn	$2.44
Anderson	2.43	Lyon	2.41
Atchison	2.44	Marion	2.40
Bourbon	2.43	Marshall	2.41
Brown	2.43	McPherson	2.39
Butler	2.40	Miami	2.44
Chase	2.40	Mitchell	2.39
Chautauqua	2.39	Montgomery	2.40
Cherokee	2.42	Morris	2.41
Clay	2.41	Nemaha	2.42
Cloud	2.40	Neosho	2.41
Coffey	2.42	Osage	2.42
Cowley	2.39	Osborne	2.38
Crawford	2.42	Ottawa	2.40
Dickinson	2.40	Pottawatomie	2.42
Doniphan	2.44	Reno	2.38
Douglas	2.43	Republic	2.40
Elk	2.40	Rice	2.38
Ellsworth	2.38	Riley	2.42
Franklin	2.43	Russell	2.38
Geary	2.41	Saline	2.39
Greenwood	2.41	Sedgwick	2.39
Harper	2.38	Shawnee	2.43
Harvey	2.39	Smith	2.38
Jackson	2.43	Sumner	2.38
Jefferson	2.43	Wabaunsee	2.42
Jewell	2.39	Washington	2.41
Johnson	2.44	Wilson	2.40
Kingman	2.38	Woodson	2.41
Labette	2.41	Wyandotte	2.44
Leavenworth	2.44	All other counties	2.37
Lincoln	2.39		

KENTUCKY

County	Rate per Bushel	County	Rate per Bushel
Ballard	$2.50	Hickman	$2.50
Boone	2.48	Jefferson	2.49
Bracken	2.48	Kenton	2.48
Breckenridge	2.48	Livingston	2.49
Bullitt	2.48	Marshall	2.48
Campbell	2.48	McCracken	2.49
Carlisle	2.50	McLean	2.48
Carroll	2.48	Meade	2.48
Crittenden	2.49	Oldham	2.48
Daviess	2.49	Owen	2.48
Franklin	2.48	Pendleton	2.48
Fulton	2.50	Scott	2.48
Gallatin	2.48	Shelby	2.48
Grant	2.48	Spencer	2.48
Graves	2.48	Trimble	2.48
Grayson	2.48	Union	2.49
Hancock	2.48	Webster	2.48
Hardin	2.48	Woodford	2.48
Henderson	2.49	All other counties	2.47
Henry	2.48		

LOUISIANA

Parish	Rate per Bushel	Parish	Rate per Bushel
East Carroll	$2.49	Richland	$2.48
Franklin	2.47	Tensas	2.47
Madison	2.48	West Carroll	2.49
Morehouse	2.49	All other parishes	2.46
Ouachita	2.48		

MARYLAND

County	Rate per Bushel	County	Rate per Bushel
Anne Arundel	$2.51	Prince Georges	$2.51
Baltimore	2.51	Queen Annes	2.51
Calvert	2.51	St. Marys	2.50
Caroline	2.51	Somerset	2.51
Cecil	2.51	Talbot	2.51
Charles	2.50	Wicomico	2.52
Dorchester	2.51	Worcester	2.51
Hartford	2.51	All other counties	2.49
Howard	2.51		
Kent	2.51		

MICHIGAN

Allegan	$2.46	Lapeer	$2.46
Arenac	2.44	Lenawee	2.52
Barry	2.46	Livingston	2.48
Bay	2.44	Macomb	2.48
Berrien	2.50	Mecosta	2.44
Branch	2.50	Midland	2.44
Calhoun	2.48	Monroe	2.53
Cass	2.50	Montcalm	2.44
Clare	2.44	Muskegon	2.44
Clinton	2.46	Newaygo	2.44
Eaton	2.47	Oakland	2.48
Genesee	2.46	Oceana	2.44
Gladwin	2.44	Ottawa	2.45
Gratiot	2.44	Saginaw	2.44
Hillsdale	2.51	St. Clair	2.47
Huron	2.44	St. Joseph	2.50
Ingham	2.48	Sanilac	2.45
Ionia	2.46	Shiawassee	2.46
Isabella	2.44	Tuscola	2.45
Jackson	2.49	Van Buren	2.47
Kalamazoo	2.47	Washtenaw	2.50
Kent	2.45	Wayne	2.51

MINNESOTA

Aitkin	$2.40	Clearwater	$2.37
Anoka	2.45	Cottonwood	2.46
Becker	2.38	Crow Wing	2.40
Benton	2.43	Dakota	2.47
Big Stone	2.42	Dodge	2.48
Blue Earth	2.49	Douglas	2.41
Brown	2.48	Faribault	2.48
Carlton	2.42	Fillmore	2.48
Carver	2.46	Freeborn	2.48
Cass	2.40	Goodhue	2.47
Chippewa	2.44	Grant	2.41
Chisago	2.45	Hennepin	2.46
Clay	2.38	Houston	2.48

MINNESOTA—Continued

County	Rate per Bushel	County	Rate per Bushel
Hubbard	$2.38	Pope	$2.42
Isanti	2.44	Ramsey	2.46
Jackson	2.46	Red Lake	2.36
Kanabec	2.43	Redwood	2.46
Kandiyohi	2.45	Renville	2.46
Kittson	2.35	Rice	2.48
Lac qui Parle	2.44	Rock	2.45
Le Sueur	2.49	Roseau	2.35
Lincoln	2.44	Scott	2.47
Lyon	2.45	Sherburne	2.44
McLeod	2.46	Sibley	2.47
Mahnomen	2.37	Stearns	2.43
Marshall	2.35	Steele	2.48
Martin	2.47	Stevens	2.42
Meeker	2.45	Swift	2.42
Mille Lacs	2.43	Todd	2.41
Morrison	2.41	Traverse	2.41
Mower	2.48	Wabasha	2.47
Murray	2.45	Wadena	2.39
Nicollet	2.49	Wasaca	2.48
Nobles	2.46	Washington	2.46
Norman	2.37	Watonwan	2.48
Olmsted	2.48	Wilkin	2.39
Otter Tail	2.39	Winona	2.47
Pennington	2.36	Wright	2.45
Pine	2.43	Yellow Medicine	2.45
Pipestone	2.44		
Polk	2.36		

MISSISSIPPI

Benton	$2.54	Panola	$2.56
Bolivar	2.56	Pentotoc	2.53
Calhoun	2.53	Quitman	2.56
Carroll	2.53	Sharkey	2.55
Coahoma	2.56	Sunflower	2.56
De Soto	2.56	Tallahatchie	2.56
Grenada	2.55	Tate	2.56
Holmes	2.53	Tippah	2.53
Hinds	2.53	Tunica	2.56
Humphreys	2.55	Union	2.53
Issaquena	2.54	Warren	2.53
Lafayette	2.54	Washington	2.55
Leflore	2.55	Yalobusha	2.55
Madison	2.53	Yazoo	2.54
Marshall	2.55	All other counties	2.52
Montgomery	2.53		

MISSOURI

Adair	$2.48	Franklin	$2.48
Andrew	2.45	Gasconade	2.47
Atchison	2.45	Gentry	2.45
Audrain	2.50	Greene	2.44
Barry	2.43	Grundy	2.46
Barton	2.43	Harrison	2.45
Bates	2.45	Henry	2.45
Benton	2.45	Hickory	2.45
Bollinger	2.51	Holt	2.45
Boone	2.48	Howard	2.47
Buchanan	2.45	Howell	2.46
Butler	2.52	Iron	2.47
Caldwell	2.45	Jackson	2.45
Callaway	2.48	Jasper	2.43
Camden	2.46	Jefferson	2.48
Cape Girardeau	2.53	Johnson	2.45
Carroll	2.46	Knox	2.50
Carter	2.48	Laclede	2.45
Case	2.45	Lafayette	2.45
Cedar	2.44	Lawrence	2.43
Chariton	2.47	Lewis	2.52
Christian	2.44	Lincoln	2.50
Clark	2.51	Linn	2.47
Clay	2.45	Livingston	2.46
Clinton	2.45	McDonald	2.43
Cole	2.47	Macon	2.48
Cooper	2.47	Madison	2.48
Crawford	2.47	Maries	2.46
Dade	2.43	Marion	2.52
Dallas	2.45	Mercer	2.46
Daviess	2.45	Miller	2.46
DeKalb	2.45	Mississippi	2.55
Dent	2.46	Moniteau	2.47
Douglas	2.45	Monroe	2.50
Dunklin	2.55	Montgomery	2.49
		Morgan	2.46

MISSOURI—Continued

County	Rate per Bushel	County	Rate per Bushel
New Madrid	$2.55	St. Francois	$2.48
Newton	2.43	St. Louis	2.49
Nodaway	2.45	Ste. Genevieve	2.48
Oregon	2.47	Saline	2.46
Osage	2.47	Schuyler	2.48
Ozark	2.45	Scotland	2.49
Pemiscot	2.55	Scott	2.54
Perry	2.50	Shannon	2.46
Pettis	2.46	Shelby	2.50
Phelps	2.46	Stoddard	2.54
Pike	2.52	Stone	2.44
Platte	2.45	Sullivan	2.47
Polk	2.45	Taney	2.45
Pulaski	2.46	Texas	2.46
Putnam	2.47	Vernon	2.44
Ralls	2.52	Warren	2.48
Randolph	2.48	Washington	2.47
Ray	2.45	Wayne	2.50
Reynolds	2.47	Webster	2.45
Ripley	2.50	Worth	2.45
St. Charles	2.49	Wright	2.45
St. Clair	2.45		

NEBRASKA

Adams	$2.37	Merrick	$2.38
Antelope	2.38	Nance	2.38
Boone	2.38	Nemaha	2.41
Boyd	2.37	Nuckolls	2.38
Burt	2.42	Otoe	2.42
Butler	2.41	Pawnee	2.41
Cass	2.42	Pierce	2.39
Cedar	2.40	Platte	2.40
Clay	2.38	Polk	2.40
Colfax	2.41	Richardson	2.41
Cuming	2.41	Saline	2.40
Dakota	2.41	Sarpy	2.43
Dixon	2.41	Saunders	2.43
Dodge	2.43	Seward	2.40
Douglas	2.43	Stanton	2.40
Fillmore	2.39	Thayer	2.39
Gage	2.40	Thurston	2.41
Hall	2.37	Washington	2.42
Hamilton	2.38	Wayne	2.40
Jefferson	2.40	Webster	2.37
Johnson	2.41	York	2.39
Knox	2.39	All other counties	2.36
Lancaster	2.41		
Madison	2.39		

NEW JERSEY

Atlantic	$2.47	Mercer	$2.47
Burlington	2.48	Middlesex	2.47
Camden	2.49	Monmouth	2.47
Cape May	2.47	Ocean	2.47
Cumberland	2.49	Salem	2.50
Gloucester	2.50	Somerset	2.46
Hunterdon	2.46	Warren	2.46

NEW MEXICO

All counties	$2.36

NEW YORK

All counties	$2.40

NORTH CAROLINA

Beaufort	$2.53	Harnett	$2.51
Bertie	2.53	Hertford	2.53
Bladen	2.50	Hoke	2.50
Brunswick	2.50	Hyde	2.53
Camden	2.53	Johnston	2.52
Carteret	2.52	Jones	2.52
Chatham	2.51	Lee	2.50
Chowan	2.53	Lenoir	2.52
Columbus	2.50	Martin	2.53
Craven	2.52	Nash	2.53
Cumberland	2.50	New Hanover	2.50
Currituck	2.53	Northampton	2.53
Dare	2.53	Onslow	2.51
Duplin	2.51	Pamlico	2.52
Durham	2.51	Pasquotank	2.53
Edgecombe	2.53	Pender	2.50
Franklin	2.51	Perquimans	2.53
Gates	2.53	Pitt	2.52
Greene	2.52	Robeson	2.50
Halifax	2.53	Sampson	2.51

NORTH CAROLINA—Continued

County	Rate per Bushel	County	Rate per Bushel
Scotland	$2.50	Washington	$2.53
Tyrrell	2.53	Wayne	2.52
Vance	2.50	Wilson	2.52
Wake	2.52	All other counties	2.49
Warren	2.51		

NORTH DAKOTA

Barnes	$2.34	Sargent	$2.34
Cass	2.35	Steele	2.34
Grand Forks	2.35	Traill	2.35
Ransom	2.34	Walsh	2.34
Richland	2.35	All other counties	2.33
Pembina	2.34		

OHIO

Adams	$2.47	Licking	$2.50
Allen	2.53	Logan	2.52
Ashland	2.51	Lorain	2.52
Ashtabula	2.52	Lucas	2.54
Athens	2.48	Madison	2.50
Auglaize	2.52	Mahoning	2.51
Belmont	2.49	Marion	2.53
Brown	2.47	Medina	2.51
Butler	2.48	Meigs	2.47
Carroll	2.50	Mercer	2.51
Champaign	2.51	Miami	2.50
Clark	2.49	Monroe	2.48
Clermont	2.48	Montgomery	2.48
Clinton	2.48	Morgan	2.49
Columbiana	2.50	Morrow	2.52
Coshocton	2.50	Muskingum	2.50
Crawford	2.53	Noble	2.49
Cuyahoga	2.52	Ottawa	2.54
Darke	2.50	Paulding	2.52
Defiance	2.52	Perry	2.49
Delaware	2.51	Pickaway	2.49
Erie	2.54	Pike	2.47
Fairfield	2.49	Portage	2.51
Fayette	2.48	Preble	2.48
Franklin	2.50	Putnam	2.53
Fulton	2.53	Richland	2.52
Gallia	2.47	Ross	2.48
Geauga	2.52	Sandusky	2.54
Greene	2.48	Scioto	2.47
Guernsey	2.50	Seneca	2.53
Hamilton	2.48	Shelby	2.51
Hancock	2.53	Stark	2.50
Hardin	2.53	Summit	2.51
Harrison	2.50	Trumbull	2.51
Henry	2.53	Tuscarawas	2.50
Highland	2.47	Union	2.52
Hocking	2.48	Van Wert	2.52
Holmes	2.50	Vinton	2.48
Huron	2.53	Warren	2.48
Jackson	2.47	Washington	2.48
Jefferson	2.50	Wayne	2.50
Knox	2.50	Williams	2.52
Lake	2.52	Wood	2.54
Lawrence	2.47	Wyandot	2.53

OKLAHOMA

Adair	$2.43	Nowata	$2.38
Cherokee	2.42	Ottawa	2.41
Choctaw	2.40	Pittsburgh	2.39
Craig	2.40	Pushmataha	2.40
Delaware	2.43	Rogers	2.38
Haskell	2.41	Sequoyah	2.43
Latimer	2.41	Tulsa	2.38
LeFlore	2.43	Wagoner	2.41
Mayes	2.41	Washington	2.38
McCurtain	2.43	All other counties	2.37
McIntosh	2.39		
Muskogee	2.41		

PENNSYLVANIA

All counties	$2.45

SOUTH CAROLINA

Abbeville	$2.51	Bamberg	$2.53
Aiken	2.52	Barnwell	2.52
Allendale	2.53	Beaufort	2.53
Anderson	2.50	Berkeley	2.52

SOUTH CAROLINA—Continued

County	Rate per Bushel	County	Rate per Bushel
Calhoun	$2.52	Kershaw	$2.51
Charleston	2.53	Lancaster	2.50
Cherokee	2.51	Laurens	2.51
Chester	2.50	Lee	2.51
Chesterfield	2.50	Lexington	2.52
Clarendon	2.52	Marion	2.50
Colleton	2.53	Marlboro	2.50
Darlington	2.50	McCormick	2.51
Dillon	2.50	Newberry	2.51
Dorchester	2.53	Oconee	2.50
Edgefield	2.52	Orangeburg	2.52
Fairfield	2.51	Pickens	2.50
Florence	2.50	Richland	2.52
Georgetown	2.51	Saluda	2.51
Greenville	2.51	Spartanburg	2.51
Greenwood	2.51	Sumter	2.52
Hampton	2.53	Union	2.51
Horry	2.50	Williamsburg	2.51
Jasper	2.53	York	2.50

SOUTH DAKOTA

Aurora	$2.36	Jerauld	$2.36
Beadle	2.36	Kingsbury	2.37
Bon Homme	2.38	Lake	2.38
Brookings	2.39	Lincoln	2.41
Brule	2.36	McCook	2.38
Charles Mix	2.36	Miner	2.37
Clay	2.39	Minnehaha	2.40
Codington	2.37	Moody	2.39
Davison	2.36	Roberts	2.37
Deuel	2.40	Sanborn	2.36
Douglas	2.36	Turner	2.39
Grant	2.40	Union	2.41
Hamlin	2.37	Yankton	2.38
Hanson	2.37	All other counties	2.35
Hutchinson	2.38		

TENNESSEE

Benton	$2.48	Lake	$2.52
Bledsoe	2.48	Lauderdale	2.52
Bradley	2.48	Lincoln	2.48
Campbell	2.47	McMinn	2.47
Carroll	2.49	McNairy	2.49
Chester	2.50	Macon	2.47
Claiborne	2.47	Madison	2.50
Clay	2.47	Marion	2.49
Coffee	2.48	Meigs	2.48
Crockett	2.51	Montgomery	2.47
Decatur	2.48	Moore	2.48
Dyer	2.52	Obion	2.51
Fayette	2.51	Perry	2.47
Fentress	2.47	Pickett	2.47
Franklin	2.49	Rhea	2.48
Gibson	2.51	Robertson	2.47
Giles	2.47	Scott	2.47
Grundy	2.48	Sequatchie	2.49
Hamilton	2.49	Shelby	2.52
Hancock	2.47	Stewart	2.47
Hardeman	2.50	Sullivan	2.47
Hardin	2.48	Sumner	2.47
Hawkins	2.47	Tipton	2.52
Haywood	2.51	Trousdale	2.47
Henderson	2.49	Wayne	2.47
Henry	2.49	Weakley	2.50
Houston	2.47	All other counties	2.46
Humphreys	2.47		
Johnson	2.47		

TEXAS

All counties	$2.41

VIRGINIA

Accomack	$2.51	Hampton City	$2.51
Brunswick	2.51	Hanover	2.51
Caroline	2.51	Henrico	2.51
Charles City	2.51	Isle of Wight	2.53
Chesapeake City	2.53	James City	2.51
Chesterfield	2.51	King George	2.51
Dinwiddie	2.51	King and Queen	2.51
Essex	2.51	King William	2.51
Gloucester	2.51	Lancaster	2.51
Greensville	2.51		

VIRGINIA—Continued

County	Rate per Bushel	County	Rate per Bushel
Middlesex	$2.51	Richmond	$2.51
Mathews	2.51	Southampton	2.53
Nansemond	2.53	Surrey	2.53
New Kent	2.51	Sussex	2.51
Newport News City	2.51	Virginia Beach	2.53
Northampton	2.51	Westmoreland	2.51
Northhumberland	2.51	York	2.51
Prince George	2.51	All other counties	2.49

WEST VIRGINA

All counties	$2.45

WISCONSIN

Adams	$2.45	Marquette	$2.46
Barron	2.42	Milwaukee	2.49
Brown	2.44	Monroe	2.44
Buffalo	2.43	Oconto	2.43
Burnette	2.41	Oneida	2.41
Calumet	2.45	Outagamie	2.44
Chippewa	2.42	Ozaukee	2.48
Clark	2.42	Pepin	2.43
Columbia	2.47	Pierce	2.43
Crawford	2.46	Polk	2.42
Dane	2.48	Portage	2.44
Dodge	2.48	Price	2.41
Door	2.43	Racine	2.50
Douglas	2.41	Richland	2.46
Dunn	2.43	Rock	2.50
Eau Claire	2.43	Rush	2.41
Fond du Lac	2.47	St. Croix	2.42
Grant	2.47	Sauk	2.46
Green	2.49	Sawyer	2.41
Green Lake	2.46	Shawano	2.43
Iowa	2.47	Sheboygan	2.47
Jackson	2.44	Taylor	2.41
Jefferson	2.49	Trempealeau	2.43
Juneau	2.45	Vernon	2.45
Kenosha	2.51	Walworth	2.50
Kewaunee	2.43	Washburn	2.41
La Crosse	2.44	Washington	2.48
Lafayette	2.48	Waukesha	2.49
Langlade	2.42	Waupaca	2.44
Lincoln	2.41	Waushara	2.45
Manitowoc	2.45	Winnebago	2.45
Marathon	2.42	Wood	2.44
Marinette	2.42		

(b) *Premium*—(1) *Low moisture.*

Percent	Cents per bushel
12.2 or less	+4
12.3 through 12.7	+3
12.8 through 13.2	+2
13.3 through 13.7	+1
13.8 through 14.0	0

(2) *Low foreign material.*

	Cents per bushel
1.0 percent or less	+2

(c) *Discounts*—(1) *Class.*

Class	Cents per bushel
Black	−25
Brown	−25
Mixed	−25

(2) *Test weight per bushel.*

Pounds	Cents per bushel
53.0 through 53.9	−½
52.0 through 52.9	−1
51.0 through 51.9	−1½
50.0 through 50.9	−2
49.0 through 49.9	−2½

(3) *Splits.*

Percent	Cents per bushel
20.1 through 25.0	−½
25.1 through 30.0	−1
30.1 through 35.0	−1½
35.1 through 40.0	−2

(4) *Damaged kernels.*[1]

Heat percent	Total percent	Cents per bushel
0.6 through 0.7	3.1 through 4.0	−½
0.8 through 1.0	4.1 through 5.0	−1
1.1 through 1.5	5.1 through 6.0	−1½
1.6 through 2.1	6.1 through 7.0	−2
2.2 through 3.0	7.1 through 8.0	−2½

(5) *Foreign material.*

Percent	Cents per bushel
2.1 through 2.5	−1
2.6 through 3.0	−2
3.1 through 3.5	−3
3.6 through 4.0	−4
4.1 through 4.5	−5
4.6 through 5.0	−6

(6) *Weed control laws.*

	Cents per bushel
(Where required by § 1421.74)	−10

(7) *Other factors.* CCC may establish discounts for other quality factors not specified above which affect the value of the soybeans, such as (but not limited to) moisture, musty, stained, sour, purple mottled, and heating. The discounts established will be based upon the market discounts for the factors at the time the soybeans are delivered to CCC, as determined by CCC. Producers may obtain schedules of such factors and discounts at ASCS county offices approximately one month prior to the loan maturity date.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 11, 1967.

E. A. JAENKE,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 67-9723; Filed, Aug. 21, 1967; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 8212; Amdt. 39-467]

PART 39—AIRWORTHINESS DIRECTIVES

Ratier-Figeac Model FH 76-1-07 Propellers

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the replacement of the bronze actuator socket with a steel actuator socket on Ratier-Figeac Model FH 76-1-07 propellers was published in 32 F.R. 8681.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

RATIER-FIGEAC. Applies to Model FH 76-1-07 propellers installed on Pilatus PC-6A Series aircraft.

Compliance required within the next 200 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent jamming of the pitch change actuator, replace the bronze actuator socket, P/N FH 76-1-120-02, with a steel actuator socket, P/N FH 76-2-120-02, in accordance with Ratier Figeac Service Bulletin 61-45, dated October 1966, or later SGAC-approved issue, or an FAA-approved equivalent.

This amendment becomes effective August 22, 1967.

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

Issued in Washington, D.C., on August 14, 1967.

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-9823; Filed, Aug. 21, 1967; 8:46 a.m.]

[Airspace Docket No. 67-EA-22]

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

Designation of Transition Area

On page 8978 of the FEDERAL REGISTER for June 23, 1967, the Federal Aviation Administration published proposed regulations which would designate a 700-foot floor transition area over Concord Airpark, Painesville, Ohio.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0001 e.s.t., October 12, 1967.

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

Issued in Jamaica, N.Y., on August 7, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot floor transition area for Painesville, Ohio, described as follows:

PAINESVILLE, OHIO

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, 41°40'00" N., 81°12'00" W., of Concord Airpark, Painesville, Ohio; within 2 miles each side of the Runway 12 centerline extended from the 5-mile radius area to 6 miles southeast of the end of the runway; within 2 miles each side of the Runway 20 centerline extended from the 5-mile radius area to 7 miles south of the end of the runway and within 2 miles each side of the Chardon VOR 350° radial extending from the 5-mile radius area to the VOR, excluding those portions within the Willoughby, Ohio, and Chagrin Falls, Ohio, transition areas.

[F.R. Doc. 67-9824; Filed, Aug. 21, 1967; 8:46 a.m.]

[Docket No. 8347; Amdts. 185-2, 187-3]

PART 185—TESTIMONY BY EMPLOYEES AND PRODUCTION OF RECORDS IN LEGAL PROCEEDINGS

PART 187—FEES FOR COPYING AND CERTIFYING RECORDS

Public Availability of Information

The purpose of this rule-making action is to effect the changes in the Federal Aviation Regulations made necessary by the taking effect of the "public information act" (5 U.S.C. sec. 552, as revised by P.L. 90-23) on July 4, 1967, and of the Department of Transportation regulation implementing that act, 49 CFR Part 7, entitled Public Availability of Information.

The Department regulation applies to all "operating administrations" of the Department of Transportation, including the Federal Aviation Administration. Subpart H of the Department regulation contains a schedule of fees. Additional rules applicable to FAA only are set forth in Appendix C to 49 CFR Part 7.

The Department regulation does not cover the subject matter of FAR Part 185, Testimony by FAA Employees and Production of Records in Legal Proceedings. However because of the affinity of this subject-matter to public availability of information, it is necessary to make certain changes in Part 185 to ensure uniformity of policy in the application of Part 185 and the Department regulation. At the same time NAFEC Counsel is being authorized to perform legal functions under Part 185.

Part 187 is amended to limit its applicability to services for which fees are not prescribed in other parts of this chapter or in the Department regulation, 49 CFR Part 7. The Department regulation only covers fees for services incidental to making information available to the public. Thus it does not prescribe fees for licenses or services incidental to licensing or other FAA programs. The $2 fee now prescribed in § 187.3(b) for certain duplicate originals of certificates is also prescribed in other provisions of this chapter (see, e.g., §§ 47.17, 61.13, 63.16, 65.16, and 143.8).

It follows that Part 187 may now be limited to prescribing residuary fees for replacements, duplicates, or facsimiles of licenses for which fees are not otherwise specifically prescribed, and fees for copies of documents requested for purposes other than those dealt with in 49 CFR Part 7. The fees for copies of licenses are at the same level as at present, and the amounts of the other fees are the same as those in 49 CFR Part 7.

[1] Use column which yields the higher applicable discount.

This rule-making action is taken under the authority of Title V of the Independent Offices Appropriations Act of 1952 (65 Stat. 290) and secs. 301(c), 302(f), 303(d), 305, 307(b), 313(a), and 314 of the Federal Aviation Act of 1958 (49 U.S.C. 1341(c), 1343(d), 1344, 1346, 1348(b), 1354(a), and 1355). Since this action relates to agency organization, management, and personnel, and to public property, notice of rule making and public procedure thereon are not required and the action may be made effective less than 30 days after its publication.

In consideration of the foregoing, effective August 22, 1967.

1. Part 185 of the Federal Aviation Regulations (14 CFR Part 185) is amended—

a. By amending § 185.1 to read as follows:

§ 185.1 Scope.

This part prescribes the rules of the Federal Aviation Administration with respect to testimony of its employees and the release or disclosure of FAA materials and records, in legal proceedings, and the serving of legal process and pleadings.

b. By amending the first sentence of the introductory text of § 185.3 to read as follows:

§ 185.3 Deviation from policy.

Only the General Counsel, the appropriate Regional Counsel, the Aeronautical Center Counsel, or NAFEC Counsel, may grant permission to deviate from a policy prescribed in this part. * * *

* * * * *

§ 185.9 [Amended]

c. By amending § 185.9 by deleting the words "or the Chief Counsel of the Aeronautical Center" wherever they occur, and inserting in place thereof the words "the Aeronautical Center Counsel, or NAFEC Counsel".

d. By amending § 185.9(b) by deleting the words "the release of which is prohibited by standard Agency practices" and inserting in place thereof the words "which are not available for public disclosure".

e. By amending the last sentence of § 185.11(a) to read as follows:

§ 185.11 Legal proceedings between private litigants: factual testimony.

(a) * * * However, he must obtain the permission of the General Counsel, the appropriate Regional Counsel, the Aeronautical Center Counsel, or NAFEC Counsel, before disclosing any information that is made unavailable by law or under Part 7 of the Regulations of the Secretary of Transportation entitled "Public Availability of Information" (49 CFR Part 7).

* * * * *

f. By amending § 185.15 to read as follows:

§ 185.15 Legal proceedings between private litigants: disclosure of FAA materials and records.

(a) Copies of any FAA materials or records available for public inspection under Part 7 of the Regulations of the Secretary of Transportation (49 CFR Part 7) are made available to litigants upon request under that part. It is not necessary to subpoena them.

(b) If an employee receives a subpoena or request to produce FAA materials or records in court he shall refer it to the General Counsel, the appropriate Regional Counsel, the Aeronautical Center Counsel, or NAFEC Counsel. If the request or subpoena calls for producing documents the release of which is authorized, counsel shall advise that the request or subpoena be honored.

(c) An FAA employee may not produce an FAA document or record in court except upon a clearance from the General Counsel, the appropriate Regional Counsel, the Aeronautical Center Counsel, or NAFEC Counsel. If an FAA employee is served with a subpoena calling for producing FAA records under his actual control but that are not made available for disclosure under 5 U.S.C. section 552 or other law and Subpart F of 49 CFR Part 7, the General Counsel, Regional Counsel, the Aeronautical Center Counsel, or NAFEC Counsel, as appropriate, shall request the cooperation of the local U.S. attorney and shall attempt to have the subpoena withdrawn or vacated. If this cannot be done, the employee shall appear at the time and place specified in the subpoena, accompanied by an FAA or Department of Transportation or Department of Justice attorney, as appropriate, and explain to the court that a provision of law or a regulation prohibits him from producing the documents or records, whether in answer to a subpoena or otherwise.

(d) If an FAA employee who follows the procedure set forth in paragraph (c) of this section is ordered to show cause why he should not be cited for contempt of court, the FAA or Department of Transportation requests the Department of Justice to represent the employee.

g. By conforming the references to §§ 185.1 and 185.15 in the Table of Contents to their headings as amended herein.

2. Part 187 of the Federal Aviation Regulations (14 CFR Part 187) is amended to read as follows:

Sec.
187.1 Scope.
187.3 Duplicates of licenses.
187.7 Copies; seal.
187.15 Payment of fees.

AUTHORITY: The provisions of this Part 187 issued under Title V, Independent Offices Appropriations Act of 1952 (65 Stat. 290); secs. 301(c), 302(f), 303(d), 305, 307(b), 313(a), 314, Federal Aviation Act of 1958; 49 U.S.C. 1341(c), 1343(d), 1344, 1346, 1348(b), 1354(a), 1355.

§ 187.1 Scope.

This part prescribes fees only for FAA services for which fees are not prescribed in other parts of this chapter or in 49 CFR Part 7. The fees for services furnished in connection with making information available to the public are prescribed exclusively in 49 CFR Part 7.

§ 187.5 Duplicates of licenses.

The fee for furnishing to a person entitled thereto a replacement, duplicate, or facsimile of a certificate or other document evidencing a license, for which a fee is not specifically provided elsewhere in this chapter, is $2.

§ 187.7 Copies; seal.

The fees for furnishing photostatic or similar copies of documents and for affixation of the seal for a certification or validation are the same as those provided in Subpart H of 49 CFR Part 7.

§ 187.15 Payment of fees.

The fees prescribed in this part may be paid by check, draft, or money order payable to the Federal Aviation Administration.

Issued in Washington, D.C., on August 15, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-9825; Filed, Aug. 21, 1967; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 51]

FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS

Inspection, Certification, and Standards; Notice of Proposed Rule Making

Notice is hereby given that the U.S. Department of Agriculture is considering the revision of Regulations (Inspection, Certification, and Standards) Fresh Fruits, Vegetables and other products[1] [2] (7 CFR 51.1–51.61).

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposal should file the same in duplicate, not later than September 15, 1967, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, where they will be available for public inspection during official hours of business (par. (b) of § 1.27, as amended at 29 F.R. 7311).

Statement of considerations leading to the proposed revision of the regulations. These regulations were last revised January 4, 1957, but there have been five amendments since that date, the most recent in 1962. The proposed revision would bring the regulations in line with current practices and would incorporate the several amendments.

Most of the changes proposed are in the interest of clarity and would not affect present policies and procedures of the Department. Proposed additions to the regulations would include:

(1) Expansion of § 51.59 *Operations and operating procedure*, which is a part of the requirements for plants operating under continuous inspection on a contract basis. Provisions which are normally part of the contract would be included in this section for ready reference by those who are interested in continuous inspection.

(2) A small package fee rate for Inspection Service has been used for many years, primarily for small lots moving to Canada and for other small lots where no detailed inspection reports are required. These fees would be added to paragraph (d) of § 51.38.

(3) Section 51.52 would authorize the Administrator to issue licenses permitting the manufacture, identification, distribution, and sale of any official device designated as a USDA color standard, defect guide or other similar aid.

The proposed regulations, as revised, are as follows:

ADMINISTRATIVE

DEFINITIONS

INSPECTION SERVICE

APPEAL INSPECTION

LICENSING OF INSPECTORS

SCHEDULE OF FEES AND CHARGES AT DESTINATION MARKETS

SCHEDULE OF FEES AND CHARGES AT SHIPPING POINT

MISCELLANEOUS

REQUIREMENTS FOR PLANTS OPERATING UNDER CONTINUOUS INSPECTION ON A CONTRACT BASIS

AUTHORITY: The provisions of this subpart issued under secs. 203, 205, 60 Stat. 1087, as amended, 1090 as amended; 7 U.S.C. 1622, 1624.

§ 51.1 Administration of regulations.

The Administrator, Consumer and Marketing Service, U.S. Department of Agriculture, is charged with the administration of the regulations in this part, except at his discretion, he may delegate any or all such functions to any other officer or employee of the Consumer and Marketing Service of the Department.

DEFINITIONS

§ 51.2 Terms defined.

Words in the regulations in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand. For the purposes of the regulations in this part, unless the context otherwise requires, the following terms shall have the following meanings:

(a) *Act.* "Act" means the applicable provisions of the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq.) as amended (7 U.S.C. 1621 et seq.), or any other act of Congress conferring like authority.

(b) *Administrator.* "Administrator" means the Administrator of Consumer and Marketing Service.

(c) *Applicant.* "Applicant" means any interested party who has applied for inspection service under the regulations in this part.

(d) *Condition.* "Condition" means the relative degree of soundness of a product which may affect its merchantability and includes those factors which are subject to change and may result from, but not necessarily limited to, age, improper handling, storage or lack of refrigeration. Examples of condition factors include maturity or stage of ripeness; state of freshness, such as crispness, tenderness, or toughness; wilting; shriveling or

[1] Among such other products are the following: Raw nuts, Christmas trees and greens; flowers and flower bulbs; and onion sets.

[2] None of the requirements in the regulations of this part shall excuse failure to comply with any Federal, State, county, or municipal laws applicable to products covered in the regulations in this part.

flabbiness; mechanical injuries resulting from improper handling after packing; progressive pathological, physiological, and virus diseases, including fungal and bacterial rots; and freezing damage which may occur in transit or storage; or any other factor which may occur, develop, or progress in the marketing channels.

(e) *Consumer and Marketing Service.* "Consumer and Marketing Service" means the Consumer and Marketing Service of the Department.

(f) *Department.* "Department" means the U.S. Department of Agriculture.

(g) *Grade.* "Grade" means a class or rank of quality.

(h) *Inspector.* "Inspector" means any employee of the Department authorized by the Secretary or any other person licensed by the Secretary, to investigate, sample, inspect, and certify, in accordance with the regulations in this part, to any interested party the quality, quantity and/or condition of any fresh product covered in this part, and to perform related duties in connection with the inspection service.

(i) *Inspection Service.* "Inspection Service" means:

(1) The Service established and conducted under the regulations in this part for the determination and certification or other identification as to the grade, the quality and/or condition of fresh fruits or vegetables and related products including the condition of container.

(2) Performance by an inspector of any related services such as reporting the temperatures of loads or lots of fresh products.

(3) To observe conditions under which a product is being packed, to observe plant sanitation as a prerequisite to inspection of the packed product either on a continuous or periodic basis, or checkload the inspected product in connection with the marketing of the product.

(4) The issuance of inspection certificates or reports relating to subparagraphs (1), (2), and (3) of this paragraph.

(j) *Interested party.* "Interested party" means any person who has a financial interest in the product for which inspection is requested.

(k) *Lot.* "Lot" means any number of containers which contain a product of the same kind located in the same conveyance, warehouse, packing house or on the same dock or platform and which are available for inspection at the same time: *Provided*, That:

(1) Products which are different from each other as to grade, variety, size, condition, identification marks, or other factors may be deemed to be separate lots;

(2) If the applicant requests more than one inspection certificate covering different portions of the same lot, the quantity of the lot covered by each certificate shall be deemed to be a separate lot; and,

(3) If said product is packed in more than one size or type of container, each such size or type may be deemed to be a separate lot.

(l) *Person.* "Person" means any individual, partnership, association, business trust, corporation, any organized group of persons (whether incorporated or not), the United States (including, but not limited to, any corporate agencies thereof), and any State, county, or municipal government, any common carrier, and any authorized agent of any of the foregoing.

(m) *Packing plant.* "Packing plant" means the premises, buildings, structures, and equipment including but not limited to, machines, utensils, fixtures, employed or used with respect to preparation and packing the product.

(n) *Quality.* "Quality" means the combination of the inherent properties or attributes of a product which determines its relative degree of excellence.

(o) *Regulations.* "Regulations" means the regulations in this subpart.

(p) *Sample.* "Sample" means any number of sample units to be used for inspection.

(q) *Sample Unit.* "Sample Unit" means a container and/or its entire contents, a portion of the contents of a container or other unit of a commodity, or a composite mixture of a commodity to be used for inspection.

(r) *Sampling.* "Sampling" means the act of slecting samples of a commodity for the purpose of inspection under the regulations in this part.

(s) *Secretary.* "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the Consumer and Marketing Service to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 51.3 Designation of official certificates, memoranda, marks, other identifications and devices for purposes of the Agricultural Marketing Act.

Subsection 203(h) of the Agricultural Marketing Act of 1946, as amended by Public Law 272, 84th Congress, provides criminal penalties for various specified offenses relating to official certificates, memoranda, marks or other identifications, and devices for making such marks or identifications, issued or authorized under section 203 of said act, and certain misrepresentations concerning the inspection or grading of agricultural products under said section. For the purpose of said subsection and the provisions in this part, the terms listed below shall have the respective meanings specified:

(a) *Inspection certificate.* "Inspection certificate" means any form of certification, either written or printed, used under this part to certify with respect to the inspection, identification, class, grade, quality, size, quantity, or condition of products (including the compliance of products with applicable specifications).

(b) *Official memorandum.* "Official memorandum" means any initial record of findings made by an authorized person in the process of grading, inspecting, or sampling pursuant to this part, any processing or plant-operation report made by an authorized person in connection with grading, inspection, or sampling under this part, and any report made by an authorized person of services performed pursuant to this part.

(c) *Official mark.* "Official mark" means the grade mark, inspection mark, combined form of inspection and grade mark, and any other mark, or any variations in such marks, including those prescribed in § 51.49, approved by the Administrator and authorized to be affixed to any product, or affixed to or printed on the packaging material of any product, stating that the product was graded or inspected, or both, or indicating the appropriate U.S. grade or condition of the product, or for the purpose of maintaining the identity of products graded or inspected, or both, under this part.

(d) *Official identification.* "Official identification" means any United States (U.S.) standard designation of class, grade, quality, size, quantity, or condition specified in this Part or any symbol, stamp, label or seal indicating that the product has been graded or inspected and/or indicating the class, grade, quality, size, quantity, or condition of the product approved by the Administrator and authorized to be affixed to any product, or affixed to or printed on the packaging material of any product.

(e) *Official device.* "Official device" means a stamping appliance, branding device, stencil, printed label, or any other mechanically or manually operated tool that is approved by the Administrator for the purpose of applying any official mark or other identification to any product or the packaging material thereof; or any device approved and designated by the Administrator as a USDA official device for use as a color standard, defect guide, or other similar aid to interpret the United States Department of Agriculture grade standards and to facilitate conduct of the Inspection Service.

INSPECTION SERVICE

§ 51.4 Where inspection service is offered.

Products will be inspected at appropriate points indicated in paragraphs (a), (b), and (c) of this section whenever inspectors are available.

(a) *Shipping points.* Inspection service is available in all areas covered by cooperative agreements with States or other cooperating bodies which provide for this inspection work pursuant to authority contained in any Act of Congress, or may be provided in any other area which is not covered by a cooperative agreement if the Administrator determines that it is practicable to provide inspection service.

(b) *Destination markets.* Inspection is available in all central markets in which an inspection office is located.

(c) *Other destination points.* Inspection may be made at any point which may be conveniently reached from any terminal market in which an inspection office is located to the extent inspection personnel is available.

(d) *Addresses of offices.* Any prospective applicant may obtain an up-to-date list of inspection offices by addressing an inquiry to Fresh Products Standardization and Inspection Branch, Fruit and

Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

§ 51.5 Who may obtain inspection service.

An application for inspection service may be made by any interested party, including, but not limited to, the United States and any instrumentality or agency thereof, any State, county, municipality, or common carrier, and any authorized agent in behalf of the foregoing.

§ 51.6 How to make application.

An application for inspection service may be filed in an office of inspection at any market referred to in § 51.4 (b), (c), or (d) or with any inspector. It may be made in writing, orally, by telegraph, or by telephone. If made orally or by telephone, the inspector may require that it be confirmed by applicant in writing or by telegraph. An application may be made for one or more lots, or it may be in the nature of a blanket application for inspection of all designated lots of a given commodity within a particular period, or for all designated lots loaded or received at a specified point.

§ 51.7 Form of application.

Each application for inspection service shall state (a) the name and address of the applicant and the name and capacity of the person, if any, making the application in his behalf; (b) the name and address of the shipper; (c) the kind and quantity of the products involved; (d) the interest of the applicant therein; (e) the identification of the products by (1) grade, brand, or other marks, if practicable, (2) car number of carrier or number of truck or name of boat, if practicable, and (3) the name and location of the store, warehouse, or other place where the products are located; (f) the particular quality or condition concerning which inspection is requested, to which may be added the time and place at which it is desired that the inspection be made; (g) when the lot is to be inspected in a receiving market, the name and address of the receiver; (h) the name of the shipping point and of the destination, when known; and (i) such other information as may be necessary for identification of the product, or as may be required by the inspector or the Administrator.

§ 51.8 Filing of application.

An application shall be regarded as filed only when made at the office of inspection nearest the place where the commodity is located. A record showing the date and time of filing shall be made and kept in such office.

§ 51.9 When application may be rejected.

An application may be rejected by the inspector in charge of the appropriate office of inspection if the applicant objects to the inspector cutting an adequate number of specimens to determine the interior quality or condition of the product to be inspected, or for failure of the applicant (a) to observe the regulations of this part, (b) to furnish necessary information or to make the commodity reasonably available or accessible for inspection, (c) to pay for previous inspection services rendered, or (d) when it appears that to perform the inspection and certification service would not be to the best interest of the Government. Such applicant shall be notified promptly of the reason for such rejection.

§ 51.10 When application may be withdrawn.

An application may be withdrawn by the applicant at any time before the inspection is performed: *Provided*, That the applicant shall pay any travel expenses, telephone, telegraph, or other expenses which have been incurred by the Inspection Service in connection with such application.

§ 51.11 Authority to request inspection.

Proof of the interest of an applicant in the product involved, or of the authority of any person applying for inspection in behalf of another may be required, at the discretion of the inspector.

§ 51.12 Accessibility of products.

The applicant shall cause the products for which inspection is requested to be made reasonably accessible for sampling or inspection and to be so placed as to disclose their quality or condition. Samples of the products drawn for examination shall be inspected only under such conditions as, in the opinion of the inspector, will permit a true and correct determination to be made of their quality or condition.

§ 51.13 Basis of service.

Inspection and certification service for quality and/or condition shall be based upon the appropriate standards promulgated by the U.S. Department of Agriculture, applicable standards prescribed by the laws of the State where the particular product was produced, specifications of any governmental agency, written buyer and seller contract specifications, or any written specification by an applicant which is approved by the Administrator: *Provided*, That if such product is regulated pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), or the comparable laws of any State, such inspection and certification shall be on the basis of the standards, if any, prescribed in, or pursuant to, the marketing order and/or agreement effective thereunder.

§ 51.14 Order of inspection service.

Inspection service shall be performed, insofar as practicable, in the order of which applications are received, except that precedence shall be given (a) to the inspection of lots involved in complaints filed pursuant to the Perishable Agricultural Commodities Act, 1930 (U.S.C. 449a et seq.), and (b) to appeal inspections. Precedence may also be given to applications made on behalf of the Federal or State Government.

§ 51.15 Financial interest of inspector.

No inspector shall inspect any product in which he is directly or indirectly financially interested.

§ 51.16 Postponing inspection service.

If the inspector has reason to believe that, because of latent defects due to climatic or other conditions, he is unable to determine the true quality or condition of the product, he shall postpone examination for such period as may, in his judgment, be reasonably necessary to enable him to determine its true quality or condition. Inspection shall also be postponed by the inspector, unless otherwise directed by the applicant, if in his judgment examination of the product when exposed to low temperatures may result in damage to the product.

§ 51.17 Official sampling.

Samples may be officially drawn by any duly authorized inspector and delivered, or shipped, for analysis and certification to the nearest designated market or to such market as shall be directed by the Administrator. The container in which such samples are delivered, or shipped, shall contain a statement, signed by the inspector who drew the samples, showing the time and place of the sampling and the brands or other identifying marks of the containers from which the samples were drawn. The certificate based on such samples shall show the time and place of drawing the samples, and the name of the inspector by whom they were drawn.

§ 51.18 Certificate forms.

Certificates shall be issued on forms approved by the Administrator.

§ 51.19 Issuance of certificates.

The inspector shall sign and issue a separate certificate for each lot inspected by him, except that when an application covers a number of lots a single certificate may be issued to cover all such lots: *Provided*, That (a) another employee of the Inspection Service may sign any such certificate covering any product inspected by an inspector when given power of attorney by such inspector and authorized by the Administrator, to affix the inspector's signature to an inspection certificate which has been prepared in accordance with the facts set forth in the notes, made by the inspector, in connection with the inspection; when (b) inspection is made by any person for the purpose of determining whether food products for use by such applicant comply with contract specifications therefor, a formal certificate need not be issued, but, the fact of such compliance or noncompliance may be indicated by affixing an appropriate stamp or mark on such products or the containers thereof, at the discretion of the inspector.

§ 51.20 Issuance of corrected certificates.

A corrected inspection certificate may be issued by the inspector who issued the original certificate after distribution of a certificate if errors, such as incorrect

dates, grade statements, lot or car numbers, identification marks, types of containers, sizes, weights, quantities, or errors in any other pertinent information require the issuance of a corrected certificate. Whenever a corrected certificate is issued, such certificate shall supersede the inspection certificate which was issued in error and the superseded certificate shall become null and void after the issuance of the corrected certificate.

§ 51.21 Disposition of inspection certificates.

(a) The original certificate, and not to exceed four copies (if requested by applicant prior to issuance), shall be delivered or mailed promptly to the applicant or to a person designated by him. One copy shall be filed in the office of the inspector when the inspection is made by a Federal Government employee, otherwise, it shall be filed in the appropriate office of the cooperating Federal-State Inspection Agency. Unless otherwise directed by the Administrator, two copies of each official certificate issued on products received in destination markets shall be forwarded to the Administrator to be kept on file in Washington and no copies of official certificates issued at shipping point need be so forwarded. In the case of any product covered by a marketing agreement and/or order effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), at least one copy of each certificate covering the inspection of such product shall, on request, be delivered to the administrative agency established thereunder, subject to such terms and conditions as the Administrator may prescribe. Copies may be furnished to other interested parties as outlined in § 51.41.

§ 51.22 Disposition of samples.

If it is necessary to take samples of the product to the inspection office for further examination, the inspector, after completion of inspection of such samples shall dispose of them or any usable portion as follows: (a) Ascertain from the applicant if the owner wants the samples returned to him at his expense, (b) if he does not want them returned at his expense, give them to a nonsectarian charitable organization or, (c) if they have a substantial monetary value, sell them and remit the proceeds to the Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, or if applicable, to the cooperating State Agency. Such proceeds shall be deposited to the credit of the Inspection Trust Fund, Federal or cooperating agency, whichever is applicable.

§ 51.23 Report of inspection results prior to issuance of formal report.

Upon request of an applicant, all or any part of the contents of a certificate covering an inspection requested by him may be telegraphed or telephoned to him, or to any person designated by him, at his expense. If the application for such information is received after the certificate has been issued, it will be considered as an application for an extra copy of the certificate, and the fees prescribed in § 51.41 shall apply.

APPEAL INSPECTION

§ 51.24 When appeal inspection may be requested.

An application for appeal inspection may be made by any financially interested person who is dissatisfied with the results of an inspection as stated in an inspection certificate, if the lot can be positively identified by the Inspection Service as the lot which was previously inspected.

§ 51.25 Where to file for an appeal inspection and information required.

An appeal inspection may be obtained by the applicant, or other person financially interested in the product, by filing a request (a) with the Inspection Office nearest the point where the product is located, or (b) with the inspector who made the original inspection, or (c) with any district supervisory inspection office, or (d) with the Administrator. The application for the appeal inspection shall state the reasons therefor, and shall be accompanied by a copy of any previous inspection certificate or inspection report, and any other information which the applicant received regarding the quality or condition of the product at the time of the original inspection. Such application may be made orally (in person or by telephone), in writing, or by telegraph. If made orally, written confirmation shall be made promptly.

§ 51.26 Record of filing time.

A record showing the date and time of filing an application for appeal inspection shall be made promptly by the receiving office.

§ 51.27 When appeal inspection may be refused.

An application for an appeal inspection may be refused if: (a) The reasons for the appeal inspection are frivolous or not substantial; (b) the quality or condition of the product has undergone a material change since the inspection covering the product on which the appeal inspection is requested; (c) the lot in question is not, or cannot be, made accessible for the inspection; (d) the lot relative to which appeal inspection is requested cannot be identified positively by the inspector as the lot which was previously inspected; or (e) there is noncompliance with the regulations in this part. Such an applicant shall be notified promptly of the reason for refusal.

§ 51.28 When an application for an appeal inspection may be withdrawn.

An application for appeal inspection may be withdrawn by the applicant at any time before the appeal inspection is performed: *Provided*, That the applicant shall pay any travel expenses, telephone, telegraph or other expenses which have been incurred by the Inspection Service in connection with such application.

§ 51.29 Order in which made.

Appeal inspections shall be made, as soon as practicable, following the time requested by the applicant and in the order in which applications are received. They shall take precedence over all other pending applications, except applications for inspections covering lots involved in complaints filed pursuant to the Perishable Agricultural Commodities Act, 1930 as amended (7 U.S.C. 499a et seq.).

§ 51.30 Who shall perform appeal inspections.

Appeal inspections shall be performed by an inspector or inspectors authorized for this purpose by the Administrator and whenever practical, such appeal inspections shall be made by two inspectors.

§ 51.31 Appeal inspection certificate.

After an appeal inspection has been completed, an appeal inspection certificate shall be issued showing the results of such appeal inspection; and such certificate shall supersede the inspection certificate previously issued for the product involved. Each appeal inspection certificate shall clearly identify the number and date of the inspection certificate which it supersedes. The superseded certificate shall become null and void upon the issuance of the appeal inspection certificate and shall no longer represent the quality described therein. The inspector or inspectors issuing an appeal inspection certificate shall sign the certificate and forward notice of such issuance to such persons as considered necessary to prevent misuse of the superseded certificate if the original and all copies of such superseded certificate have not previously been delivered to the inspector or inspectors issuing the appeal inspection certificate. The provisions in the regulations in this part concerning forms of certificates and issuance of certificates, shall apply to appeal inspection certificates, except that copies of such appeal inspection certificates shall be furnished all interested parties who receive copies of the superseded certificate.

LICENSING OF INSPECTORS

§ 51.32 Who may be licensed.

Persons who are employed by a cooperative Federal-State Inspection Agency and possess adequate qualifications, as determined by such examinations as the Administrator may consider to be appropriate, may be licensed as inspectors of products which may be inspected under the regulations in this part. Such license shall bear the printed signature of the Secretary and shall be countersigned by an authorized employee of the Department. A licensed inspector shall perform his duties pursuant to these regulations as directed by the Administrator.

§ 51.33 Application to become a licensed inspector.

Application to become a licensed inspector shall be made to the Administrator on forms furnished for that purpose. Each such application shall be filled in and signed by the applicant in his own handwriting, and the application shall contain or be accompanied by:

(a) A statement of present address, age, height, and weight of the applicant;

(b) A statement showing education and present and previous occupations, together with names of all employers for whom he has worked with periods of service, during the last 5 years previous to the date of his application;

(c) A statement by the applicant that he agrees to comply with all terms and conditions of the regulations in this part relating to the duties of inspectors; and

(d) Such other information as may be required by the Administrator.

§ 51.34 Suspension or revocation of license of a licensed inspector.

Pending final action by the Secretary, the Administrator may, whenever he deems such action necessary, suspend the license of any licensed inspector issued pursuant to the regulations in this part by giving notice of such suspension to the respective licensee, accompanied by a statement of the reasons therefor. Within 10 days after the receipt of the aforesaid notice and statement of the reasons by such licensee, he may file an appeal, in writing, with the Secretary, supported by any argument or evidence that he may wish to offer as to why his license should not be suspended or revoked. After the expiration of the aforesaid 10-day period and consideration of such argument and evidence, the Secretary will take such action as he deems appropriate with respect to such suspension or revocation. When no appeal is filed within the prescribed 10 days, the license shall be automatically revoked.

§ 51.35 Surrender of license.

Upon termination of his services as a licensed inspector, or suspension or revocation of his license, a licensee shall surrender his license immediately to the office of inspection serving the area in which he is located. These same provisions shall apply in case of an expired license.

§ 51.36 Renewal of license.

An expired license may be renewed by the issuance of a new license: *Provided*, That the person seeking renewal of his license is employed by the cooperating agency and his past performance as a licensed inspector has been satisfactory.

SCHEDULE OF FEES AND CHARGES AT DESTINATION MARKETS

§ 51.37 Amount of fees, rates, and charges.

For each lot of products inspected, a fee and expenses, determined in accordance with §§ 51.38 to 51.40 shall be paid by the applicant.

§ 51.38 Basis for charges.[1]

(a) The fee for each lot of products inspected by an inspector acting exclusively for the Department, except for peanuts, pecans and other nuts, shall be on the following basis:

(1) Quality and condition inspections:

(i) $15 for each over one-half carlot equivalent of an individual product up to a full carlot.

(ii) $12 for each half carlot equivalent or less of an individual product.

(iii) $30 maximum for inspection of each carlot equivalent when more than one kind of product is involved.

(2) Condition inspection only:

(i) $12 for each over one-half carlot equivalent of an individual product up to a full carlot.

(ii) $10 for each half carlot equivalent or less of an individual product.

(iii) $24 maximum for inspection of each carlot equivalent when more than one kind of product is involved.

(3) When any lot involved is in excess of a carlot equivalent, the quantity shall be calculated in terms of carlot and fractions thereof of the customary carlot quantity for such carlots and carlot inspection fee rates: *Provided*, That such fractions shall be calculated in terms of fourths or next higher fourths.

(b) The base fee for peanuts (shelled), pecans or other nuts shall be 60 cents per ton: *Provided*, That the minimum fee shall be $12 per lot, the different grades and varieties of peanuts shall be considered separate lots, and the fee for Farmers' stock peanuts (unshelled) shall be $1.65 per ton.

(c) When inspections are made and the products inspected cannot readily be calculated in terms of carlots, or when the services rendered are such that a charge on the carlot or other unit basis would be inadequate or inequitable, charges for inspection may be based on the time consumed by the inspector in connection with such inspections, computed at the rate of $6 per hour.

(d) Not withstanding the fee rates prescribed in the preceding paragraphs, fees and charges for the inspection of small lots where detailed reports of inspection are not normally required,[2] the following rates may be applied:

1 to 25 packages inclusive	$3.25
26 to 50 packages inclusive	4.25
51 to 150 packages inclusive	6.00
151 to ½ customary carlot equivalent	9.00

(e) Whenever inspections are performed at the request of the applicant on Saturdays, Sundays, holidays or at any other periods which are outside the inspector's regular scheduled workweek, the charge for inspection service shall be $3 per hour or portion thereof per inspector in addition to the regular commercial lot or hourly fees specified in this subpart.

§ 51.39 Fees for appeal inspections.

The fee to be charged for appeal inspections on all products shall be at the same rate as those set forth in this part except that when it is found that there was a material error in the determination based upon the original inspection, no fee will be charged, and except that appeal inspection for Government Agencies shall be on the hourly basis prescribed in this part, plus traveling and other expenses authorized to be charged by the provisions in this part.

§ 51.40 Traveling and other expenses.

Costs including travel incurred by the Consumer and Marketing Service in providing inspection service at a place where no inspector is located or costs in appeal inspections requiring a second inspector may be charged to the applicant. These charges shall be included with the fee for inspection on the bill furnished the applicant.

§ 51.41 Fees for additional copies of inspection certificates.

Additional copies of any inspection certificate other than those provided for in § 51.21, may be supplied to any interested party upon payment of a fee of $2.25 for each set of 5, or less, copies.

§ 51.42 Charges for inspection services on a contract basis.

Irrespective of fees and charges prescribed in the foregoing sections, the Administrator may enter into contracts with applicants to perform inspection services pursuant to the regulations in this part and other requirements as prescribed by the Administrator in such contract, and the charges for such inspection services provided for in such contracts shall be on such basis as will reimburse the Consumer and Marketing Service of the Department for the full cost of conducting such inspection service, including an appropriate overhead charge to cover as nearly as practicable administrative overhead expenses, as may be determined by the Administrator.

§ 51.43 How fees shall be paid.

Fees shall be paid by the applicant in accordance with the directions on the fee bill furnished him by the billing office, and in advance, if required by the inspector.

§ 51.44 Disposition of fees.

(a) The fees collected for services rendered shall be disposed of as follows:

(1) Fees for inspections made by inspectors acting exclusively for the Consumer and Marketing Service shall be remitted promptly to the Consumer and Marketing Service.

(2) Fees for inspections made by an inspector acting under a cooperative agreement with a State or other organization shall be disposed of in accordance with the terms of such agreement. Such portion of the fees collected under a cooperative agreement with a State or other cooperating bodies as may be due the United States shall be remitted to the Consumer and Marketing Service.

(b) Fees and charges collected pursuant to §§ 51.40 to 51.41 shall be remitted to the Consumer and Marketing Service.

(c) Fees and charges collected pursuant to § 51.42 shall be disposed of in accordance with the terms of the contract.

[1] Carlot equivalent shall be based on the customary quantity of a product loaded in common carrier railcars.

[2] For example the inspection of small lots for export to Canada or delivery to private and public institutions.

SCHEDULE OF FEES AND CHARGES AT SHIPPING POINT AREAS

§ 51.45 Fees and charges at shipping point areas.

Fees for inspection performed under cooperative agreements pursuant to authority contained in any Act of Congress shall be those provided by such agreements.

MISCELLANEOUS

§ 51.46 Denial of inspection service.

Any or all benefits of the act may be denied any person for any of the following reasons: (a) Any willful misrepresentation or deceptive or fraudulent practice made or committed by any person in connection with the making or filing of an application for inspection service; (b) any fraudulent or unauthorized use, alteration, or imitation of any certificate issued pursuant to the regulations; (c) any interference with or obstruction of any inspector or official sampler in the performance of his duties, by intimidation, threat, assault or any other improper means; or (d) any willful violation of the regulations may be deemed sufficient cause for debarring the person found guilty thereof from any or all benefits of the acts, after notice and opportunity for hearing has been accorded him. The rules of practice governing withdrawal of Inspection and Grading Services, Part 50, of this chapter, shall govern the proceedings pursuant to this section.

§ 51.47 Political activity.

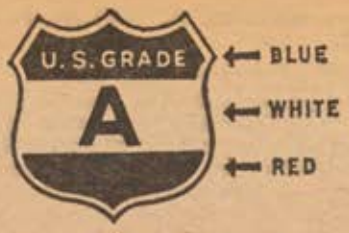
All inspectors are forbidden, during the period of their respective appointments or while holding a valid inspectors' license to take an active part in political campaigns and a violation by a licensee shall constitute grounds for revocation of his license. All Federal employees are subject to the applicable provisions of the Department's administrative regulations relating to political activity.

§ 51.48 Inspectors' identification.

Each inspector shall have in his possession at all times, and present upon request, while on duty, the means of identification furnished by the Department to such person.

§ 51.49 Approved identifications.

(a) *Grade marks.* The approved shield mark with the appropriate U.S. grade designation may be used on containers, labels or otherwise indicated on the package when: (1) The product has been packed under continuous inspection as provided by the Inspection Service, (2) the plant in which the product is packed is maintained under good commercial sanitary practices, and (3) the product has been certified by an inspector as meeting the requirements of U.S. Grade A, U.S. Grade No. 1, or a higher U.S. grade as shown within the shield. The shields with approved grade designation for use shall be similar in form and design to the examples in figures 1 and 2 of this section.



Shield using red, white and blue background.

FIGURE 1.

Shields with plain background.

FIGURE 2.

(b) *Inspection legends.* The approved continuous inspection legends may be used on containers, labels or otherwise indicated on the package when: (1) The product has been packed under continuous inspection provided by the Inspection Service; (2) the plant in which the product is packed is maintained under good commercial sanitary practices; and (3) the product meets the requirements of such quality, grade, or specification as may be approved by the Administrator. The continuous inspection legends approved for use shall be similar in form and design to the examples in figures 3 and 4.

PACKED UNDER
CONTINUOUS
INSPECTION
OF THE
U. S. DEPT. OF
AGRICULTURE

FIGURE 3.

PACKED BY

UNDER CONTINUOUS
FEDERAL-STATE
INSPECTION

FIGURE 4.

(c) *Combined grade and inspection legends.* The grade marks set forth in paragraph (a) of this section and illustrated by figures 1 and 2 of this section and the inspection legends set forth in paragraph (b) of this section and illustrated by figures 3 and 4 of this section may be combined into a consolidated grade and inspection legend for use on products which meet the requirements of both of these paragraphs. See figure 5.

PACKED BY

UNDER CONTINUOUS
FEDERAL-STATE
INSPECTION

FIGURE 5.

(d) *Other identification marks.* Products may be inspected on a lot inspection basis as provided in this part and identified by an official inspection mark similar in form and design to figure 6 of this section. The use of this mark or other comparable identification marks may be required by the Administrator whenever he determines that such identification is necessary in order to maintain the identity of lots which have been inspected and certified.

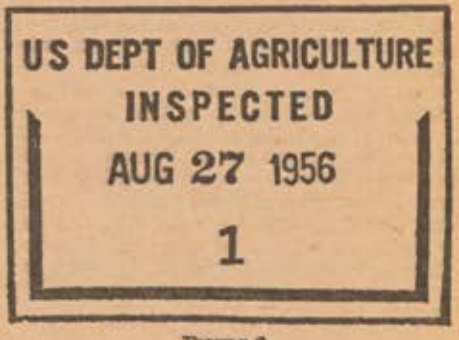


FIGURE 6.

§ 51.50 Custody of official inspection marking devices.

All official inspection marking devices as shown in figure 6 of § 51.49 shall be kept in the custody of the Consumer and Marketing Service and accurate records shall be kept of these devices. Each inspection office shall keep a record of the devices assigned to it. Such devices shall be distributed only to authorized

employees of the Department who shall keep the devices in their official possession or control at all times and keep complete records of such devices.

§ 51.51 Prohibited uses of approved identification.

No label or advertising material used on, or in conjunction with any product, shall bear a brand name, trademark, product name or any other descriptive material that incorporates, resembles, simulates, or alludes to any official U.S. Department of Agriculture grade mark, grade statement, continuous inspection legend, sampling mark or sampling statement, or combination of one or more thereof.

§ 51.52 Licensing and identification of certain official devices.

The Administrator may issue licenses permitting the manufacture, identification, distribution, and sale of any official device designated as a USDA color standard, defect guide or other similar aid under such terms and conditions as may be specified by the Administrator. Licenses shall be available to all persons meeting conditions prescribed by the Administrator, shall be nonexclusive, and shall be revocable for cause. No person shall manufacture, identify, distribute or sell any such official device except at the direction of or under license from the Administrator. Such official devices may be marked, tagged or otherwise designated with the prefix "USDA" together with other identifying words or symbols, as prescribed by the license.

REQUIREMENTS FOR PLANTS OPERATING UNDER CONTINUOUS INSPECTION ON A CONTRACT BASIS

§ 51.53 Continuous inspections.

Continuous inspection service which is associated with the use of the approved shield showing the U.S. grade, the approved continuous inspection legend, or both, on the container may be furnished whenever inspectors are available, the facilities and conditions are satisfactory for the conduct of the service, and there is a signed contract between the applicant and the Department or a cooperative Federal-State Inspection Agency in which it is agreed that such service will be conducted subject to regulations governing the inspection and certification of fresh fruits, vegetables, and other products, contained in this part and any additional and supplemental instructions issued by the Department or such instructions issued by a cooperating agency which are not inconsistent with those issued by the Department.

§ 51.54 Plant survey.

Prior to the inauguration of continuous Federal or Federal-State Inspection Service on a contract basis, the Administrator will make or cause to be made a survey and inspection where such service is to be performed to determine whether the premises, plant and facilities are suitable and adequate for the performance of such service in accordance with the regulations in this part, including, but not limited to requirements contained in §§ 51.54 through 51.62.

§ 51.55 Premises.

The premises shall be free from conditions objectionable to packing operations, including, but not limited to litter, waste and refuse within the immediate vicinity of the plant buildings, excessively dusty roads, yards or parking lots, and poorly drained areas.

§ 51.56 Buildings and structures.

The packing plant buildings shall be properly constructed and maintained in a sanitary condition, including, but not limited to the following requirements:

(a) There shall be sufficient light consistent with the use to which the particular portion of the building is devoted and to permit efficient cleaning. The grading belts and bins shall be provided with sufficient proper nonglaring light to insure adequacy of grading and inspection operations;

(b) If the product is washed there shall be ample supply of water of a safe and sanitary quality with adequate facilities for its distribution throughout the plant and washing machinery;

(c) There shall also be an efficient waste disposal and plumbing system maintained in good repair;

(d) Each room in which the product is graded or stored shall be designed and constructed as to insure operating conditions of a clean and orderly character and shall be maintained in a clean and sanitary manner.

(e) Every practical precaution shall be taken to exclude dogs, cats, rodents and other vermin from the rooms in which the products are to be graded or stored.

§ 51.57 Facilities.

Each packing plant shall be equipped with adequate sanitary facilities and accommodations, including but not being limited to the following:

(a) There shall be a sufficient number of adequately lighted toilet rooms, ample in size and conveniently located. Toilet rooms shall be adequately screened and equipped with self-closing doors, and shall have independent outside ventilation.

(b) Adequate lavatory accommodations and supplies shall be placed at such locations in or near toilet rooms as to insure the cleanliness of each person who grades or handles the product to be inspected.

(c) Suitable facilities for cleaning shall be provided at convenient locations in the plant.

§ 51.58 Equipment.

All equipment used for receiving, washing, grading, packaging or storing shall be of such design, material and construction that it may be kept clean.

§ 51.59 Operations and operating procedures.

(a) The inspector shall refuse to permit the use of the official shield with grade mark or continuous inspection legend on packages if the produce is from a field or orchard having a disease or other condition which may not be apparent on individual specimens at packing time but which may cause the product to materially decrease in quality after packing.

(b) All products which are certified shall be subjected to continuous inspection throughout the packing operations.

(c) The inspectors are available for consultation purposes but shall not become involved in plant operations.

(d) The Inspection Service will not be responsible for damages occurring through any act of commission or omission on the part of its inspectors when engaged in rendering continuous inspection service; for packing errors or misbranding of products; or for failure to supply enough inspectors during any period of service provided under the contract.

(e) The applicant for continuous inspection shall:

(1) Conform to all applicable regulations under which the continuous inspection service is conducted.

(2) Use only raw material which has been handled or stored under conditions which insures its suitability for packing; maintain the plant designated herein in such sanitary condition and to employ such methods of handling raw materials for packing as may be necessary to conform to the sanitary requirements prescribed in this part.

(3) Not permit any of his marks or labels or buyers' and distributors' marks or labels applied by him on which reference is made to continuous inspection to be used on any product not packed under this continuous inspection service; or permit any of his marks or labels or buyers' and distributors' marks or labels applied by him on which reference is made to any U.S. Grade to be used on any product which does not meet the requirements of such grade; or to supply labels bearing reference to continuous inspection service to another plant unless the products to which such labels are to be applied have been packed under continuous inspection.

(4) Furnish any reports of packaging and output of products inspected, as may be requested by the inspection agencies.

(5) Make available to inspectors adequate office space in the designated plant and furnish suitable desks and office equipment for the proper care of inspection records.

(6) Make his laboratory or other facilities and necessary equipment available for the use of inspectors in making inspection of samples.

(7) Furnish if required, such stenographic and clerical assistance as may be necessary in the typing of certificates and reports and the handling of official correspondence, as well as the labor incident to drawing of samples and facilitating adequate inspection procedure when necessary.

(8) Submit to the Consumer and Marketing Service, through the inspector assigned to the plant or other representative of the Inspection Service for approval prior to use, copies or proof of each packer's or distributor's label bearing or referring in any manner to official identification of the designated packaged products hereunder.

(9) Not make deceptive, fraudulent, or unauthorized use in his advertising, or otherwise, of the continuous inspection service, the inspection certificates or reports issued, or the containers on which the shield of the Department is identified, in connection with the sale of any of the packaged products; and to submit to the Consumer and Marketing Service through the inspector assigned to the plant or other representative of the Inspection Service, for approval to use any proposed advertising in which reference is made to the Inspection Service.

§ 51.60 Termination of contracts.

In case the applicant wishes to terminate the contract he agrees either to continue the service until all unused containers, labels and advertising material on hand or in the possession of his supplier bearing the Department shield, or reference to continuous inspection service have been used, or to destroy such containers, labels and advertising material, or to obliterate the Department shield and all other reference to the continuous inspection service on said containers, labels, and advertising material, or otherwise furnish assurance satisfactory to the Consumer and Marketing Service that such containers, labels and advertising material will not be used in violation of the terms and conditions of this agreement. In case the continuous inspection service is terminated for cause by the Consumer and Marketing Service, the applicant agrees to destroy all unused containers, labels and advertising material on hand bearing the Department shield, or reference to continuous inspection service, or to obliterate the Department shield, and all reference to the continuous inspection service on said containers, labels and advertising material or otherwise furnish assurance satisfactory to the Consumer and Marketing Service that such containers, labels and advertising material will not be used in violation of the terms and conditions of the agreement.

§ 51.61 Congressional interest in contracts.

No member of, or delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of any contract provided for in the regulations in this subpart or to any benefit that may arise therefrom, but this provision shall not be construed to extend to such contract if made with a corporation for its general benefit, and shall not extend to any benefits that may accrue from the contract to a member of, or delegate to Congress, or a Resident Commissioner in his capacity as a farmer.

Dated: August 15, 1967.

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

[F.R. Doc. 67-9765; Filed, Aug. 21, 1967; 8:45 a.m.]

[7 CFR Part 1125]

[Docket No. AO 226-A16]

MILK IN PUGET SOUND, WASH., MARKETING AREA

Notice of Extension of Time for Filing Exceptions to Recommended Decision 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 that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Puget Sound, Wash., marketing area, which was issued August 7, 1967 (32 F.R. 11567), is hereby extended to September 9, 1967.

Signed at Washington, D.C., on August 17, 1967.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 67-9843; Filed, Aug. 21, 1967; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[43 CFR Part 23]

MINED LAND RECLAMATION

Notice of Extension of Time for Comments

On July 20, 1967 there was published in the FEDERAL REGISTER (vol. 32, No. 139, pp. 10656-58) as a notice of proposed rule making a proposed new Part 23 to Title 43, Code of Federal Regulations, relating to the protection and reclamation of surface mined lands.

That notice afforded all interested parties 30 days from the date of publication within which to submit to the Secretary of the Interior written comments, suggestions, or objections with respect to the proposed regulations.

In view of the widespread interest shown in the proposed regulations and in view of requests received for an extension of time within which to submit comments it appears appropriate, in the circumstances, to grant the requests for such an extension.

Therefore, notice is hereby given that all interested persons are afforded an extension of time until the close of office hours on Friday, October 20, 1967 within which to submit to the Secretary of the Interior, Washington, D.C., written comments, suggestions or objections with respect to the proposed regulations.

STEWART L. UDALL,
Secretary of the Interior.

AUGUST 16, 1967.

[F.R. Doc. 67-9818; Filed, Aug. 21, 1967; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[15 CFR Part 10]

PROCEDURES FOR DEVELOPMENT OF VOLUNTARY PRODUCT STANDARDS

Notice of Proposed Rule Making

The Department of Commerce proposes to amend its procedures for the development of voluntary product standards in order to provide a more effective program.

Interested parties may participate in the proposed rule-making by submitting written comments or suggestions, in duplicate, to the Office of the General Counsel, U.S. Department of Commerce, Washington, D.C. 20230. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposal.

A public docket will be available for examination by interested parties at the Central Reference and Records Inspection Facility of the Department of Commerce, Room 2122, Main Commerce Building, 14th Street between Pennsylvania Avenue and Constitution Avenue NW., Washington, D.C.

The following proposals are under consideration:

1. Amend § 10.2 by revising paragraph (a) to read as follows:

§ 10.2 Development of proposed standard.

(a) The proposed standard as submitted to the Department shall in the Department's judgment—

(1) Be based on adequate technical information,

(2) Include test methods or inspection procedures which permit any competent testing facility to determine conformance or non-conformance with the standard, whenever pertinent,

(3) Be not contrary to law or the public interest,

(4) Reasonably be expected to be generally acceptable by producers, distributors, consumers and users of the product,

(5) Be technically sound,

(6) Be in the proper form, and

(7) Include performance criteria when the proposed standard relates to quality, to the extent feasible.

* * * * *

2. Revise § 10.5 to read as follows:

§ 10.5 Procedure for acceptance of recommended standard.

(a) Upon receipt from the Committee of a recommended standard and report,

the Department shall give appropriate public notice and distribute the recommended standard for acceptance unless—

(1) Upon a showing by any member of the Committee who has voted to oppose the recommended standard on the basis of an unresolved objection, the Department determines that if such objection were not resolved, the recommended standard—

(i) Would be contrary to the public interest, if published;

(ii) Would be technically inadequate; or

(iii) Would be inconsistent with law or established public policy.

(2) The Department determines that all criteria and procedures set forth herein have not been met satisfactorily or that there is legal objection to the recommended standard.

(b) Distribution for acceptance or rejection for purposes of determining general concurrence will be made to a list compiled by the Department, which shall be representative of producers, distributors, users, consumers, appropriate testing laboratories, and interested State and Federal agencies.

(c) Distribution for comment also will be made to any party filing a written request with the Department.

(d) The Department will analyze the responses and if such analysis indicates that the recommended standard is supported by a consensus, then it will be published as a product standard by the Department.

(e) For the purpose of these procedures the following definitions shall apply:

(1) Consensus means general concurrence and, in addition, no substantive objection deemed valid by the Department.

(2) General concurrence means not less than 80 percent acceptance among those responding to the distribution for acceptance or rejection under paragraph (b) of this section in each of the following segments:

(i) Producers both by number and by estimated volume of production;

(ii) Distributors; and

(iii) Users, consumers and general interest groups.

(3) Substantive objection means an objection on grounds that one or more of the criteria set forth in § 10.2(a) has not been satisfied.

3. Amend Part 10 by adding a new § 10.5a to read as follows:

§ 10.5a Procedure when a recommended standard is not supported by a consensus.

If the Department determines that a recommended standard is not supported by a consensus, the Department may:

(a) Return the recommended standard to the Standard Review Committee for further action, with or without suggestions;

(b) Terminate the development of the recommended standard under these procedures;

(c) Publish a voluntary standard on its own initiative after a rule-making proceeding as provided by 5 U.S.C. 553 where there is not less than 66⅔ percent concurrence within each segment of the industry and upon a determination by the Secretary that the public interest would suffer if a voluntary standard or a revised voluntary standard, as the case may be, is not published. Such a standard may be based upon the recommended standard that was not supported by a consensus as well as any other relevant information. Any standard so published may be amended, revised, or withdrawn by the Department after appropriate rule-making proceeding under 5 U.S.C. 553.

(d) Report the failure to achieve consensus on the recommended standard to Congress with appropriate recommendations.

These proposals are issued under the authority of the Act of March 3, 1901, chapter 872, section 2, 31 Stat. 1449; as amended by the Act of July 22, 1950, chapter 486, section 1, 64 Stat. 371 (15 U.S.C. 272); Reorganization Plan No. 3 of 1946, Part VI.

Issued in Washington, D.C., on August 19, 1967.

ALLEN V. ASTIN,
Acting Assistant Secretary for Science and Technology.

[F.R. Doc. 67-9883; Filed, Aug. 21, 1967; 10:30 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 1]

DRUGS, DEVICES, AND COSMETICS

Statements Required on Labels

Section 4 of the Fair Packaging and Labeling Act (Public Law 89-755) authorizes the Secretary of Health, Education, and Welfare to promulgate regulations prescribing additional requirements pertaining to the declaration of net quantity of contents, identity of the commodity, and name and place of business of manufacturer, packer, or distributor on labels of foods, drugs, devices, and cosmetics distributed in interstate commerce. Regulations governing certain aspects of these same declarations have been previously promulgated (21 CFR Parts 1, 5) under the authority of the Federal Food, Drug, and Cosmetic Act.

In a notice of proposed rule making published in the FEDERAL REGISTER of March 17, 1967 (32 F.R. 4172), changes were proposed in the existing regulations pertaining to required label statements for foods. Also in that notice, an exempting procedure was proposed pertaining to required label statements for foods, drugs, devices, and cosmetics. These proposed amendments were acted upon in the order published in the FEDERAL REGISTER of July 21, 1967 (32 F.R. 10729), which established an exempting procedure for foods, drugs, devices, and cosmetics; set forth the requirements for label statements for foods; and established certain exemptions for foods. In the same issue of the FEDERAL REGISTER, a statement of policy (21 CFR 3.57) was published pertaining to the utilization of packages and labels not in compliance with labeling requirements of the Fair Packaging and Labeling Act.

Having ordered changes in the required label statements for foods, the Commissioner of Food and Drugs now proposes the following amendments regarding label statements for drugs, devices, and cosmetics.

Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (secs. 4, 6, 80 Stat. 1297, 1299, 1300; 15 U.S.C. 1453, 1455) and the authority provided in the Federal Food, Drug, and Cosmetic Act (secs. 502 (b), (c), 602 (b), (c), 701, 52 Stat. 1050, 1054, 1055, as amended; 21 U.S.C. 352 (b), (c), 362 (b), (c), 371), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), it is proposed that Part 1 be amended:

1. By adding new § 1.101a, as follows:

§ 1.101a Drugs and devices in package form; principal display panel.

The term "principal display panel" as it applies to drugs and devices in package form and as used in this part, means the part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale. The principal display panel shall be large enough to accommodate all the mandatory label information required to be placed thereon by this part with clarity and conspicuousness and without obscuring designs, vignettes, or crowding. Where packages bear alternate principal display panels, information required to be placed on the principal display panel shall be duplicated on each principal display panel. For the purpose of obtaining uniform type size in declaring the quantity of contents for all packages of substantially the same size, the term "area of the principal display panel" means the area of the side or surface that bears the principal display panel, which area shall be:

(a) In the case of a rectangular package where one entire side properly can be considered to be the principal display panel side, the product of the height times the width of that side;

(b) In the case of a cylindrical or nearly cylindrical container, 40 percent of the product of the height of the container times the circumference;

(c) In the case of any other shape of container, 40 percent of the total surface of the container.

In determining the area of the principal display panel, exclude flanges at tops and bottoms of cans and shoulders and necks of bottles or jars. In the case of cylindrical or nearly cylindrical containers, information required by this part to appear on the principal display panel shall appear within that 40 percent of the circumference which is most likely

to be displayed, presented, shown, or examined under customary conditions of display for retail sale.

2. By revising § 1.102 and adding new §§ 1.102a, 1.102b, 1.102c, and 1.102d, as follows:

§ 1.102 Prescription and insulin-containing drugs in package form; labeling re identity.

(a) The principal display panel of prescription and insulin-containing drugs in package form shall bear as one of its principal features a statement of the identity of the drug.

(b) Such statement of identity shall be in terms of the established name of the drug. An insulin-containing drug shall be further identified by placement on the outside container or wrapper of the package, and on the label of the immediate container, of the distinguishing color(s) required by § 164.7 of this chapter. In the case of a prescription drug that is a mixture and that has no established name, the requirement for statement of identity shall be deemed to be satisfied by a listing of the quantitative ingredient information as prescribed by § 1.104.

(c) The statement of identity shall be presented in bold type on the principal display panel, shall be in a size reasonably related to the most prominent printed matter on such panel, and shall be in lines generally parallel to the base on which the package rests as it is designed to be displayed. The statement of identity of a prescription drug shall also comply with the placement, size, and prominence requirements of § 1.104.

§ 1.102a Over-the-counter drugs and devices in package form; labeling re identity.

(a) The principal display panel of an over-the-counter drug or device in package form shall bear as one of its principal features a statement of the identity of the commodity.

(b) Such statement of identity shall be in terms of the established name of the drug or common name of the device. In the case of an over-the-counter drug that is a mixture and that has no established name, this requirement shall be deemed to be satisfied by a statement of the general pharmacological category of the drug (for example, antacid, analgesic, etc.) supplemented by a listing of each active ingredient contained therein. Such statement and listing shall be placed in direct conjunction with the most prominent display of the proprietary name or designation.

(c) The statement of identity shall be presented in bold type on the principal display panel, shall be in a size reasonably related to the most prominent printed matter on such panel, and shall be in lines generally parallel to the base on which the package rests as it is designed to be displayed.

§ 1.102b Drugs and devices in package form; labeling re name and place of business of manufacturer, packer, or distributor.

(a) The label of a drug or device in package form shall specify conspicuously the name and place of business of the manufacturer, packer, or distributor.

(b) The requirement for declaration of the name of the manufacturer, packer, or distributor shall be deemed to be satisfied, in the case of a corporation, only by the actual corporate name which may be preceded or followed by the name of the particular division of the corporation. In the case of an individual, partnership, or association, the name under which the business is conducted shall be used.

(c) Where a drug or device is not manufactured by the person whose name appears on the label, the name shall be qualified by a phrase that reveals the connection such person has with such drug or device; such as, "Manufactured for and packed by ------," "Distributed by ------," or any other wording that expresses the facts.

(d) The statement of the place of business shall include the street address, city, State, and ZIP Code; however, the street address may be omitted if it is shown in a current city directory or telephone directory.

(e) If a person manufactures, packs, or distributes a drug or device at a place other than his principal place of business, the label may state the principal place of business in lieu of the actual place where such drug or device was manufactured or packed or is to be distributed, unless such statement would be misleading.

§ 1.102c Prescription and insulin-containing drugs in package form; labeling re declaration of net quantity of contents.

(a) The label of a prescription or insulin-containing drug in package form shall bear a declaration of the net quantity of contents. This shall be expressed in the terms of weight, measure, numerical count, or a combination of numerical count and weight or measure. The statement of quantity of drugs in tablet, capsule, ampule, or other unit dosage form shall be expressed in terms of numerical count; the statement of quantity for drugs in other dosage forms shall be in terms of weight if the drug is solid, semisolid, or viscous, or in terms of fluid measure if the drug is liquid. When the drug quantity statement is in terms of the numerical count of the drug units, it shall be augmented when necessary to give accurate information as to the quantity of such drug in the package. Such combined statement (in terms, manner, or form that are not misleading) shall give the weight or measure of the drug units or the quantity of each active ingredient in each drug unit or, when quantity does not accurately reflect drug potency, a statement of the drug potency.

(b) Statements of weight of the contents shall in the case of prescription drugs be expressed in terms of avoirdupois pound, ounce, and grain or of kilogram, gram, and subdivisions thereof. A statement of liquid measure of the contents shall in the case of prescription drugs be expressed in terms of the U.S. gallon of 231 cubic inches and quart, pint, fluid-ounce, and fluid-dram subdivisions thereof, or of the liter and milliliter, or cubic centimeter, and shall express the volume at 68° F. (20° C.). A statement of the liquid measure of the contents in the case of insulin-containing drugs shall be expressed in terms of the liter and milliliter, or cubic centimeter, and shall express the volume at 68° F. (20° C.).

(c) The declaration shall contain only such fractions as are generally used in expressing the quantity of the drug. A common fraction shall be reduced to its lowest terms; a decimal fraction shall not be carried out to more than three places, except in the case of a statement of the quantity of an active ingredient in a unit of a drug.

(d) The declaration shall appear as a distinct item on the principal display panel of the label; with respect to packages bearing alternate principal display panels, it shall be duplicated on each principal display panel.

(e) The declaration shall accurately reveal the quantity of drug in the package exclusive of wrappers and other material packed therewith.

(f) A statement of the quantity of a prescription or insulin-containing drug in terms of weight or measure applicable to such drug, under the provisions of paragraph (a) of this section, shall express with prominence and conspicuousness the number of the largest whole unit, as specified in paragraph (b) of this section, that are contained in the package. Any remainder shall be expressed in terms of common or decimal fractions of such unit or in terms of the next smaller whole unit and common or decimal fractions thereof.

(g) The declaration of net quantity of contents shall express an accurate statement of the quantity of contents of the package. Reasonable variations caused by loss or gain of moisture during the course of good distribution practice or by unavoidable deviations in good manufacturing practice will be recognized. Variations from stated quantity of contents shall not be unreasonably large. In the case of a drug in ampules, the declaration shall be considered to express the minimum quantity and, if the drug is a liquid, the variation above the stated measure shall comply with the excess volume prescribed by the National Formulary or the United States Pharmacopeia for filling of ampules.

(h) A drug shall be exempt from compliance with the net quantity declaration required by this section if it is an ointment labeled "sample," "physician's sample," or a substantially similar statement and the contents of the package do not exceed 8 grams.

§ 1.102d Over-the-counter drugs and devices in package form; labeling re declaration of net quantity of contents.

(a) The label of an over-the-counter drug or device in package form shall bear a declaration of the net quantity of contents. This shall be expressed in the terms of weight, measure, numerical count, or a combination of numerical count and weight, measure, or size. The statement of quantity of drugs in tablet, capsule, ampule, or other unit form and

the quantity of devices shall be expressed in terms of numerical count; the statement of quantity for drugs in other dosage forms shall be in terms of weight if the drug is solid, semisolid, or viscous, or in terms of fluid measure if the drug is liquid. When the drug quantity statement is in terms of the numerical count of the drug units, it shall be augmented when necessary to give accurate information as to the quantity of such drug in the package. Such combined statement (in terms, manner, or form that are not misleading) shall give the weight or measure of the drug units or the quantity of each active ingredient in each drug unit (for example, "100 tablets, 5 grains each") or, when quantity does not accurately reflect drug potency, a statement of drug potency; provided that:

(1) In the case of a firmly established, general consumer usage and trade custom of declaring the quantity of a drug or device in terms of linear measure or measure of area, such respective term may be used. Such term shall be augmented when necessary for accuracy of information by a statement of the weight, measure, or size of the individual units or of the entire drug or device; for example, the net quantity of adhesive tape in package form shall be expressed in terms of linear measure augmented by a statement of its width.

(2) If the declaration of contents for a device by numerical count does not give accurate information as to the quantity of the device in the package, it shall be augmented by such statement of weight, measure, or size of the individual units or of the total weight, measure, or size of the device as will give such information; for example, "100 tongue depressors, adult size," "1-5 cc. hypodermic syringe," "1 finger splint, small size," etc.

Whenever the Commissioner determines for a specific packaged drug or device that an existing practice of declaring net quantity of contents by weight, measure, numerical count, or a combination of these does not facilitate value comparisons by consumers, he shall by regulation designate the appropriate term or terms to be used for such article.

(b) Statements of weight of the contents shall be expressed in terms of avoirdupois pound and ounce. A statement of liquid measure of the contents shall be expressed in terms of the U.S. gallon of 231 cubic inches and quart, pint, and fluid-ounce subdivisions thereof, and shall express the volume at 68° F. (20° C.).

(c) The declaration may contain common or decimal fractions. A common fraction shall be in terms of halves, quarters, eighths, sixteenths, or thirty-seconds; except that if there exists a firmly established, general consumer usage and trade custom of employing different common fractions in the net quantity declaration of a particular commodity, they may be employed. A common fraction shall be reduced to its lowest terms; a decimal fraction shall not be carried out to more than two places. A statement that includes small fractions of an ounce shall be deemed to permit smaller variations than one which does not include such fractions.

(d) The declaration shall be located on the principal display panel of the label, and with respect to packages bearing alternate principal panels it shall be duplicated on each principal display panel.

(e) The declaration shall appear as a distinct item on the principal display panel, shall be separated (by at least a space equal to the height of the lettering used in the declaration) from other printed label information appearing above or below the declaration and (by at least a space equal to twice the width of the letter "N" of the stype of type used in the quantity of contents statement) from other printed label information appearing to the left or right of the declaration. It shall not include any term qualifying a unit of weight, measure, or count (such as "giant pint" and "full quart") that tends to exaggerate the amount of the drug in the container. It shall be placed on the principal display panel within the bottom 30 percent of the area of the label panel in lines generally parallel to the base on which the package rests as it is designed to be displayed; provided that on packages having a principal display panel of 5 square inches or less, the requirement for placement within the bottom 30 percent of the area of the label panel shall not apply when the declaration of net quanity of contents meets the other requirements of this part.

(f) The declaration shall accurately reveal the quantity of drug or device in the package exclusive of wrappers and other material packed therewith; provided that in the case of drugs packed in containers designed to deliver the drug under pressure, the declaration shall state the net quantity of the contents that will be expelled when the instructions for use as shown on the container are followed. The propellant is included in the net quantity declaration.

(g) The declaration shall appear in conspicuous and easily legible boldface print or type in distinct contrast (by typography, layout, color, embossing, or molding) to other matter on the package; except that a declaration of net quantity blown, embossed, or molded on a glass or plastic surface is permissible when all label information is so formed on the surface. Requirements of conspicuousness and legibility shall include the specifications that:

(1) The ratio of height to width (of the letter) shall not exceed a differential of 3 units to 1 unit (no more than 3 times as high as it is wide).

(2) Letter heights pertain to upper case or capital letters. When upper and lower case or all lower case letters are used, it is the lower case letter "o" or its equivalent that shall meet the minimum standards.

(3) When fractions are used, each component numeral shall meet one-half the minimum height standards.

(h) The declaration shall be in letters and numerals in a type size established in relationship to the area of the principal display panel of the package and shall be uniform for all packages of substantially the same size by complying with the following type specifications:

(1) Not less than one-sixteenth-inch in height on packages the principal display panel of which has an area of 5 square inches or less.

(2) Not less than one-eighth-inch in height on packages the principal display panel of which has an area of more than 5 but not more than 25 square inches.

(3) Not less than three-sixteenths-inch in height on packages the principal display panel of which has an area of more than 25 but not more than 100 square inches.

(4) Not less than one-fourth inch in height on packages the principal display panel of which has an area of more than 100 square inches, except not less than one-half inch in height if the area is more than 400 square inches.

Where the declaration is blown, embossed, or molded on a glass or plastic surface rather than by printing, typing, or coloring, the lettering sizes specified in subparagraphs (1) through (4) of this paragraph shall be increased by one-sixteenth of an inch.

(i) On packages containing less than 4 pounds or 1 gallon and labeled in terms of weight or fluid measure:

(1) The declaration shall be expressed both in ounces, with identification by weight or by liquid measure and, if applicable (1 pound or 1 pint or more) followed in parentheses by a declaration in pounds for weight units, with any remainder in terms of ounces or common or decimal fractions of the pound (see examples set forth in paragraphs (k) (1) and (2) of this section), or in the case of liquid measure, in the largest whole units (quarts, quarts and pints, or pints, as appropriate) with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart (see examples set forth in paragraphs (k) (3) and (4) of this section). If the net weight of the package is less than 1 ounce avoirdupois or the net fluid measure is less than 1 fluid ounce, the declaration shall be in terms of common or decimal fractions of the respective ounce and not in terms of drams.

(2) The declaration may appear in more than one line. The term "net weight" shall be used when stating the net quantity of contents in terms of weight. Use of the terms "net" or "net contents" in terms of fluid measure or numerical count is optional. It is sufficient to distinguish avoirdupois ounce from fluid ounce through association of terms; for example, "Net wt. 6 oz." and "Net contents 6 fl. oz."

(j) On packages containing 4 pounds or 1 gallon or more and labeled in terms of weight or fluid measure, the declaration shall be expressed in pounds for weight units with any remainder in terms of ounces or common or decimal fractions of the pound; in the case of fluid measure, it shall be expressed in the largest whole unit (gallons, followed by common or decimal fractions of a gallon or by the next smaller whole unit or units (quarts or quarts and pints)) with any remainder in terms of fluid ounces

or common or decimal fractions of the pint or quart (see paragraph (k)(5) of this section).

(k) Examples:

(1) A declaration of 1½ pounds weight shall be expressed as "Net Wt. 24 oz. (1 lb. 8 oz.)," "Net Wt. 24 oz. (1½ lb.)" or "Net Wt. 24 oz. (1.5 lb.)."

(2) A declaration of three-fourths pound avoirdupois weight shall be expressed as "Net Wt. 12 oz."

(3) A declaration of 1 quart liquid measure shall be expressed as "Net contents 32 fl. oz. (1 qt.)" or "32 fl. oz. (1 qt.)."

(4) A declaration of 1¾ quarts liquid measure shall be expressed as "Net contents 56 fl. oz. (1 qt. 1½ pt.)" or "Net contents 56 fl. oz. (1 qt. 1 pt. 8 oz.)" but not in terms of quart and ounce such as "Net 56 fl. oz. (1 qt. 24 oz.)."

(5) A declaration of 2½ gallons liquid measure shall be expressed as "Net contents 2 gal. 2 qt.," or "Net contents 2.5 gallons" and not as "2 gal. 4 pt."

(l) For quantities, the following abbreviations and none other may be employed (periods and plural forms are optional):

gallon gal.	microgram mcg.
quart qt.	milliliter ml.
pint pt.	cubic centimeter cc.
ounce oz.	yard yd.
pound lb.	feet or foot ft.
grain gr.	fluid fl.
kilogram Kg.	square sq.
gram Gm.	weight wt.
milligram mg.or mgm.	

(m) On packages labeled in terms of linear measure, the declaration shall be expressed both in terms of inches and, if applicable (1 foot or more), the largest whole units (yards, yards and feet, feet). The declaration in terms of the largest whole units shall be in parentheses following the declaration in terms of inches and any remainder shall be in terms of inches or common or decimal fractions of the foot or yard. Examples are "86 inches (2 yd. 1 ft. 2 inches)," "90 inches (2½ yd.)," "30 inches (2.5 ft.)," etc.

(n) On packages labeled in terms of area measure, the declaration shall be expressed both in terms of square inches and, if applicable (1 square foot or more), the largest whole square unit (square yards, square yards and square feet, square feet). The declaration in terms of the largest whole units shall be in parentheses following the declaration in terms of square inches and any remainder shall be in terms of square inches or common or decimal fractions of the square foot or square yard; for example, "158 sq. inches (1 sq. ft. 14 sq. inches)."

(o) Nothing in this section shall prohibit supplemental statements at locations other than the principal display panel(s) describing in nondeceptive terms the net quantity of contents: *Provided*, That such supplemental statements of net quantity of contents shall not include any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of the drug or device contained in the package; for example, "giant pint" and "full quart." Dual or combination declarations of net quantity of contents as provided for in paragraphs (a) and (l) of this section are not regarded as supplemental net quantity statements and shall be located on the principal display panel.

(p) A separate statement of net quantity of contents in terms of the metric system of weight or measure is not regarded as a supplemental statement and an accurate statement of the net quantity of contents in terms of the metric system of weight or measure may also appear on the principal display panel or on other panels.

(q) The declaration of net quantity of contents shall express an accurate statement of the quantity of contents of the package. Reasonable variations caused by loss or gain of moisture during the course of good distribution practice or by unavoidable deviations in good manufacturing practice will be recognized. Variations from stated quantity of contents shall not be unreasonably large.

(r) A drug shall be exempt from compliance with the net quantity declaration required by this section if it is an ointment labeled "sample," "physician's sample," or a substantially similar statement and the contents of the package do not exceed 8 grams.

3. By adding new § 1.201a, as follows:

§ 1.201a Cosmetics in package form; principal display panel.

The term "principal display panel" as it applies to cosmetics in package form and as used in this part, means the part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale. The principal display panel shall be large enough to accommodate all the mandatory label information required to be placed thereon by this part with clarity and conspicuousness and without obscuring designs, vignettes, or crowding. Where packages bear alternate principal display panels, information required to be placed on the principal display panel shall be duplicated on each principal display panel. For the purpose of obtaining uniform type size in declaring the quantity of contents of all packages of substantially the same size, the term "area of the principal display panel" means the area of the side or surface that bears the principal display panel, which area shall be:

(a) In the case of a rectangular package where one entire side properly can be considered to be the principal display panel side, the product of the height times the width of that side;

(b) In the case of a cylindrical or nearly cylindrical container, 40 percent of the product of the height of the container times the circumference;

(c) In the case of any other shape of container, 40 percent of the total surface of the container.

In determining the area of the principal display panel, exclude flanges at tops and bottoms of cans and shoulders and necks of bottles or jars. In the case of cylindrical or nearly cylindrical containers, information required by this part to appear on the principal display panel shall appear within that 40 percent of the circumference which is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale.

4. By revising § 1.202 and adding new §§ 1.202a and 1.202b, as follows:

§ 1.202 Cosmetics in package form; labeling re identity.

(a) The principal display panel of a cosmetic in package form shall bear as one of its principal features a statement of the identity of the commodity.

(b) Such statement of identity shall be in terms of:

(1) The common or usual name of the cosmetic (for example "shampoo," "cologne," "lipstick," "perfume," "bath powder," etc.); or, in the absence thereof,

(2) A statement of functional characterization of the cosmetic that includes the intended cosmetic effect and the part of the body involved (for example "eyeliner eyebrow pencil," "after shave skin bracer," "nail enamel," "hand care lotion," etc.); or in lieu thereof,

(3) An appropriate illustration or vignette depicting the intended cosmetic effect and the part of the body involved.

(c) The statement of identity shall be presented in bold type on the principal display panel, shall be in a size reasonably related to the most prominent printed matter on such panel, and shall be in lines generally parallel to the base on which the package rests as it is designed to be displayed.

§ 1.202a Cosmetics in package form; labeling re name and place of business of manufacturer, packer, or distributor.

(a) The label of a cosmetic in package form shall specify conspicuously the name and place of business of the manufacturer, packer, or distributor.

(b) The requirement for declaration of the name of the manufacturer, packer, or distributor shall be deemed to be satisfied, in the case of a corporation, only by the actual corporate name, which may be preceded or followed by the name of the particular division of the corporation. In the case of an individual, partnership, or association, the name under which the business is conducted shall be used.

(c) Where the cosmetic is not manufactured by the person whose name appears on the label, the name shall be qualified by a phrase that reveals the connection such person has with such cosmetic; such as, "Manufactured for and packed by _____," "Distributed by _____," or any other wording that expresses the facts.

(d) The statement of the place of business shall include the street address, city, State, and ZIP Code; however, the street address may be omitted if it is shown in a current city directory or telephone directory.

(e) If a person manufactures, packs, or distributes a cosmetic at a place other than his principal place of business, the label may state the principal place of business in lieu of the actual place where such cosmetic was manufactured or

packed or is to be distributed, unless such statement would be misleading.

§ 1.202b Cosmetics in package form; labeling re declaration of net quantity of contents.

(a) The label of a cosmetic in package form shall bear a declaration of the net quantity of contents. This shall be expressed in terms of weight, measure, numerical count, or a combination of numerical count and weight or measure. The statement shall be in terms of fluid measure if the cosmetic is liquid, or in terms of weight if the cosmetic is solid, semisolid, or viscous, or a mixture of solid and liquid. If there is a firmly established, general consumer usage and trade custom of declaring the net quantity of a cosmetic by numerical count, linear measure, or measure of area, such respective term may be used. If there is a firmly established, general consumer usage and trade custom of declaring the contents of a liquid cosmetic by weight, or a solid, semisolid, or viscous cosmetic by fluid measure, it may be used. Whenever the Commissioner determines for a specific packaged cosmetic that an existing practice of declaring net quantity of contents by weight, measure, numerical count, or a combination of these does not facilitate value comparisons by consumers, he shall by regulation designate the appropriate term or terms to be used for such cosmetic.

(b) Statements of weight shall be in terms of avoirdupois pound and ounce. Statements of fluid measure shall be in terms of the U.S. gallon of 231 cubic inches and quart, pint, and fluid-ounce subdivisions thereof and shall express the volume at 68° F. (20° C.).

(c) When the declaration of quantity of contents by numerical count, linear measure, or measure of area does not give accurate information as to the quantity of cosmetic in the package, it shall be augmented by such statement of weight, measure, or size of the individual units or the total weight or measure of the cosmetic as will give such information.

(d) The declaration may contain common or decimal fractions. A common fraction shall be in terms of halves, quarters, eighths, sixteenths, or thirty-seconds; except that if there exists a firmly established, general consumer usage and trade custom of employing different common fractions in the net quantity declaration of a particular commodity, they may be employed. A common fraction shall be reduced to its lowest terms; a decimal fraction shall not be carried out to more than two places. A statement that includes small fractions of an ounce shall be deemed to permit smaller variations than one which does not include such fractions.

(e) The declaration shall be located on the principal display panel of the label; with respect to packages bearing alternate principal display panels, it shall be duplicated on each principal dislay panel; *Provided*, That:

(1) The principal display panel of a cosmetic marketed in a "boudoir-type" container including decorative cosmetic containers of the "cartridge," "pill box," "compact," or "pencil" variety, and those with a capacity of one-fourth ounce or less, may be considered to be a tear-away tag or tape affixed to the decorative container and bearing the mandatory label information as required by this part, but the type size of the net quantity of contents statement shall be governed by the dimensions of the decorative container; and

(2) The principal display panel of a cosmetic marketed on a display card to which the immediate container is affixed may be considered to be the display panel of the card, and the type size of the net quantity of contents statement is governed by the dimensions of the display card.

(f) The declaration shall appear as a distinct item on the principal display panel, shall be separated (by at least a space equal to the height of the lettering used in the declaration) from other printed label information appearing above or below the declaration and (by at least a space equal to twice the width of the letter "N" of the style of type used in the quantity of contents statement) from other printed label information appearing to the left or right of the declaration. It shall not include any term qualifying a unit of weight, measure, or count (such as "giant pint" and "full quart") that tends to exaggerate the amount of the cosmetic in the container. It shall be placed on the principal display panel within the bottom 30 percent of the area of the label panel in lines generally parallel to the base on which the package rests as it is designed to be displayed; provided that:

(1) On packages having a principal display panel of 5 square inches or less, the requirement for placement within the bottom 30 percent of the area of the label panel shall not apply when the declaration of net quantity of contents meets the other requirements of this part; and

(2) In the case of a cosmetic that is marketed with both outer and inner retail containers bearing the mandatory label information required by this part, and the inner container is not intended to be sold separately, the net quantity of contents placement requirement of this section applicable to such inner container is waived.

(g) The declaration shall accurately reveal the quantity of cosmetic in the package exclusive of wrappers and other material packed therewith; provided that in the case of cosmetics packed in containers designed to deliver the cosmetic under pressure, the declaration shall state the net quantity of the contents that will be expelled when the instructions for use as shown on the container are followed. The propellant is included in the net quantity declaration.

(h) The declaration shall appear in conspicuous and easily legible boldface print or type in distinct contrast (by typography, layout, color, embossing, or molding) to other matter on the package; except that a declaration of net quantity blown, embossed, or molded on a glass or plastic surface is permissible when all label information is so formed on the surface. Requirements of conspicuousness and legibility shall include the specifications that:

(1) The ratio of height to width (of the letter) shall not exceed a differential of 3 units to 1 unit (no more than 3 times as high as it is wide).

(2) Letter heights pertain to upper case or capital letters. When upper and lower case or all lower case letters are used, it is the lower case letter "o" or its equivalent that shall meet the minimum standards.

(3) When fractions are used, each component numeral shall meet one-half the minimum height standards.

(i) The declaration shall be in letters and numerals in a type size established in relationship to the area of the principal display panel of the package and shall be uniform for all packages of substantially the same size by complying with the following type specification:

(1) Not less than one-sixteenth inch in height on packages the principal display panel of which has an area of 5 square inches or less.

(2) Not less than one-eighth inch in height on packages the principal display panel of which has an area of more than 5 but not more than 25 square inches.

(3) Not less than three-sixteenth inch in height on packages the principal display panel of which has an area of more than 25 but not more than 100 square inches.

(4) Not less than one-fourth inch in height on packages the principal display panel of which has an area of more than 100 square inches, except not less than one-half inch in height if the area is more than 400 square inches.

Where the declaration is blown, embossed, or molded on a glass or plastic surface rather than by printing, typing, or coloring, the lettering sizes specified in subparagraphs (1) through (4) of this paragraph shall be increased by one-sixteenth of an inch.

(j) On packages containing less than 4 pounds or 1 gallon and labeled in terms of weight or fluid measure:

(1) The declaration shall be expressed both in ounces, with identification by weight or by liquid measure and, if applicable (1 pound or 1 pint or more) followed in parentheses by a declaration in pounds for weight units, with any remainder in terms of ounces or common or decimal fractions of the pound (see examples set forth in paragraphs (m) (1) and (2) of this section), or in the case of liquid measure, in the largest whole units (quarts, quarts and pints, or pints, as appropriate) with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart (see examples in paragraphs (m) (3) and (4) of this section). Net weight or fluid measure of less than one ounce shall be expressed in common or decimal fractions of the respective ounce and not in drams.

(2) The declaration may appear in more than one line. The term "net weight" shall be used when stating the net quantity of contents in terms

of weight. Use of the terms "net" or "net contents" in terms of fluid measure or numerical count is optional. It is sufficient to distinguish avoirdupois ounce from fluid ounce through association of terms; for example, "Net wt. 6 oz." and "Net contents 6 fl. oz."

(k) On packages containing 4 pounds or 1 gallon or more and labeled in terms of weight or fluid measure, the declaration shall be expressed in pounds for weight units with any remainder in terms of ounces or common or decimal fractions of the pound; in the case of fluid measure, it shall be expressed in the largest whole unit (gallons, followed by common or decimal fractions of a gallon or by the next smaller whole unit or units (quarts or quarts and pints)) with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart (see example in paragraph (m) (5) of this section).

(l) [Reserved]

(m) Examples:

(1) A declaration of 1½ pounds weight shall be expressed as "Net Wt. 24 oz. (1 lb. 8 oz.)," "Net Wt. 24 oz. (1½ lb.)," or "Net Wt. 24 oz. (1.5 lb.)."

(2) A declaration of three-fourths pound avoirdupois weight shall be expressed as "Net Wt. 12 oz."

(3) A declaration of 1 quart liquid measure shall be expressed as "Net contents 32 fl. oz. (1 qt.)."

(4) A declaration of 1¾ quarts liquid measure shall be expressed as "Net contents 56 fl. oz. (1 qt. 1½ pt.)" or "Net contents 56 fl. oz. (1 qt. 1 pt. 8 oz.)" but not in terms of quart and ounce such as "Net contents 56 fl. oz. (1 qt. 24 oz.)."

(5) A declaration of 2½ gallons liquid measure shall be expressed in the alternative as "Net contents 2 gal. 2 qt." and not as "2 gal. 4 pt."

(n) For quantities, the following abbreviations and none other may be employed (periods and plural forms are optional):

weight wt.	gallon gal.
square sq.	quart qt.
fluid fl.	pint pt.
feet or foot ft.	ounce oz.
yard yd.	pound lb.

(o) On packages labeled in terms of linear measure, the declaration shall be expressed both in terms of inches and, if applicable (1 foot or more), the largest whole units (yards, yards and feet, feet). The declaration in terms of the largest whole units shall be in parentheses following the declaration in terms of inches and any remainder shall be in terms of inches or common or decimal fractions of the foot or yard. Examples are "86 inches (2 yd. 1 ft. 2 inches)," "90 inches (2½ yd.)," "30 inches (2.5 ft.)," etc.

(p) On packages labeled in terms of area measure, the declaration shall be expressed in terms of square inches and, if applicable (one square foot or more), the largest whole square unit (square yards, square yards and square feet, square feet). The declaration in terms of the largest whole units shall be in parentheses following the declaration in terms of square inches and any remainder shall be in terms of square inches or common or decimal fractions of the square foot or square yard; for example, "158 sq. inches (1 sq. ft. 14 sq. inches)," etc.

(q) Nothing in this section shall prohibit supplemental statements at locations other than the principal display panel(s) describing in nondeceptive terms the net quantity of contents: *Provided*, That such supplemental statements of net quantity of contents shall not include any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of the cosmetic contained in the package; for example, "giant pint" and "full quart." Dual or combination declarations of net quantity of contents as provided for in paragraphs (a), (c), and (j) of this section (for example, a combination of net weight plus numerical count) are not regarded as supplemental net quantity statements and shall be located on the principal display panel.

(r) A separate statement of the net quantity of contents in terms of the metric system is not regarded as a supplemental statement and an accurate statement of the net quantity of contents in terms of the metric system of weight or measure may also appear on the principal display panel or on other panels.

(s) The declaration of net quantity of contents shall express an accurate statement of the quantity of contents of the package. Reasonable variations caused by loss or gain of moisture during the course of good distribution practice or by unavoidable deviations in good manufacturing practice will be recognized. Variations from stated quantity of contents shall not be unreasonably large.

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written comments, preferably in quintuplicate, on this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: August 10, 1967.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 67-9833; Filed, Aug. 21, 1967; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 8344]

AIRWORTHINESS DIRECTIVES

British Aircraft Corporation Model BAC 1-11 203/AE, 204/AF, and 212/AR Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to BAC 1-11 203/AE, 204/AF, and 212/AR airplanes. There have been reports of fuel leakage from the fuselage fuel feed pipe shroud following the assembly of the coupling at Station 630 which is within the pressurized area. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require the relocation of the coupling by moving the joint forward into the undercarriage bay.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before September 21, 1967, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to Model BAC 1-11 203/AE, 204/AF and 212/AR airplanes.

Compliance required within the next 3,000 hours' time in service after the effective date of this AD, unless already accomplished. To avoid the possibility of a fuel leak within the pressurized area, relocate the left and right fuel line couplings from Station 630 to a point 3 inches forward, in accordance with British Aircraft Corporation BAC 1-11 Service Bulletin No. 28-PM 2914, dated May 12, 1967, or later ARB-approved issue, or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region.

Issued in Washington, D.C., on August 14, 1967.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 67-9826; Filed, Aug. 21, 1967; 8:46 a.m.]

[14 CFR Part 39]

[Docket No. 8345]

AIRWORTHINESS DIRECTIVES

Avions Marcel Dassault Fan Jet Falcon Airplanes, Serial Nos. 1 Through 24

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Avions Marcel Dassault Fan Jet Falcon

airplanes, Serial Nos. 1 through 24. There have been instances of the ignition of the gases emitted by the batteries installed in these airplanes due to the accumulation of the gases in the battery cases, which have resulted in the distortion of the battery cases and covers. Since this condition is likely to exist or develop in other airplanes of the same type, the proposed airworthiness directive would require the incorporation of Avions Marcel Dassault Modification No. M.602 in order to provide inflight battery case ventilation.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before September 21, 1967, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

AVIONS MARCEL DASSAULT. Applies to Fan Jet Falcon airplanes, Serial Nos. 1 through 24.

Compliance required within the next 200 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent the accumulation of an explosive mixture of gases in the battery case, provide inflight battery case ventilation by incorporating Avions Marcel Dassault Modification No. M.602, as described by Avions Marcel Dassault Service Bulletin No. 108 (24-4), dated March 17, 1967, or later SGAC-approved revision, or an equivalent approval by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region.

Issued in Washington, D.C., on August 14, 1967.

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-9827; Filed, Aug. 21, 1967; 8:46 a.m.]

[14 CFR Part 39]

[Docket No. 8346]

AIRWORTHINESS DIRECTIVES

British Aircraft Corporation Model BAC 1-11 200 and 400 Series Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to BAC 1-11 200 and 400 Series airplanes. An investigation of the effect of the geometry change brought about by the incorporation of BAC Modification PM 1558 part (c) disclosed that the lower sidestay pin retaining bolt, P/N AC43-267, which was introduced by this modification is of too small a diameter and is subject to fatigue damage. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require the periodic inspection of retaining bolt P/N AC43-267 and its replacement at intervals not to exceed 15,000 landings, until it is replaced with a new type bolt, P/N AC43-399, which does not have a service life limitation.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before September 21, 1967, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

BRITISH AIRCRAFT. Applies to model BAC 1-11 200 and 400 Series Airplanes which incorporate Modification PM 1553 part (c).

Compliance required as indicated unless already accomplished.

To prevent fatigue damage of the lower sidestay pin retaining bolt, P/N AC43-267, accomplish the following:

(a) Within the next 200 landings after the effective date of this AD or before the accumulation of 5,000 landings, whichever occurs later, and thereafter at intervals not to exceed 5,000 landings from the last inspection, inspect the main landing gear lower sidestay retaining bolts, P/N AC43-267, for cracks, using the magnetic particle procedure or an FAA-approved equivalent, in accordance with British Aircraft Corp. BAC 1-11 Alert Service Bulletin 32-A-PM 2898, Issue 1, dated April 14, 1967, or later ARB-approved issue, or an FAA-approved equivalent.

(b) If defective retaining bolts, P/N AC43-267, are found during the inspection required by paragraph (a), before further flight replace the bolts with serviceable bolts of the same part number or new bolts, P/N AC43-399, in accordance with BAC 1-11 Service Bulletin No. 32-PM 2898, Revision 1, dated April 10, 1967, or later ARB-approved issue, or an FAA-approved equivalent.

(c) Before the accumulation of 15,000 landings, replace retaining bolts, P/N AC43-267, with serviceable bolts of the same part number or new bolts, P/N AC43-399. If bolts P/N AC43-267 are used as replacement bolts, inspect the bolts at intervals not to exceed 5,000 landings in accordance with paragraph (a) and replace the bolts at intervals not to exceed 15,000 landings.

(d) The repetitive inspections and replacements required by paragraphs (a) and (c) may be discontinued after the new bolts, P/N AC43-399, are installed. Retaining bolt P/N AC43-399 does not have a service life limitation.

(e) For the purpose of complying with this AD, subject to acceptance by the assigned FAA maintenance inspector, the number of landings may be determined by dividing each airplane's hours' time in service by the operator's fleet average time from takeoff to landing for the airplane type.

Issued in Washington, D.C., on August 14, 1967.

EDWARD C. HODSON,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-9828; Filed, Aug. 21, 1967; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Fairbanks 532]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

AUGUST 15, 1967.

The U.S. Department of Commerce, Environmental Science Services Administration, Washington Science Center, has filed an application, Serial Number Fairbanks 532, for withdrawal of the lands described below presently reserved under PLO's No. 882 and No. 1760, known as the "Fairbanks Weather Station Annex." These lands have been and will be withdrawn from all forms of appropriation under the public land laws, including the mining laws, mineral leasing laws, grazing laws and disposal of materials under the Materials Act of 1947 as amended. The applicant desires the land for use by the Coast and Geodetic Survey to improve and accelerate the geophysical observation program in Alaska.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the manager, Fairbanks District and Land Office, Bureau of Land Management, Department of the Interior, Post Office Box 1150, Fairbanks, Alaska 99701.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

He will also consider adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration of the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested. The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

FAIRBANKS MERIDIAN

T. 1 N., R. 1 W.,
Sec. 15, SW¼NW¼SW¼;
Sec. 16, all;
Sec. 17, SE¼.
T. 1 S., R. 1 E.,
Sec. 16, lots 1, 2, 3, 7, 8 and SE¼NE¼.
T. 1 N., R. 1 E.,
Sec. 33, all.

The above area totals 1862.54 acres.

CURTIS V. MCVEE,
Acting State Director.

[F.R. Doc. 67-9841; Filed, Aug. 21, 1967; 8:47 a.m.]

National Park Service

[Order No. 29, Amdt. 1]

CHIEF, DIVISION OF LANDS AND WATER RIGHTS

Delegation of Authority

Delegation. Order No. 29 approved September 13, 1963, and published in 28 F.R. 10306, September 20, 1963, set forth in sections (1), (2), and (3) certain authority delegated to the Chief, Division of Lands. This amendment is for the purpose of correcting the title of the official to whom authority is delegated from Chief, Division of Lands to Chief, Division of Land and Water Rights and for the purpose of adding section (4) as shown below:

(4) Execution, approval, and administration of contracts not in excess of $200,000 for appraisals, surveys and other services related to and required in the performance of his official functions, in conformity with statutory authority and applicable regulations and subject to the availability of funds.

(245 DM 1, 27 F.R. 6395; 5 U.S.C., sec. 22; sec. 2 of Reorganization Plan No. 3 of 1950)

Dated: August 4, 1967.

GEORGE B. HARTZOG, Jr.,
Director.

[F.R. Doc. 67-9815; Filed, Aug. 21, 1967; 8:45 a.m.]

[Order 41]

SUPERVISORY ARCHEOLOGIST

Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

Delegation. The Supervisory Archeologist of the Southeast Archeological Center located at Macon, Ga., may execute and approve contracts and purchase orders not in excess of $200,000 for supplies, equipment or services in conformity with applicable regulations and statutory authority and subject to the availability of appropriations.

(245 DM 1, 27 F.R. 6395; 5 U.S.C. sec. 22; sec. 2 of the Reorganization Plan No. 3 of 1950)

Dated: August 1, 1967.

GEORGE B. HARTZOG, Jr.,
Director.

[F.R. Doc. 67-9816; Filed, Aug. 21, 1967; 8:45 a.m.]

[Order No. 42]

CHIEFS, OFFICES OF DESIGN AND CONSTRUCTION

Delegation of Authority Regarding Execution, Approval, and Administration of Contracts

1. The Chiefs, Offices of Design and Construction, are authorized to execute, approve and administer contracts not in excess of $200,000 for architectural, landscape architectural, and engineering services and for construction in conformity with applicable policies, regulations, and statutory authorities and subject to availability of appropriated funds.

2. Redelegation: The Chiefs, Office of Design and Construction, may redelegate all or part of their contracting authority to the staff officials of the Office of Design and Construction who have direct responsibility for the construction contract program within the area served by the Office.

3. Revocation: This order revokes Orders 23 (27 F.R. 1581, Feb. 20, 1962), 25 (27 F.R. 1581, Feb. 20, 1962), and 33 (31 F.R. 769, Jan. 20, 1966).

(205 DM 11.1; 26 F.R. 11748)

Dated: August 4, 1967.

GEORGE B. HARTZOG, Jr.,
Director.

[F.R. Doc. 67-9817; Filed, Aug. 21, 1967; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CHEVRON CHEMICAL CO.

Notice of Withdrawal of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), the following notice is issued:

In accordance with § 120.8 *Withdrawal of petitions without prejudice* of the pesticide regulations (21 CFR 120.8), Chevron Chemical Co., Ortho Division, 940 Hensley Street, Richmond, Calif. 94801, has withdrawn its petition (PP 6F0492), notice of which was published

in the FEDERAL REGISTER of June 15, 1966 (31 F.R. 8380), proposing the establishment of tolerances for residues of the fungicide *cis-N*[(1,1,2,2-tetrachloroethyl) thio]-4-cyclohexene-1,2-dicarboximide in or on the raw agricultural commodities named:

50 parts per million in or on cherries (sour).
30 parts per million in or on apricots, nectarines, and peaches.
10 parts per million in or on tomatoes.
5 parts per million in or on cucumbers, melons, cherries (sweet), plums, and prunes.
0.1 part per million in or on cottonseed.

Dated: August 15, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-9831; Filed, Aug. 21, 1967; 8:46 a.m.]

STAUFFER CHEMICAL CO.

Notice of Withdrawal of Petition Regarding Pesticides

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), the following notice is issued:

In accordance with § 120.8 *Withdrawal of petitions without prejudice* of the pesticide regulations (21 CFR 120.8), the Stauffer Chemical Co., 1200 South 47th Street, Richmond, Calif. 94804, has withdrawn its petition (PP 7F0523), notice of which was published in the FEDERAL REGISTER of August 25, 1966 (31 F.R. 11241), proposing the establishment of tolerances for residues of the insecticide *N*-(mercaptomethyl)-phthalimide *S*-(*O,O*-dimethyl phosphorodithioate) in or on raw agricultural commodities as follows: 40 parts per million in or on alfalfa; 10 parts per million in or on apples, apricots, peaches, pears, and nectarines; 5 parts per million in or on cherries, plums, and prunes; and 0.1 part per million in or on meat and meat fat of cattle, goats, hogs, and sheep.

Dated: August 15, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-9832; Filed, Aug. 21, 1967; 8:47 a.m.]

Office of the Secretary

PUBLIC HEALTH SERVICE

Statement of Organization and Delegations of Authority

Effective August 15, 1967, Part 4 of the Statement of Organization and Delegations of Authority of the Department (32 F.R. 9739) are hereby amended as follows:

In section 4-C *Delegations of authority:*

Item (15) is deleted.

Item (16) is amended to read as follows:

The functions under Title II and the functions relating to grants for the construction of and the initial cost of professional and technical personnel for community mental health centers under Title IV of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 as amended (42 U.S.C. 2661 et seq.).

Approved: August 15, 1967.

[SEAL] JOHN W. GARDNER,
Secretary.

[F.R. Doc. 67-9834; Filed, Aug. 21, 1967; 8:47 a.m.]

SOCIAL AND REHABILITATION SERVICE

Statement of Organization and Delegations of Authority

Effective August 15, 1967, Part 5 (22 F.R. 1045), Part 9 (32 F.R. 10013), and Part 12 (32 F.R. 10473) of the Statement of Organization and Delegations of Authority of the Department, as amended, are hereby superseded, and Part 7 is hereby added to read as follows:

SEC. 7.00 *Mission.* The Social and Rehabilitation Service administers the Federal Government programs of providing technical and financial support to States, local communities, other organizations and individuals in the provision of social, rehabilitation, income maintenance and other necessary services to the aged and aging, children and youth, the disabled, and families in need.

SEC. 7.10 *Organization.* (a) The Social and Rehabilitation Service, under the supervision and direction of the Administrator, Social and Rehabilitation Service, consists of:

OFFICE OF THE ADMINISTRATOR

Immediate Office of the Administrator.
Deputy Administrator (Operations).
Deputy Administrator (Plans and Research).
Assistant Administrator (States Relations).
Office of Program Planning.
Office of Research and Demonstrations.
Office of Administration.
Rehabilitation Services Administration.
Children's Bureau.
Administration on Aging.
Medical Services Administration.
Assistance Payments Administration.

(b) Order of succession: During the absence or disability of the Administrator, Social and Rehabilitation Service, or in the event of a vacancy in that office, the first official listed below who is available shall act as Administrator, except during a period of planned absence for which a different order has been designated under (2) below:

(1) (a) Deputy Administrator (Operations).

(b) Deputy Administrator (Plans and Research).

(c) Assistant Administrator (States Relations).

(2) For a planned period of absence, the Administrator may specify a different order of succession.

SEC. 7.20 *Functions.* (a) Except as provided in section 2-30 and section 7-30 of this Statement, the Administrator shall exercise:

(1) The functions vested in the Secretary by Titles I, IV, V, X, XIV, and XVI of the Social Security Act, as amended (42 U.S.C. 301-306, 601-609, 701-731, 1201-1206, 1351-1355, 1381-1385), by Title XIX of the Act, as amended (42 U.S.C. 1396-1396d), subject to 1-965.30 of this Statement, by Title XVIII of the Act, as amended (42 U.S.C. 1395-1395ll), to the extent of the responsibilities assigned by section 1-965.20(c) of this Statement, and by Titles VII and XI of the Act, as amended (42 U.S.C. 902-907, 1301-1318), insofar as the provisions of such titles pertain to the mission of the Social and Rehabilitation Service as described in section 7.00 of this statement.

(2) The functions vested in the Secretary relating to the mission of the Social and Rehabilitation Service, as described in section 7.00 of this statement, under the Social Security Act which are not contained in the Act but which are contained in the following cited Acts:

(a) Section 618 of the Revenue Act of 1951, 65 Stat. 569, as amended by Public Law 86-778, section 603, 74 Stat. 992, and Public Law 87-543, sec. 141(e), 76 Stat. 205 (relating to public access to records of public assistance disbursements).

(b) Section 9 of the Act of April 19, 1950, Public Law 474, 81st Congress (relating to Navajo and Hopi Indians).

(c) Public Welfare Amendments of 1962, Public Law 87-543, 76 Stat. 172, sections 104(b), 105(c), and 141 (b) and (f).

(d) The Labor-Federal Security Appropriation Act, 1953, Public Law 452, 82d Congress, 2d Session, 66 Stat. 368, providing restriction on availability of allotments under Title V of the Social Security Act.

(e) Social Security Amendments of 1965, Public Law 89-97, 79 Stat. 286, sections 121(b), 406 and 407.

(f) Public Law 90-36, section 2 (extending certain authority in the public assistance programs until July 1, 1968).

(3) The functions vested in the Secretary by the Juvenile Delinquency and Youth Offenses Control Act of 1961 (Public Law 87-274, as amended, 42 U.S.C. 2541-2548).

(4) The functions vested in the Secretary by Public Law 86-571 (24 U.S.C. 321-329) (pertaining to hospitalization of mentally ill nationals returned from foreign countries) with the exception of the issuance of regulations under section 1(d)(2) (24 U.S.C. 321(d)(2)). (In exercising this authority, the Administrator shall work with the Surgeon General, Public Health Service, in arranging for appropriate use of its resources to provide the most effective and economical administration of this law.)

(5) The functions vested in the Secretary by letter dated September 1, 1960, to the Secretary of the Treasury from the Director, Bureau of the Budget, authorizing the carrying out of programs under section 104(k) (now sec. 104(b)

(3)) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)(3)), insofar as this authority pertains to the mission of the Social and Rehabilitation Service as described in section 7.00 of this statement: *Provided*, That this authority shall be exercised in accordance with applicable policies and procedures established by appropriate authorities to ensure consistency with basic foreign policy and with related Federal programs.

(6) The functions vested in the Secretary by section 4 of the International Health Research Act of 1960, Public Law 86-610, 74 Stat. 364, 22 U.S.C. 2102, with respect to responsibilities relating to the mission of the Social and Rehabilitation Service as described in section 7.00 of this statement: *Provided, however*, That such authority, with respect to the exercise of responsibilities under the entitled "An Act to Establish in the Department of Commerce and Labor a Bureau to be known as the Children's Bureau" (42 U.S.C. Chapter 6), shall be administered under the Administrator's supervision and direction through the Children's Bureau; provided further that this authority shall be exercised in accordance with applicable policies and procedures established by appropriate authorities to ensure consistency with basic foreign policy and with related Federal programs.

(7) The functions under Executive Order 11001, sections 3(g), (4), and those portions of sections 6, 7, 9, 10, 11, and 12 pertaining to emergency welfare and the development of preparedness programs covering rehabilitation of disabled survivors. In the performance of these emergency functions the Administrator shall coordinate the health activities of the Children's Bureau and the Rehabilitation Services Administration with the Surgeon General, Public Health Service, in order that preemergency plans shall be developed in consonance with postattack organizational plans and structure of the Department for the Emergency Health Services.

(8) The functions under the Migration and Refugee Assistance Act of 1962, Public Law 87-510, 76 Stat. 121, 22 U.S.C. 2601 delegated to the Secretary by Executive Order 11077 of January 22, 1963, effective as of July 1, 1962.

(9) The functions under the Economic Opportunity Act of 1964, Public Law 88-452, 78 Stat. 508 as amended, 42 U.S.C. 2701-2967, delegated to the Secretary pursuant to the Delegation of Authorities from the Director, Office of Economic Opportunity, dated October 24, 1964 (29 F.R. 14764, Oct. 29, 1964), pertaining to (a) the authority delegated to the Secretary under Title V, Work Experience Programs; and (b) the authority delegated to the Secretary contained in section 602 of such Act, to the extent the Administrator may deem such authority to be necessary or appropriate for carrying out such functions in exercise of the authority indicated in (a) above; provided (1) that such authority shall be exercised pursuant to policies, standards, criteria, and procedures jointly prescribed by the Director, Office of Economic Opportunity, and the Administrator; (2) that in exercising such authorities, preference shall, to the extent feasible, be given to programs and projects which are components of a community action program pursuant to Title II, Part A, of such Act; and (3) that such authorities shall be exercised subject to the reporting and coordination provisions of section 611 of such Act.

(10) Functions vested in the Secretary by the Vocational Rehabilitation Act, as amended (29 U.S.C. ch. 4).

(11) Functions of the Secretary as Chairman of the National Advisory Council on Vocational Rehabilitation and the National Advisory Council on Correctional Manpower and Training.

(12) Functions of the Secretary under the proviso of Public Law 88-605 under the heading, Vocational Rehabilitation Administration-Research and Training, relating to the recognition of contributed funds from private sources which are earmarked for the establishment of a particular rehabilitation facility or workshop under a State plan for vocational rehabilitation services.

(13) Functions under section 9 of the Federal Employees' Compensation Act, as amended (5 U.S.C. 759), retained in the Federal Security Administrator by Reorganization Plan No. 19 of 1950, and transferred to the Secretary by Reorganization Plan No. 1 of 1953.

(14) Functions transferred by Reorganization Plan No. 2 of 1946 and Reorganization Plan No. 1 of 1953, to the Secretary from the Office of Education and Commissioner of Education under the Act of June 20, 1936, 49 Stat. 1559 (Randolph-Sheppard Act, 20 U.S.C. ch. 6A).

(15) Functions vested in the Secretary by amendments to the statutes cited in Items 10-14, above, enacted subsequent to Reorganization Plan No. 1 of 1953.

(16) Authority vested in the Secretary under sections 637 and 654(a) of the Public Health Service Act, as amended, to approve applications and requests relating to rehabilitation facilities.

(17) The functions vested in the Secretary and the Administration on Aging by the Older Americans Act of 1965, as amended (42 U.S.C. 3001-3053).

(18) The functions under Title XVII of the Social Security Act, as amended (42 U.S.C. 1391 et seq.), relating to grants to States for planning comprehensive action to combat mental retardation.

(19) The functions under Parts B and C of Title I and the functions relating to grants for the construction of facilities for the mentally retarded of Title IV of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended (42 U.S.C. 2661 et seq.).

(20) Such of the authority under the Public Health Service Act, as amended, as is necessary to carry out the functions exercised, as of August 1, 1967, by the Division of Mental Retardation, Bureau of Health Services, Public Health Service, more particularly for the following purposes under the following sections of that Act:

(a) Section 301 (d) and (h), 42 U.S.C. 241 (d) and (h), to make grants for research or research training projects in the field of mental retardation recommended by the appropriate National Advisory Health Council; and

(b) Section 303(a), 42 U.S.C. 242(a), to make hospital improvement project grants, including institutional improvement project grants and inservice training project grants to hospitals or other institutions for the mentally retarded (such grants to be made only upon the recommendation of the National Advisory Mental Health Council and to be paid in advance or by way of reimbursement as may be determined by, and on such conditions as found necessary by, the Administrator of Social and Rehabilitation Service).

(b) The functions performed by the Children's Bureau under the Act of April 9, 1912, as amended, shall continue to be performed by the Chief of the Children's Bureau under the supervision and direction of the Administrator, Social and Rehabilitation Service.

(c) Continuation of other delegations: All other delegations heretofore made to the Commissioner of Welfare and the Commissioner of Vocational Rehabilitation shall be deemed to have been made to the Administrator, Social and Rehabilitation Service and all delegations to the Commissioner on Aging and the Chief of the Children's Bureau to have been made to the Administrator, Social and Rehabilitation Service and redelegated to the Commissioner on Aging and the Chief of the Children's Bureau, and all redelegations to any officer or employee of any of these former organizations shall be deemed to be continued in effect in them or their successors or in the officer or employee most closely identified with the former function.

(d) Advisory functions. All functions of committees (including councils, boards, and other advisory bodies) established as of August 15, 1967, serving in an advisory capacity to the Welfare Administration, the Vocational Rehabilitation Administration, and the Administration on Aging, are continued and revested in such committees.

SEC. 7.30 *Limitations on authority.* (a) The authority to appoint members to the Advisory Council on Public Welfare, the National Advisory Council on Vocational Rehabilitation, the National Policy and Performance Council, the National Commission on Architectural Barriers to Rehabilitation of the Handicapped, the National Advisory Council on Correctional Manpower and Training, and the Advisory Committee on Older Americans shall be exercised only by the Secretary.

(b) No State plan or amendment thereto submitted pursuant to any statute administered by the Social and Rehabilitation Service shall be finally disapproved without prior consultation and discussion by the Administrator with the Secretary.

(c) An application for designation as a State licensing agency under the Act of June 30, 1936, as amended (Randolph-Sheppard Act, 20 U.S.C. ch. 6A), shall

not be disapproved, nor shall a designation made pursuant to that Act be revoked without prior consultation and discussion by the Administrator with the Secretary.

SEC. 7.40 *Delegations of authority.* Authority contained in section 7.20 of this Statement may be redelegated by the Administrator to such officers and employees of the Social and Rehabilitation Service as he may deem appropriate.

SEC. 7.50 *Continuation of regulations.* All regulations, rules, orders or statements of policy or interpretation heretofore issued with respect to the Welfare Administration, the Vocational Rehabilitation Administration, and the Administration on Aging, are continued in full force and effect.

Approved: August 15, 1967.

[SEAL] JOHN W. GARDNER,
Secretary.

[F.R. Doc. 67-9835; Filed, Aug. 21, 1967; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-292]

GENERAL ELECTRIC TECHNICAL SERVICES CO., INC.

Notice of Issuance of Facility Export License

Please take notice that no request for a formal hearing having been filed following publication of notice of proposed action in the FEDERAL REGISTER on June 28, 1967 (32 F.R. 9178), the Atomic Energy Commission has issued License No. XR-66 to General Electric Technical Services Co., Inc., a wholly owned subsidiary of the General Electric Co., authorizing the export of a 439,300-kilowatt electrical, boiling water reactor to the Tokyo Electric Power Co., Inc., Tokyo, Japan. The export of this reactor to Japan is within the scope of and consistent with the terms of the present Agreement for Cooperation between the Governments of the United States and Japan.

Dated at Bethesda, Md., this 11th day of August 1967.

For the Atomic Energy Commission.

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

[F.R. Doc. 67-9810; Filed, Aug. 21, 1967; 8:45 a.m.]

[Docket No. 50-291]

WESTINGHOUSE ELECTRIC INTERNATIONAL CO.

Notice of Issuance of Facility Export License

Please take notice that no request for a hearing having been filed following publication of notice of proposed action in the FEDERAL REGISTER on June 28, 1967 (32 F.R. 9179), the Atomic Energy Commission has issued License No. XR-67 to Westinghouse Electric International Co., a division of the Westinghouse Electric Corp., authorizing the export of a 340,790-kilowatt electrical, nuclear power reactor to the Kansai Electric Power Co., Osaka, Japan. The export of this reactor to Japan is within the scope of and consistent with the terms of the present Agreement for Cooperation between the Governments of the United States and Japan.

Dated at Bethesda, Md., this 11th day of August 1967.

For the Atomic Energy Commission.

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

[F.R. Doc. 67-9811; Filed, Aug. 21, 1967; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18919; Order E-25538]

AMERICAN AIRLINES, INC., ET AL.

Order of Investigation and Suspension Regarding Proposed Increased Rates on Baby Poultry

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 16th day of August 1967.

By tariff revisions bearing various posting dates in July 1967, and marked to become effective September 1, 1967, American Airlines, Inc. (American), Trans World Airlines, Inc. (TWA), and United Air Lines, Inc. (United), propose to increase their rates on baby poultry. The Flying Tiger Line, Inc. (Tiger), by tariff filed August 8, 1967, to become effective September 7, 1967, proposes the same increase. The proposals, applicable to the entire systems of the various carriers, will raise the rates from the current levels of 175 percent of the applicable general commodity rates to 250 percent.

The justification presented by the carriers is essentially that (1) because of stacking losses, the current rates for baby poultry yield lower revenues per pallet or other type of container placed in the belly compartment of the aircraft than any other commodity; (2) even at the proposed increase in rates the revenue per pallet will rise only to the level of the lowest yield commodities; and (3) because of the perishability and certain other characteristics of the commodity, handling costs are high.

The carriers also refer to meetings they held with shippers of baby poultry subsequent to the Board's suspension of rate increases on baby poultry (identical to the current proposals), Order E-24210, September 22, 1966. These meetings were held, at the carriers' suggestion, to solve the physical problems relating to the transportation of baby poultry. According to the carriers' statement, the shippers asserted at the first meeting that they were committed to orders and prices for baby poultry through August 1967. Thereupon, the carriers withdrew their filings and the Board, at their request, dismissed the investigation. A further carrier-shipper meeting was reportedly held at which an agreement was reached as to the proper method of handling baby poultry on the ground. It is asserted that certain revisions in procedures were established, especially a reduction in the transit time and an increase in the number of boxes to be loaded on pallets.

American asserts that, based upon a traffic survey for February and May 1967, it is carrying 312,000 pounds of baby poultry annually yielding revenues of $52,000. The proposed increase, it adds, will result in annual revenues of $75,000, on the basis of the same traffic volume.

Complaints requesting investigation and suspension of the proposed rates of American, TWA, and United were received from the American Poultry and Hatchery Federation, The National Turkey Federation, and the Secretary of Agriculture.[1] Certain of these complaints requesting suspension of the filing of TWA and United were untimely,[2] and can be considered as requests for investigation only.

The complaints assert that the proposals involve sharp increases in rates but have not been fully justified. The complainants contend that data on costs, earnings, rate of return, need of the carriers for increased revenue, and other related data are essential to support the increases proposed but that such data have not been advanced. The complaints also assert that the proposed increases would substantially burden producers and shippers.

Upon consideration of the complaints and other relevant matters, the Board finds that the carriers' proposals may be unjust, unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. The Board, by Order E-24210, supra, suspended and set for investigation the identical proposal filed by American, TWA, United, and Continental. The carriers' justification was essentially the same as that submitted in support of their current proposals. However, certain of the carriers also claimed high claim losses as a reason for the previous filing. The Board based the foregoing action chiefly on the ground that the carriers'

[1] The complaints against Tiger's filing are due not later than Aug. 18, 1967.

[2] Under the Board's Procedural Regulations, 14 CFR 302.505, a complaint requesting suspension of any tariff ordinarily will not be considered unless filed within 12 days after posting date if such a date is indicated. Our rule also states that, in an emergency satisfactorily shown by complainant, and within the time limits provided, a telegraphic complaint may be submitted stating the grounds relied on but this complaint must immediately be confirmed by a complaint properly filed.

All of the complaints were late for TWA's filing, which was posted on July 18, 1967. The complaints were due July 31, 1967, but were filed on Aug. 8, 1967. Two of the complaints, first submitted in telegraphic form, were untimely (those of the American Poultry and Hatchery Federation and the National Turkey Federation) for United's filing inasmuch as they did not satisfactorily show the existence of an emergency.

justification was not adequate to support the increase proposed, which amounted to 43 percent above previous levels. The Board stated that the carriers' cost justification was deficient or altogether lacking.

In support of their current proposals, the carriers again present no cost figures, merely stating that large stacking losses and the perishable nature of baby poultry justify higher rates. They present a number of comparisons indicating that revenue per pallet from baby poultry at current rates are below revenues per pallet from rates for general commodities, for certain broad specific commodity groups, and for certain low-rated commodities. It is also shown that, even at the proposed rates, the revenues per pallet would generally be below those produced by other commodities. However, the amount of revenues produced by the carriage of other commodities is not a valid standard of reasonableness. The current cargo rate structure contains a wide range of rates for various commodities which are both above and below the general commodity rate. Mere reference to another rate or the revenues produced by it does not demonstrate the reasonableness of the proposed rate. Neither does such a comparison provide a justification for a 43 percent increase in rates, which are already 75 percent above the general commodity rates, which have existed for 6 years, and on which numerous shippers have relied in the conduct of their businesses.

The carriers also refer to certain discussions held with shippers to agree upon improved methods of handling baby poultry. The Board is aware that such meetings were held at the carriers' suggestion and that the carriers withdrew the rates proposed about a year ago, leading to the dismissal of the investigation instituted in Order E-24210, supra. However, neither the shippers nor the carriers have submitted any statements to the Board as to any agreements reached. While the carriers assert that they have agreed to improve their procedures of transporting baby poultry, it appears from the shippers' complaints that the objections of the latter to rate increases still exist.

In view of the insufficient justification for, and the extent of, the proposed increase in rates, the Board has decided to suspend the proposals pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof:

It is ordered, That:

1. An investigation be instituted to determine whether the ratings described in Appendix A below, and rules, regulations, and practices affecting such ratings, are or will be unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful ratings, and rules, regulations, or practices affecting such ratings;

2. Pending hearing and decision by the Board, the ratings described in Appendix A below are suspended and their use deferred to and including November 29, 1967, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The complaints by the American Poultry and Hatchery Federation in Docket 18888, the National Turkey Federation in Docket 18889, and the Secretary of Agriculture in Docket 18890 are dismissed, except to the extent granted herein;

4. The proceeding herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated; and

5. Copies of this order shall be filed with the tariffs, and served upon American Airlines, Inc., the Flying Tiger Line, Inc., Trans World Airlines, Inc., United Air Lines, Inc., American Poultry and Hatchery Federation, National Turkey Federation, and the Secretary of Agriculture, which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

APPENDIX A—TARIFF CAB NO. 8 (AGENT J. ANIELLO SERIES) ISSUED BY AIRLINE TARIFF PUBLISHERS, INC., AGENT

On 94th revised page 204: In Item No. 120, the Exception Rating to General Commodity Rates of 250 percent (of the general commodity rate) applicable to "Poultry, Baby" for account of "AA."

On 95th revised page 204: In Item No. 120, the Exception Rating to General Commodity Rates of 250 percent (of the general commodity rate) applicable to "Poultry, Baby" for account of "AA" and "FT."

On 93d revised page 205: In Item No. 520, the Exception Rating to General Commodity Rates of 250 percent (of the general commodity rate) applicable to "Poultry, Baby" for account of "TW."

On 94th revised page 205: In Item No. 520, the Exception Rating to General Commodity Rates of 250 percent (of the general commodity rate) applicable to "Poultry, Baby" for account of "TW" and "UA."

[F.R. Doc. 67-9839; Filed, Aug. 21, 1967; 8:47 a.m.]

[Docket No. 15459, etc.]

REOPENED PACIFIC NORTHWEST-SOUTHWEST SERVICE INVESTIGATION

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that public hearings in the Reopened Pacific Northwest-Southwest Service Investigation will be held on September 20, 1967, at 10 a.m., local time, in Room 106, State Office Building Auditorium, State Capitol, Salt Lake City, Utah, before Examiner Ross I. Newmann, for the purpose of enabling the civic parties to present their factual evidence. Unless special permission is obtained from the Examiner, each civic party shall present its case in Salt Lake City.

Notice is further given that any person, other than a party of record, may appear at this session and present factual evidence which is relevant to the issues in accordance with Rule 14 of the Board's rules of practice. All such participants should promptly notify the Examiner of their desire to be heard.

At the conclusion of the Salt Lake City session, the hearing will be moved to Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., where the airline and government parties will present their cases, beginning at 10 a.m., e.d.t., on October 3, 1967.

For details of the issues involved in this proceeding, interested persons are referred to the Board's opinion and order, dated April 11, 1967, Order E-24970; Order E-25266, dated June 7, 1967; Order E-25342, dated June 23, 1967; and Order E-25461, dated July 27, 1967; the prehearing conference report, served on June 9, 1967; the supplemental prehearing conference report, served on June 23, 1967; and other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., August 16, 1967.

[SEAL] ROSS I. NEWMANN,
Hearing Examiner.

[F.R. Doc. 67-9840; Filed, Aug. 21, 1967; 8:47 a.m.]

[Docket No. 18595]

ALM DUTCH ANTILLEAN AIRLINES

Notice of Further Postponement of Hearing

Notice is given herewith, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that public hearing in the above-entitled proceeding heretofore reassigned to be held on August 23, 1967, is hereby postponed until further notice.

Dated at Washington, D.C., August 17, 1967.

[SEAL] RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 67-9917; Filed, Aug. 21, 1967; 9:58 a.m.]

SECURITIES AND EXCHANGE COMMISSION

INTERAMERICAN INDUSTRIES, LTD.

Order Suspending Trading

AUGUST 16, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the capital stock of Interamerican Industries, Ltd., Calgary, Alberta, Canada, being traded in the United States 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 the United States in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 17, 1967, through August 26, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-9819; Filed, Aug. 21, 1967; 8:45 a.m.]

[81-79]

NATIONAL DOLLAR STORES, LTD.

Notice of and Order for Hearing on Application for Exemption

AUGUST 16, 1967.

Notice is hereby given that the National Dollar Stores, Ltd. (applicant), San Francisco, Calif., has filed an application with the Securities and Exchange Commission (Commission) pursuant to section 12(h) of the Securities Exchange Act of 1934, as amended (Exchange Act), for a finding that by reason of the small number of public investors in applicant and the limited amount of trading interest in the securities of applicant, as well as other facts pertaining to the close association between the investors and applicant and the availability of information from the applicant's annual reports, an exemption from the registration provisions of section 12(g) of the Exchange Act would not be inconsistent with the public interest or the protection of investors. Exemption from section 12(g) will have the additional effect of exempting applicant from sections 13 and 14 of the Exchange Act and any officer, director or beneficial owner of more than 10 percent of applicant's equity securities from section 16 of the Exchange Act.

Section 12(g) of the Exchange Act requires the registration of the equity securities of every issuer engaged in interstate commerce, or in a business affecting interstate commerce, or whose securities are traded by use of the mails or any means or instrumentality of interstate commerce, with certain exceptions, set forth therein, within 120 days of the last day of its first fiscal year on which each issuer has total assets exceeding $1 million, and a class of equity security held of record by 500 or more persons.

Section 12(h) of the Exchange Act empowers the Commission upon application of an interested person, by order after notice and opportunity for hearing, to exempt in whole or in part any issuer from the registration provisions of section 12(g) of the Exchange Act or from the periodic reporting and proxy soliciting provisions of sections 13 and 14 of the Exchange Act and from the reporting and trading provisions of section 16 of the Exchange Act, if the Commission finds, by reason of the number of investors, amount of trading interest in the securities, the nature and extent of the activities of the issuer, income or assets of the issuer, or otherwise that such exemption is not inconsistent with the public interest or the protection of investors.

The applicant's application states in part:

1. That applicant (formerly the National Dollar Stores, formerly China Toggery, Joe Shoong Co., Inc.), a California company with its principal place of business at 929 Market Street in San Francisco, was incorporated in 1921, and its principal business is the operation of department stores, which sell clothes and other dry goods.

2. That in 1966 applicant operated 39 stores in California; two stores in Arizona; two stores in Texas; three stores in Hawaii; and one store in Nevada. Applicant also holds various securities and real property for investment.

3. That applicant is a 100-percent owner of N.D.S. Development Corp., which is applicant's sole subsidiary.

4. That the authorized capital of applicant consists of 30,000 common shares, par value $100, of which there are 10,000 shares outstanding.

5. That applicant's only public offering occurred in 1928, at which time a limited number of shares of its common stock were sold to members of the Chinese community located principally in the San Francisco area.

6. That after 1929, the custom developed that when a shareholder of applicant's stock wished to sell all or part of his holding, he would make his wish known to the applicant or to Joe Shoong, founder and principal executive officer of the applicant. Joe Shoong would find purchasers for the shares, usually from among the employees of the applicant who usually were members of the Chinese community in San Francisco. Since the employees generally purchased only one share of stock, a substantial number of the employees of applicant held a single share of the applicant.

7. That as of January 31, 1967, the applicant had a total of 599 shareholders of record of which 456 shareholders were residents of the United States. It is the applicant's contention that the existence of fewer than 500 shareholders of record who are U.S. residents excludes the applicant from the requirements of section 12(g) of the Exchange Act in accordance with the intent of Congress.

8. That there is a lack of public interest in the securities of the applicant. In 1961, there were twenty (20) transfers involving the applicant's stock, and of the 20, five involved one share of stock, six involved two shares of stock, two involved four shares of stock, and two involved five shares of stock. There were only five transactions in the applicant's stock in 1961 involving more than five shares of stock. In 1966 there were only twenty-one (21) transfers, involving a total of 63 shares.

9. That relatively few of the investors in the applicant's stock have not been directly associated with the applicant or personally familiar with its operations.

10. That relatively few of the transactions of the applicant's stock have involved brokers. Consequently, one of the reasons for requiring registration, that is, dissemination of corporate information to the brokers and dealers, is lacking.

11. That Shoong Investment Co., an owner of 47.7 percent of the applicant's outstanding stock, is the only shareholder of record who owns more than 10 percent of the outstanding stock as of January 31, 1967.

12. That the applicant holds an annual shareholders' meeting in March of each year. Preceeding each meeting, notice is given to all shareholders of record. Also, an annual report, including financial statements, is submitted to all of the shareholders of record. The financial statements are certified by the applicant's independent public accountant who, in recent years, has been the firm of Arthur Andersen & Co.

For a more detailed statement of the information presented in the application all persons are hereby referred to the above captioned application which is on file in the offices of the Commission at 500 North Capitol Street, Washington, D.C.

It is ordered, Pursuant to section 12(h) of the Exchange Act, that a hearing on the aforesaid application be held at 10 a.m., P.d.s.t., September 19, 1967, at the regional office of the Commission, 450 Golden Gate Avenue, San Francisco, Calif. 94102. Any person desiring to be heard or otherwise wishing to participate in this proceeding is directed to file with the Secretary of the Commission, 500 North Capitol Street, Washington, D.C., his application as provided by Rule 9(c) of the Commission's rules of practice, on or before the date provided in said rule, setting forth any issues of fact or law which he desires to controvert or any additional issues which he deems raised by this notice and order or by such application.

It is further ordered, That these proceedings shall be presided over by a hearing officer to be designated by further order, who is authorized to perform all the duties of a hearing officer as set forth in the Commission's rules of practice or as otherwise authorized by law.

The Division of Corporation Finance has advised the Commission that it has made a preliminary examination of the application, and that upon the basis thereof the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

1. Whether the fact that the applicant has less than 500 shareholders of record who are U.S. residents is a reason to justify the requested exemption;

2. Whether the amount of trading interest, actual or potential, in applicant's securities is sufficiently limited to justify the requested exemption;

3. Whether adequate information is and will be available to investors concerning the financial and business affairs of applicant, the management of applicant, the principal holders of securities of

applicant, and the nature and description of applicant's securities; and

4. Generally, whether the requested exemption is consistent with the public interest and with the protection of investors.

It is further ordered, That at the aforesaid hearing attention be given to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing a copy of this notice and order by registered mail to the National Dollar Stores, Ltd., and its attorneys and that notice to all other persons be given by publication of this notice and order in the FEDERAL REGISTER, and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to those persons whose names appear on the mailing list for releases.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-9820; Filed, Aug. 21, 1967; 8:46 a.m.]

[File No. 1-1277]

PENROSE INDUSTRIES CORP.

Orders Suspending Trading

AUGUST 16, 1967.

The common stock $2 par value, of Penrose Industries Corp., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and the 5 percent cumulative convertible preferred stock, $20 par value of Penrose Industries Corp., 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 American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 17, 1967, through August 26, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-9821; Filed, Aug. 21, 1967; 8:46 a.m.]

[70-4525]

POTOMAC EDISON CO.

Notice of Proposed Issue and Sale of Notes to Bank

AUGUST 16, 1967.

Notice is hereby given that the Potomac Edison Co. ("Potomac"), 55 East Washington Street, Hagerstown, Md. 21740, a Maryland corporation and an electric utility subsidiary company of Allegheny Power System, Inc. ("APS"), a registered holding company, has filed with this Commission a declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 thereof and Rule 50(a)(2) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Potomac proposes to issue and sell from time to time prior to October 1, 1968, to Chemical Bank New York Trust Co., New York, N.Y., not for resale to the public, up to an aggregate of $7,500,000 principal amount of its promissory notes, each of which will be sold at its principal amount, will mature not later than 12 months from the date of its issue, will be prepayable at any time without penalty, and will bear interest at the New York commercial bank prime rate in effect on the date of its issue.

The net proceeds from the proposed notes will be used to provide funds for the construction program of Potomac and its subsidiaries, and to repay other short-term bank borrowings incurred therefor under the exemption afforded by the first sentence of section 6(b) of the Act. Construction costs for 1967 and 1968 are estimated at $63 million. The declaration represents that the net proceeds from any permanent debt financing effected prior to the maturity of any of the proposed notes will be applied, to the extent necessary, to the payment of all such notes then outstanding and thereafter no further notes will be issued pursuant to this declaration.

It is stated that no fees or expenses, other than ordinary expenses not to exceed $500.00, will be incurred in connection with the proposed transactions. It is further stated that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 12, 1967, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-9822; Filed, Aug. 21, 1967; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 435]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 17, 1967.

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 of Ex Parte No. MC 67 (49 CFR Part 340), 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 of 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 protests 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 10761 (Sub-No. 219 TA), filed August 14, 1967. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit, Mich. 48209. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Iron and steel and iron and steel articles and equipment, materials and supplies* used in the manufacture or processing of iron or steel articles, (1) serving Louisiana, Mo., Carlinville, Centralia, Irvington, and Sparta, Ill., as off-route points in connection with carrier's present authority to serve St. Louis, Mo., and (2) serving Clarksville, Ohio, as an off-route point in connection with carrier's present authority to serve Cincinnati, Ohio, for 180 days. NOTE: Carrier plans to tack this authority at St. Louis, Mo. and Cincinnati, Ohio, with its presently held authority. Supporting shipper: Valley

Steel Products Co., 105 South Ninth, St. Louis, Mo. 63102. Send protests to: District Supervisor Gerald J. Davis, Bureau of Operations, Interstate Commerce Commission, 1110 Broderick Tower, 10 Withherell, Detroit, Mich. 48226.

No. MC 107496 (Sub-No. 582 TA), filed August 14, 1967. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way at Third, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand*, in bulk, in pneumatic tank vehicles, from Hanover, Wis., and points within 5 miles thereof, to Rockford, Belvidere, North Chicago, Galena, and East Dubuque, Ill., for 180 days. Supporting shipper: Lyle T. Manley Co., Inc., Hanover, Wis. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 227 Old Federal Office Building, Des Moines, Iowa 50309.

No. MC 110988 (Sub-No. 241 TA), filed August 14, 1967. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. 54956. Applicant's representative: David A. Petersen (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lignin liquor (spent sulphite liquor)*, from Oconto Falls, Wis., to points in Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New York, North Dakota, Ohio, Pennsylvania, South Dakota; and to Wisconsin for subsequent rail movement beyond, for 180 days. Supporting shipper: Scott Paper Co., Philadelphia, Pa. 19113. Send protests to: District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 111401 (Sub-No. 233 TA), filed August 14, 1967. Applicant: GREEN-DYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Alvin Hamilton, Enid, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, and fertilizer compounds*, dry and in bulk, from Etter, Tex., to points in Oklahoma, for 180 days. Supporting shipper: Phillips Petroleum Co., Bartlesville, Okla. Send protests to: C. L. Phillips, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 350 American General Building, 210 North West Sixth, Oklahoma City, Okla. 73102.

No. MC 112184 (Sub-26 TA), filed August 14, 1967. Applicant: THE MANFREDI MOTOR TRANSIT COMPANY, a corporation, Route 87, Newbury, Ohio 44065. Applicant's representative: J. J. Kuhner, 21111 Chagrin Boulevard, Cleveland, Ohio, and John P. McMahon, 100 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paints, stains, and varnishes*, in bulk, in tank vehicles, from Cleveland, Ohio, to Belvidere, Ill; for 180 days. Supporting shipper: Pittsburgh Plate Glass Co., 1 Gateway Center, Pittsburgh, Pa. 15222. Send protests to: District Supervisor G. J. Baccei, Interstate Commerce Commission, Bureau of Operations, 435 Federal Building, 215 Superior Avenue, Cleveland, Ohio 44114.

No. MC 119830 (Sub-No. 2 TA), filed August 11, 1967. Applicant: L. A. LAMBRECHT TRUCKING CO., Post Office Box 273, Sterling, Ill. 61081. Applicant's representative: Kenneth F. Dudley, 901 South Madison Avenue, Post Office Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel products* from Sterling and Rock Falls, Ill., to points in Indiana and Wisconsin, those in that part of Minnesota on and south of U.S. Highway 14; and those in Missouri on and north of a line beginning at St. Louis, Mo., and extending along U.S. Highway 66 to Lebanon, Mo., thence along Missouri Highway 5 to Camdenton, Mo., and thence along U.S. Highway 54 to the Missouri-Kansas State line; for 180 days. Supporting shipper: Northwestern Steel & Wire Co., Sterling, Ill. 61081. Send protests to: Andrew J. Montgomery, District Supervisor, Interstate Commerce Commission, Bureau of Operations, U.S. Courthouse and Federal Office Building, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 120449 (Sub-4 TA), filed August 14, 1967. Applicant: PETER P. DECASPER, JR., AND HERMAN DECASPER, a partnership, doing business as DeCasper Delivery, 3 River Street, Post Office Box 230, Bradford, Pa. 16701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty composite fiberboard cans;* set up, with or without metal tops or bottoms, from Bradford, Pa., to Erie, Pa., to site of Norfolk & Western Railroad ramp for subsequent rail service; for 150 days. Supporting shipper: R. C. Can Co., 105 Bolivar Drive, Bradford, Pa. 16701. Send protests to: Frank L. Calvary, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2109 Federal Building, Pittsburgh, Pa. 15222.

No. MC 125161 (Sub-7 TA), filed August 14, 1967. Applicant: UNITED FREIGHTWAYS, INC., 671 Chestnut Street, North Andover, Mass. 01845. Applicant's representative: George C. O'Brien, 33 Broad Street, Boston, Mass. 02109. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fishmeal*, in bulk, from Point Judith and Peacedale, R.I., to Portland, Maine; Concord, Greenfield, and Manchester, N.H.; Brattleboro, Richford, and St. Albans, Vt.; Greenfield, Marlboro, Fitchburg, Taunton, West Springfield, and Wrentham, Mass.; Manchester, Montville, and Yantic, Conn.; Albany, Cayuga, and Waverly, N.Y.; Greenville, Gettysburg, and Winfield, Pa.; for 180 days. Supporting shipper: Boston Feed Supply, 177 Milk Street, Boston, Mass. 02109. Send protests to: District Supervisor Maurice C. Pollard, Interstate Commerce Commission, Bureau of Operations, John P. Kennedy Building, Government Center, Boston, Mass. 02203.

No. MC 126283 (Sub-1 TA), filed August 14, 1967. Applicant: BERGEN-PASSAIC AIR EXPRESS, INC., 124 East Columbia Avenue, Palisades Park, N.J. 07650. 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: *Commodities* warehoused by and shipped from the facilities of Minnesota Mining & Manufacturing Co. located at Ridgefield, N.J., to points in Rockland and Westchester Counties, N.Y., and points in Connecticut; for 150 days. Supporting shipper: Minnesota Mining & Manufacturing Co. (3M Company), 700 Grand Avenue, Ridgefield, N.J. 07657. Send protests to: District Supervisor Joel Morrows, Bureau of Operations, Interstate Commerce Commission, 1060 Broad Street, Newark, N.J. 07102.

No. MC 129214 (Sub-No. 2 TA), filed August 11, 1967. Applicant: CAVES TRUCKING COMPANY, INC., Post Office Box 206, Wild Rose, Wis. 54984. Applicant's representative: Edward Solie, 4513 Vernon Boulevard, Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Shavings and sawdust*, in bulk, from Wild Rose, Wis., to Rockford, Ill., and points within 5 miles thereof; for 150 days. Supporting shipper: Kieckhefer Boxes, Inc., Wild Rose, Wis. 54984. Send protests to: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 214 North Hamilton Street, Madison, Wis. 53703.

No. MC 129223 (Sub-No. 1 TA), filed August 11, 1967. Applicant: LESLIE A. PHILLIPS, 3836 Cogswell Road, El Monte, Calif. 91732. Applicant's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. 90027. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wheelless campers* designed to be mounted on a motor vehicle, from South El Monte and Industry, Calif., to points in Arizona, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, and Washington over irregular routes; for 180 days. Supporting shippers: Tear Drop, Inc., 2200 North Merced Avenue, South El Monte, Calif. 91733; Royal Coachman, Will-Bar Industries, Inc., 10915 East Rush Street, South El Monte, Calif. 91733. Send protests to: Wm. J. Huetig, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 129323 TA, filed August 11, 1967. Applicant: MERCHANTS MOVING COMPANY OF FAYETTEVILLE, INC., 501 Emmett Street, Fayetteville, N.C. 28301. Applicant's representative: Robt. J. Gallagher, Professional Building, 66 Central Street, Wellesley, Mass. 02181. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in

North Carolina, restricted to shipments moving on the through bill of lading of a forwarder operating under section 402 (b) (2) exemption, and having an immediate, prior or subsequent line haul movement by rail, motor, water, or air. The proposed service is limited to providing a local service for a forwarder of used household goods; for 180 days. Supporting shipper: Rocky Ford Moving Vans, Inc., 510 South Big Spring, Post Office Box 11, Midland, Tex. 79701. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 10885, Cameron Village Station, Raleigh, N.C., 27605.

No. MC 129324 TA, filed August 11, 1967. Applicant: TAYLOR MOORE'S EXPRESS COMPANY, 9 Hilcrest Lane, Willingboro, N.J. 08046. Applicant's representative: Raymond A. Thistle, Jr., Suite 1710, 1500 Walnut Street, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Refrigerated food and food products*, from Philadelphia, Pa., to points in Camden, Burlington, Atlantic, and Cape May, Counties, N.J.; for 180 days. Supporting shippers: Pierce & Reese, 130–132 North Delaware Avenue, Philadelphia, Pa.; Stein Henry Co., 146 West Laurel Street, Philadelphia, Pa. 19123; Kaplan's Prime Meats, Inc., 982–88 North Delaware Avenue, Philadelphia, Pa. 19139; Milden & White, Inc., 1224 North Ninth Street, Philadelphia, Pa. 19122; Geo L. Wells, Inc., 402–404 North Second Street, Philadelphia, Pa. 19123; Diamond Meat Co., Inc., 2060–66 East Tioga Street, Philadelphia, Pa. 19134. Send protests to: District Supervisor Raymond T. Jones, 410 Post Office Building, Interstate Commerce Commission, Bureau of Operations, 402 East State Street, Trenton, N.J. 08608.

No. MC 129327 TA, filed August 14, 1967. Applicant: BILL WALLER, doing business as BILL WALLER TRUCKING COMPANY, Route 2, Jonesboro, Tenn. 37659. Applicant's representative: Jackson C. Raulston, 129 East New Street, Kingsport, Tenn. 37660. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bread, pies, cakes and other bakery products and raw materials* used by bakeries, from Kingsport, Tenn., to points in North Carolina, Virginia, West Virginia, Georgia, South Carolina, and Kentucky; for 150 days. Supporting shipper: Modern Bakery, Inc., Kingsport, Tenn. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn. 37203.

MOTOR CARRIERS OF PASSENGERS

No. MC 228 (Sub-62 TA), filed August 14, 1967. Applicant: HUDSON TRANSIT LINES, INC., 17 Franklin Turnpike, Mahwah, N.J. 07430. Applicant's representative: John R. Sims, Jr., 1700 Pennsylvania Avenue NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, and their baggage, express* and *newspapers* in the same vehicle, between junction U.S. Highway 209 and U.S. Highway 44 at or near Kerhonkson, N.Y., and junction Interstate Highway 87 and New York Highway 17K (Interchange 17) at or near Newburgh, N.Y., serving all intermediate points. From junction U.S. Highway 209 and U.S. Highway 44 at or near Kerhonkson, N.Y., over U.S. Highway 44 to its junction with New York Highway 299, thence over New York Highway 299 to its junction with Interstate Highway 87, at Interchange 18, near New Paltz, N.Y., thence over Interstate Highway 87 to Junction Interstate Highway 87 and New York State Highway 17K (Interchange 17) at or near Newburgh, N.Y., and return over the same route. Between Accord, N.Y., and Ulster County Community College, at or near Stone Ridge, N.Y., serving all intermediate points: From Accord, over U.S. Highway 209 to junction U.S. Highway 209 and County Road 72, at or near Stone Ridge, thence over County Road 72 (a distance of approximately 1 mile) to the entrance of Ulster County Community College, and return over the same route; for 180 days. Supporting shipper: There are 12 individual bus passengers whose names and addresses are on file in the Newark, N.J., ICC office or the Washington, D.C., office, supporting this application. NOTE: Applicant intends to tack this authority. Send protests to: District Supervisor Joel Morrows, Interstate Commerce Commission, Bureau of Operations, 1060 Broad Street, Room 363, Newark, N.J. 07102.

By the Commission.

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

[F.R. Doc. 67-9837; Filed, Aug. 21, 1967; 8:47 a.m.]

[Notice 26]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 17, 1967.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 279), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–69675. By order of August 14, 1967, the Transfer Board approved the transfer to David W. Dodson and Karl D. Crawford, a partnership, doing business as A-Emergency Tow Service, 3280 Oak Street, Kansas City, Mo., of the certificate in No. MC–116178 (Sub-No. 1), issued September 9, 1958, to Ervin Davis, doing business as A-Emergency Tow Service, 3280 Oak Street, Kansas City, Mo., authorizing the transportation of: Wrecked, damaged or disabled motor vehicles and trailers, and replacement motor vehicles and trailers to points of wreck, damage or disablement, by the use of wrecking equipment only, between points in Iowa, Kansas, Missouri, Nebraska, and Oklahoma.

No. MC–FC–69837. By order of August 14, 1967, the Transfer Board approved the transfer to Wilson Fore Trucking Co., a corporation, Post Office Box 606, Healdton, Okla., of the operating rights in certificate No. MC–58751 (Sub-No. 3), issued August 4, 1964, to Wilson Fore, Post Office Box 606, Healdton, Okla., authorizing transportation, over irregular routes, of oilfield equipment and supplies, and commodities, the transportation of which because of their size or weight requires the use of special equipment or handling, and parts thereof, between points in 18 specified counties in Oklahoma with exceptions.

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

[F.R. Doc. 67-9838; Filed, Aug. 21, 1967; 8:47 a.m.]

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