FEDERAL REGISTER

VOLUME 32 • NUMBER 172

Wednesday, September 6, 1967 • Washington, D.C.

Pages 12739–12782

(Part II begins on page 12777)

Agencies in this issue—

Detailed list of Contents appears inside.

FEDERAL REGISTER

Area Code 202 Phone 962-8626

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

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

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.

Contents

(Continued on next page)

List of CFR Parts Affected

(Codification Guide)

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

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.

7 CFR

201 12778
910 12743
927 12743
958 12743
1099 12744
1421 (3 documents) 12744, 12745

PROPOSED RULES:

26 12755

12 CFR

PROPOSED RULES:

215 12758

14 CFR

39 12746
93 12747
95 12747

16 CFR

15 (2 documents) 12750

PROPOSED RULES:

153 12759

19 CFR

4 12750

21 CFR

20 12750
120 12751
121 (2 documents) 12751

PROPOSED RULES:

3 12756

43 CFR

PUBLIC LAND ORDER:

4265 12752

46 CFR

531 12753

PROPOSED RULES:

401 12756

49 CFR

101 12752

50 CFR

32 12754

Rules and Regulations

Title 7—AGRICULTURE

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

[Lemon Reg. 282, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(a) *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) 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.

(b) *Order, as amended.* The provisions in paragraph (b)(1)(ii) of § 910.582 (Lemon Regulation 282, 32 F.R. 12438) are hereby amended to read as follows:

§ 910.582 Lemon Regulation 282.

* * * * *

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

(ii) District 2: 232,500 cartons.

* * * * *

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

Dated: August 31, 1967.

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

[F.R. Doc. 67-10407; Filed, Sept. 5, 1967; 8:49 a.m.]

PART 927—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

Expenses and Rate of Assessment and Carryover of Unexpended Funds

On August 18, 1967, notice of rule making was published in the FEDERAL REGISTER (32 F.R. 11957) regarding proposed expenses and the related rate of assessment for the period beginning July 1, 1967, and ending June 30, 1968, pursuant to the marketing agreement, as amended, and Order No. 927, as amended (7 CFR Part 927), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 927.207 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and necessary to be incurred by the Control Committee during the period July 1, 1967, through June 30, 1968, will amount to $41,635.38.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 927.41, is fixed at $0.01 per standard western pear box of pears, or an equivalent of pears in other containers or in bulk.

(c) *Reserve.* Unexpended assessment funds, in excess of expenses incurred during the fiscal period ended June 30, 1967, in the amount of $13,024.72, shall be carried over as a reserve in accordance with applicable provisions of § 927.42.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of fresh pears are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable pears handled during the aforesaid period; and (3) such period began on July 1, 1967, and the rate of assessment will automatically apply to all such pears beginning with such date.

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

Dated: August 31, 1967.

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

[F.R. Doc. 67-10409; Filed, Sept. 5, 1967; 8:49 a.m.]

PART 958—ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO, AND MALHEUR COUNTY, OREG.

Expenses and Rate of Assessment

Notice of rule making regarding the proposed expenses and rate of assessment to be effective under Marketing Agreement No. 130 and Order No. 958 (7 CFR Part 958), regulating the handling of onions grown in designated counties in Idaho and Malheur County, Oreg., was published in the FEDERAL REGISTER August 9, 1967 (32 F.R. 11475). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons an opportunity to submit data, views, or arguments pertaining thereto not later than 15 days following publication in the FEDERAL REGISTER. None was filed.

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

§ 958.211 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period beginning July 1, 1967, and ending June 30, 1968, by the Idaho-Eastern Oregon Onion Committee for its maintenance and functioning, and for such purposes as the Secretary determines to be appropriate will amount to $8,275.

(b) The rate of assessment to be paid by each handler in accordance with the Marketing Agreement and this part shall be three-tenths of one cent ($0.003) per hundredweight of onions handled by him as the first handler thereof during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending June 30, 1968, may be carried over as a reserve.

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

It is hereby found that good cause exists for not postponing the effective

date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the relevant provisions of said marketing agreement and this part require that rates of assessment fixed for a particular fiscal period shall be applicable to all assessable onions from the beginning of such period, and (2) the current fiscal period began on July 1, 1967, and the rate of assessment herein fixed will automatically apply to all assessable onions beginning with such date.

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

Dated: August 31, 1967.

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

[F.R. Doc. 67-10408; Filed, Sept. 5, 1967; 8:49 a.m.]

Chapter X—Consumer and Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 99]

PART 1099—MILK IN PADUCAH, KY., MARKETING AREA

Order Amending Order

§ 1099.0 Findings and determinations.

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

(a) *Findings upon the basis of the hearing record.* 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), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Paducah, Ky., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

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

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than September 1, 1967. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the marketing area.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator, Regulatory Programs, was issued August 8, 1967, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued August 28, 1967. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective September 1, 1967, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (5 U.S.C. 553(d)(1966))

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Paducah, Ky., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

1. In § 1099.51, paragraph (a) is revised to read as follows:

§ 1099.51 Class prices.

* * * * *

(a) *Class I milk price.* The price per hundredweight of Class I milk for the month shall be the Class I price pursuant to Part 1062 of this chapter (St. Louis, Missouri) plus 25 cents; and

* * * * *

§ 1099.86 [Amended]

2. In § 1099.86, paragraph (b) is deleted.

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

Effective date: September 1, 1967.

Signed at Washington, D.C., on August 30, 1967.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 67-10364; Filed, Sept. 5, 1967; 8:45 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

SUPPORT RATES, PREMIUMS, AND DISCOUNTS

Correction

In F.R. Doc. 67-9723 appearing at page 12046 in the issue of Tuesday, August 22, 1967, the following corrections should be made in § 1421.2974(a):

1. The Mississippi county now reading "Pentotoc" should read "Pontotoc".

2. The Missouri county now reading "Case" should read "Cass".

[CCC Grain Price Support Regs., 1967 and Subsequent Crops Peanut Farm-Stored Loan and Purchase Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1967 and Subsequent Crops Peanut Farm-Stored Loan and Purchase Program

The General Regulations Governing Price Support for 1964 and Subsequent Crops of Grain and Similarly Handled Commodities (Revision 1) (31 F.R. 5941) and any amendments thereto (hereinafter referred to in this subpart as "the general regulations") issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support loan and purchase operations are supplemented for the 1967 and subsequent crops of peanuts as follows:

Sec.
1421.3613 Purpose.
1421.3614 Availability.
1421.3615 Eligible peanuts.
1421.3616 Determination of type and quality of farmers stock peanuts.
1421.3617 Quantity eligible for farm-stored loan.
1421.3618 Determination of quantity.
1421.3619 Price support rates.
1421.3620 Delivery charge.
1421.3621 Maturity of loans.
1421.3622 Settlement.

AUTHORITY: The provisions of this subpart issued under secs. 4 and 5, 62 Stat. 1070, as amended; secs. 101, 401, 403, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1421, 1423, 1425.

§ 1421.3613 Purpose.

This subpart and the general regulations, to the extent that the provisions thereof are not made inapplicable by the provisions of this subpart, contain the terms and conditions under which CCC will make farm-stored peanut loans to, and purchases from, eligible producers of eligible 1967 and subsequent crops of farmers stock peanuts. Notwithstanding the provisions of the general regulations, CCC will not make warehouse storage loans directly to individual producers on 1967 and subsequent crops of peanuts. The General Regulations Governing 1967 and Subsequent Crop Peanut Warehouse Storage Loans and Sheller Purchases (32 F.R. 9950) and any amendments and annual crop supplements thereto (hereinafter referred to in this subpart as "the peanut warehouse storage regulations") contain the terms and conditions under which eligible producers may obtain price support advances on eligible 1967 and subsequent crops of farmers stock peanuts from certain cooperative marketing associations which, acting in behalf of such producers collectively, will obtain price support warehouse storage loans from CCC.

§ 1421.3614 Availability.

Producers desiring price support for farmers stock peanuts must request a farm-stored peanut loan or notify the ASCS county office of intentions to sell to CCC no later than the dates set forth in the applicable annual peanut crop supplement to the regulations in this subpart.

§ 1421.3615 Eligible peanuts.

(a) *General.* In order to be eligible for a farm-stored peanut loan or for purchase, farmers stock peanuts, as defined in § 1446.3(f) of this chapter of the peanut warehouse storage regulations, must meet the requirements of this section in addition to the other eligibility requirements of § 1421.53 of the general regulations.

(b) *Eligible producer.* The peanuts must have been produced in one of the areas defined in § 1446.4(b) of this chapter of the peanut warehouse storage regulations by an eligible producer. For the purposes of this subpart, an eligible producer is a producer who meets the requirements of § 1421.52 of the general regulations and of § 1446.6 of this chapter of the peanut warehouse storage regulations.

(c) *Types.* The peanuts must be one of the types specified in § 1446.3(s) of this chapter of the peanut warehouse storage regulations.

§ 1421.3616 Determination of type and quality of farmers stock peanuts.

The type and quality of each lot of farmers stock peanuts acquired by CCC as a result of a loan or purchase shall be determined at the time of delivery to CCC by a Federal or Federal-State inspector authorized or licensed by the Secretary, U.S. Department of Agriculture. The cost of such determination will be assumed by CCC.

§ 1421.3617 Quantity eligible for farm-stored loan.

Notwithstanding the provisions of § 1421.67 of the general regulations, farm-stored peanut loans in the case of farmer stock peanuts shall not be made on more than 85 percent of the estimated quantity of eligible peanuts in approved farm storage.

§ 1421.3618 Determination of quantity.

The quantity of peanuts placed under farm-stored peanut loans shall be determined in accordance with § 1421.67 of the general regulations and § 1421.3617 and shall be expressed in units of tons and tenths of tons.

§ 1421.3619 Price support rates.

The basic price support loan rates by types for farmers stock peanuts placed under loan shall be as set forth in the annual peanut crop supplement to the regulations in this subpart.

§ 1421.3620 Delivery charge.

A delivery charge of 20 cents per ton net weight will be made for the quantity of peanuts acquired by CCC as a result of a loan or purchase and shall be handled in accordance with § 1421.60 of the general regulations. As used in this subpart, the term "net weight" shall have the meaning specified in § 1446.3 (m) of this chapter of the peanut warehouse storage regulations.

§ 1421.3621 Maturity of loans.

Farm-stored peanut loans will mature on demand but not later than the date specified in the annual peanut crop supplement to the regulations in this subpart.

§ 1421.3622 Settlement.

(a) *General.* Settlement for eligible peanuts acquired by CCC under a loan or purchase will be made with the producer as provided in paragraphs (a), (d), (e), (g)(2), (j), and (k) only of § 1421.72 of the general regulations and in this section.

(b) *Settlement values.* The settlement value of the peanuts acquired by CCC shall be the amount computed on the basis of (1) the net weight and quality thereof; (2) the support prices, premiums and discounts provided in the annual peanut crop supplement to the regulations in this subpart; (3) an allowance of four-tenths of a cent ($0.004) per pound, net weight, to compensate the producer for shrinkage during storage, and (4) discounts of (i) $2 per ton, net weight, for each full 1 percent of foreign material in excess of 10 percent, and (ii) $10 per ton, net weight, for peanuts containing more than 10 percent moisture.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 30, 1967.

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

[F.R. Doc. 67-10363; Filed, Sept. 5, 1967; 8:45 a.m.]

[CCC Grain Price Support Regs., 1967 Crop Peanut Farm-Stored Loan and Purchase Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1967 Crop Farm-Stored Peanut Loan and Purchase Program

The General Regulations Governing Price Support for the 1964 and Subsequent Crops of Grain and Similarly Handled Commodities (Revision 1) (31 F.R. 5941) and any amendments thereto (hereinafter referred to as "the general regulations") and the 1967 and Subsequent Crops Peanut Farm-Stored Loan and Purchase Supplement and any amendments thereto (hereinafter referred to as "the continuing supplement"), which contain regulations of a general nature with respect to price support operations, are further supplemented for the 1967 crop of peanuts as follows:

Sec.
1421.3626 Purpose.
1421.3627 Availability.
1421.3628 Maturity of loans.
1421.3629 Price support rates.

AUTHORITY: The provisions of this subpart issued under secs. 4, and 5, 62 Stat. 1070, as amended; secs. 101, 401, 403, 405, 63 Stat. 1051, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1441, 1421, 1423, 1425.

§ 1421.3626 Purpose.

This supplement, together with the applicable provisions of the general regulations and the provisions of the continuing supplement, apply to farm-stored loans and purchases for the 1967 crop of peanuts.

§ 1421.3627 Availability.

(a) *Farm-stored loans.* Producers must request a loan on 1967 crop eligible peanuts on or before April 30, 1968.

(b) *Purchases.* Producers desiring to offer eligible peanuts not under loan for purchase must notify the ASCS county office on or before May 31, 1968, or their intent to sell.

§ 1421.3628 Maturity of loans.

Unless demand is made earlier, farm-stored loans on farmers' stock peanuts will mature on May 31, 1968.

§ 1421.3629 Price support rates.

(a) *Loan rate.* Subject to the discounts specified in paragraph (b) of this section, the loan rates for farmers' stock peanuts placed under farm-stored loan shall be the following rates by types per ton:

Type	Dollars per ton
Virginia	$240
Runner	214
Southeast Spanish	232
Southwest Spanish	223
Valencia (suitable for cleaning and roasting)	240

(b) *Location adjustments to support prices.* The loan rates specified in paragraph (a) of this section shall be subject to the following discounts for farmers stock peanuts placed under a farm-stored loan in the States specified where peanuts are not customarily shelled or crushed:

State	Dollars per ton
Arizona	$25
Arkansas	10
California	33
Louisiana	7
Mississippi	20
Missouri	10
Tennessee	25

(c) *Settlement values.* The support prices, premiums, and discounts for use in computing the settlement value, under § 1421.3621(b) of the continuing supplement, of peanuts acquired by CCC under loan or purchase shall be those specified in § 1446.44 of this chapter of the warehouse storage regulations, including the location adjustments specified therein for peanuts delivered to CCC in States where peanuts are not customarily shelled or crushed.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 30, 1967.

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

[F.R. Doc. 67-10362; Filed, Sept. 5, 1967; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Airworthiness Docket No. 67-WE-16-AD; Amdt. 39-470]

PART 39—AIRWORTHINESS DIRECTIVES

McDonnell Douglas Certain Model DC-8 and DC-9 Series Airplanes

Amendment 39-436 (issued telegraphically on June 10, 1967, and later published in 32 F.R. 8890), AD 67-20-3, required deactivation of the autothrottle system on Model DC-8 and DC-9 Series airplanes equipped with autothrottles and the installation of a placard on the throttle pedestal stating "auto throttles inoperative." AD 67-20-3 was prompted by a report of an electrical fault in the autothrottle computer in a DC-9 airplane which resulted in inadvertent movement of a throttle lever to the mechanical stop position, and the activation of the associated reverser unlatch light (although the thrust reverser did not deploy). At the time of adoption of AD 67-20-3, it had been determined that a similar electrical malfunction occurring in other DC-8 and DC-9 airplanes equipped with autothrottles would create an unsafe condition in that application of reverse thrust could result if the thrust reverser (piggy-back) levers were improperly stowed. Furthermore, no corrective modification other than deactivation of the autothrottle system was available at that time to remedy the situation.

AD 67-20-3 indicated that a revision thereto would be issued when approved modifications were developed that would permit reactivation of the autothrottle system. The manufacturer of the affected airplanes has developed a modification that effectively prevents unwanted activation of the reverser levers and thus removes the possibility of application of reverse thrust in the event of an electrical fault in the autothrottle computer that causes inadvertent movement of the throttle levers. This modification consists of the installation of a spring mechanism on the throttle handle assembly that would hold the reverser levers in a locked position in the event of a similar electrical malfunction. Accordingly, A 67-20-3 is being superseded to provide for modification of the throttle lever assemblies on DC-8 and DC-9 airplanes which, upon accomplishment, will allow reactivation of the autothrottle system and removal of the placard.

While the above modification does not prevent activation of the reverser unlatch light such as occurred during the incident giving rise to AD 67-20-3, the facts surrounding that incident point to a misrigging of the throttle cable system as the direct cause of the activation of the reverser unlatch light, rather than the electrical fault in the autothrottle computer which in turn resulted in inadvertent movement of the throttle levers to the mechanical stop position. Present maintenance requirements are adequate to handle this aspect of the problem and no corrective action in this area in the form of an AD is required.

Since this amendment provides an alternative means of compliance and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

MCDONNELL DOUGLAS. Applies to Model DC-8 Series airplanes listed in Douglas Aircraft Division Service Bulletin No. 76-26 dated July 31, 1967, and Model DC-9 Series airplanes listed in Douglas Aircraft Division Service Bulletin No. 76-15 dated July 28, 1967.

Compliance required as indicated.

To ensure proper stowage of the thrust reverser (piggy-back) levers, and to prevent possible deployment of the thrust reversers in the event of an electrical malfunction in the autothrottle computer that causes inadvertent movement of the throttles to the mechanical stop position, accomplish the following:

1. Unless electrical deactivation of the autothrottle system has already been accomplished in accordance with paragraph (1) of AD 67-20-3, before further flight, deactivate the autothrottle system by pulling the autothrottle computer/amplifier circuit breaker and securing the circuit breaker in the open position.

2. Unless already accomplished in accordance with paragraph (2) of AD 67-20-3, before further flight, install a placard on the throttle pedestal in clear view of the pilot stating "autothrottles inoperative".

3. Reactivation of the autothrottle system and removal of the placard specified in paragraph 2 of this AD may be accomplished immediately following the installation of a spring on each throttle lever assembly in accordance with Douglas Aircraft Division Service Bulletin No. 76-26 dated July 31, 1967, or later FAA-approved revision (in the case of Model DC-8 Series airplanes) or Douglas Aircraft Division Service Bulletin No. 76-15 dated July 28, 1967, or later FAA-approved revision (in the case of Model DC-9 Series airplanes).

This supersedes Amendment 39-436 (issued telegraphically on June 10, 1967, and later published in 32 F.R. 8890), AD 67-20-3.

This amendment becomes effective September 6, 1967.

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

The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1). All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to McDonnell Douglas Corp., Douglas Aircraft Co., Aircraft Division, 3855 Lakewood Boulevard, Long Beach, Calif. 90801. These documents may also be examined at FAA Western Region, 5651 West Manchester Avenue, Los Angeles, Calif. 90045, and FAA Headquarters, 800 Independence Avenue SW., Washington, D.C. 20553. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its headquarters in Washington, D.C., and at FAA Western Region.

Issued in Los Angeles, Calif., on August 25, 1967.

LEE E. WARREN,
Acting Regional Director,
FAA Western Region.

The incorporation by reference provisions in this document were approved by the Director of the Federal Register on September 5, 1967.

[F.R. Doc. 67-10392; Filed, Sept. 5, 1967; 8:47 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Docket No. 7410; Amdt. 93-9]

PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

Subpart H—Portland International Airport Traffic Area

This amendment to Part 93 of the Federal Aviation Regulations establishes a special air traffic rule for the Portland, Oreg., International Airport Traffic Area.

The FAA published a notice of proposed rule making in the FEDERAL REGISTER on June 8, 1966 (31 F.R. 8078), circulated as Notice 66-20, containing a proposal to amend Part 93 of the Federal Aviation Regulations by establishing a special air traffic rule for Portland that would require traffic at the Pearson Airpark and the Columbia Seaplane Base to maintain radio communications with the Portland International Tower, and to establish approach and departure patterns for these airports.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all revelant matter presented.

The Air Line Pilots Association, while not objecting to the proposal, suggested that the problem should be resolved by local agreement.

The city of Vancouver, in an attempt to handle the air traffic problem at the local level, adopted an ordinance that included the same provisions that were proposed in the notice. While local solutions of problems are to be encouraged, the establishment of air traffic regulations is an exclusive function of the Federal government, delegated by Congress to the Administrator of the Federal Aviation Administration. Accordingly, the requirements proposed in the notice must be established by the Administrator through a rule making procedure.

On individual commented that in his opinion the communications requirement would hamper the tower personnel at Portland International in their handling of Portland traffic but stated that he had no objection to the traffic pattern proposal.

The city of Vancouver Airport Advisory Committee commented on behalf of Pearson Airpark, stating that the present air traffic rules have been satisfactory but recommended the adoption of the communications requirement. They also suggested that the traffic pattern proposed for aircraft landing at Pearson Airpark be 800 feet MSL instead of 1,000 feet MSL.

The communications provision of this rule will enable the Portland Tower to issue traffic information to Pearson Airpark Traffic, the Seaplane Base Traffic, as well as Portland International Traffic. While this rule will give Portland Tower communications capability to control traffic operating to or from Pearson Airpark or Columbia River Seaplane Base, it is anticipated that normally these communications will be in an advisory capacity. However, should the occasion arise when actual control is required to preclude a hazardous situation the means to exercise air traffic control authority would be available.

The traffic at Pearson Airpark is presently a problem because the controllers at Portland International are unable to determine the intended approach or departure flight paths of pilots operating to or from Pearson Airpark. Two-way radio communications between pilots operating in the Portland airport traffic area and the Portland International Tower should remedy this problem.

After reviewing the comments received and considering the circumstances involved therein, the FAA is of the opinion that because of planned improvements to the airports involved, a situation is developing in the Portland Terminal Area that is inimical to safety as discussed in the notice, and that the establishment of special air traffic rules would alleviate the situation. Therefore, the rule is adopted as proposed.

In consideration of the foregoing, Part 93 of the Federal Aviation Regulations is amended, effective October 6, 1967, by adding Subpart H to read as follows:

Sec.
93.101 Applicability.
93.103 Communications.
93.105 Pearson Airpark traffic.
93.107 Columbia River Seaplane Base traffic.

AUTHORITY: The provisions of this Subpart H issued under sec. 307, Federal Aviation Act of 1958 (49 U.S.C. 1348).

§ 93.101 Applicability.

This subpart prescribes special air traffic rules for persons operating aircraft to or from the Pearson Airpark or the Columbia River Seaplane Base.

§ 93.103 Communications.

While within the Portland airport traffic area, each person operating an aircraft to or from the Pearson Airpark or the Columbia River Seaplane Base shall establish and maintain two-way radio communications with Portland International Airport Traffic Control Tower.

§ 93.105 Pearson Airpark traffic.

(a) *Arriving.* Except when the VFR clearance-from-cloud rules of Part 91 of this chapter require otherwise, each person piloting an aircraft landing at the Pearson Airpark shall enter the traffic pattern north of the airport at or above 1,000 feet MSL and execute a left traffic pattern for a landing to the east or a right traffic pattern for a landing to the west.

(b) *Departing.* Each person piloting an aircraft departing from Pearson Airpark shall leave the airport traffic pattern to the north.

§ 93.107 Columbia River Seaplane Base traffic.

(a) *Arriving.* Except when the VFR clearance-from-cloud rules of Part 91 of this chapter require otherwise, each person piloting an aircraft landing at the Columbia River Seaplane Base shall enter the traffic pattern north of the airport at 700 feet MSL and execute a left traffic pattern for a landing to the east or a right traffic pattern for a landing to the west.

(b) *Departing.* Each person piloting an aircraft departing from the Columbia River Seaplane Base shall leave the traffic pattern to the north.

Issued in Washington, D.C., on August 29, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-10393; Filed, Sept. 5, 1967; 8:48 a.m.]

[Reg. Docket No. 8372; Amdt. 95-158]

PART 95—IFR ALTITUDES

Miscellaneous Amendments

The purpose of this amendment to Part 95 of the Federal Aviation Regulations is to make changes in the IFR altitudes at which all aircraft shall be flown over a specified route or portion thereof. These altitudes, when used in conjunction with the current changeover points for the routes or portions thereof, also assure navigational coverage that is adequate and free of frequency interference for that route or portion thereof.

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

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 95 of the Federal Aviation Regulations is amended, effective October 12, 1967, as follows:

1. By amending Subpart C as follows:

Section 95.1001 *Direct routes—United States* is amended to delete:

From, to, and MEA

Charles INT, S.C.; Johnsonville INT, S.C.; *5,000. *1,400—MOCA.
McNiel INT, Ga.; Havana INT, Fla.; 2,200. (MGR 225/TLH 351.)
Orange INT, Fla.; Helen INT, Fla.; *2,500. *1,200—MOCA.
Tallahassee, Fla., LF/RBN; Moultrie, Ga., VOR; *2,000. *1,700—MOCA.
Greenhead INT, Fla.; Dothan, Ala., VOR; *1,900. *1,600—MOCA.
Whitesburg, Ky., VOR; Newcombe, Ky., VOR; 4,000.

Section 95.1001 *Direct routes—United States* is amended by adding:

Florence, S.C., VOR; Myrtle Beach, S.C., VOR; *2,200. *1,600—MOCA.
Augusta, Ga., LF/RBN Int. 280° M bearing from 2,000, Augusta LF/RBN and 158° M rad, Augusta VOR.
Columbia, S.C., VOR; Langley INT, S.C.; 2,900.
Langley INT, S.C.; Augusta, Ga., LOM; 2,900.
Lumpkin INT, Ga.; Omaha INT, Ga.; *3,500. *2,000—MOCA.
Taylor, Fla., VOR via TAY 143; Cecil (NAS), Fla., VOR via NZC 277; *2,000. *14,000—MOCA.

From, to, and MEA

Dukes INT, Fla; Cecil (NAS), Fla., VOR; 1,500.
Molokai, Hawaii, VOR; Channel INT, Hawaii; *4,000. *3,500—MOCA.
Channel INT, Hawaii; Lanai, Hawaii, VOR; 5,000.
Creek INT, Fla.; Tallahassee, Fla., VOR; *2,000. *1,500—MOCA.
Bristol INT, Fla., Tallahassee, Fla., VOR; *2,000. *1,400—MOCA.
Panama City, Fla., VOR; Bristol INT, Fla.; *2,000. *1,300—MOCA.
Orange INT, Fla.; Creek INT, Fla.; *2,000. *1,200—MOCA.
Panama City, Fla., VOR; Chipley INT, Fla.; *1,900. *1,500—MOCA.
Chipley INT, Fla.; Dothan, Ala., VOR; *2,000. *1,600—MOCA.
Saginaw, Mich., VOR; Hasler INT, Mich.; *2,500. *2,300—MOCA.

Section 95.1001 *Direct routes—United States* is amended to read in part:

Tallahassee, Fla., VOR; Moultrie, Ga., VOR; 2,200.
Chason INT, Fla.; Tallahassee, Fla., VOR; *2,000. *1,600—MOCA.
Panama City, Fla., VOR; Chason INT, Fla.; 2,000.
Panama City, Fla., VOR; North Gate INT, Fla.; *1,800. *1,500—MOCA.
North Gate INT, Fla.; Marianna, Fla., VOR; 1,500.

Section 95.6004 *VOR Federal airway 4* is amended to read in part:

Yakima, Wash., VOR; Sunnyside DME Fix, Wash.; *5,000. *4,900—MOCA.
Sunnyside DME Fix, Wash.; Pendleton, Wash., VOR; 5,000.

Section 95.6007 *VOR Federal airway 7* is amended to read in part:

Cross City, Fla., VOR; Greenville, Fla., VOR; *2,000. *1,500—MOCA.
Greenville, Fla., VOR; Spring INT, Fla.; 2,200.
Spring INT, Fla.; Dothan, Ala., VOR; 2,500.
Cross City, Fla., VOR via W alter; *Lobster INT, Fla., via W alter.; **2,000. *3,000—MRA. **1,500—MOCA.
Creek INT, Fla., via W alter.; Marianna, Fla., VOR via W alter.; *2,000. *1,500—MOCA.
Muscle Shoals, Ala., VOR; Green Hill INT, Ala.; *2,300. *2,000—MOCA.
*Jones INT, Ala.; Birmingham, Ala., VOR; **3,000. *3,000—MRA. **2,600—MOCA.

Section 95.6008 *VOR Federal airway 8* is amended to read in part:

Mansfield, Ohio, VOR; McDowell INT, Ohio; *3,000. *2,500—MOCA.
McDowell INT, Ohio; Briggs, Ohio, VOR; 3,000.

Section 95.6009 *VOR Federal airway 9* is amended to read in part:

Sardis INT, Miss., via E alter.; Independence INT, Miss., via E alter.; 2,000. *1,600—MOCA.
*Snail INT, La., via E alter.; Picayune, Miss., VOR via E alter.; **1,700. *2,000—MRA. **1,300—MOCA.

Section 95.6011 *VOR Federal airway 11* is amended to read in part:

Mobile, Ala., VOR; Greene County, Miss., VOR; *2,000. *1,600—MOCA.

Section 95.6013 *VOR Federal airway 13* is amended to read in part:

Spiro INT, Okla., via W alter.; Int, 359° M rad, Page VOR and 312 M rad, Fort Smith VOR via W alter.; *3000. *2,500—MOCA.
West Fork DME Fix, Ark.; Fayetteville, Ark., VOR; 3,000.

Section 95.6016 *VOR Federal airway 16* is amended to read in part:

From, to, and MEA

Gordonsville, Va., VOR; Locust Grove INT, Va.; 5,000.
Locust Grove INT, Va.; Ironsides INT, Md.; 2,000.

Section 95.6020 *VOR Federal airway 20* is amended to read in part:

*Snail INT, La., via E alter.; Picayune, Miss., VOR via E alter.; **1,700. *2,000—MRA. **1,300—MOCA.

Section 95.6022 *VOR Federal airway 22* is amended to delete:

Marianna, Fla., VOR; Calvary INT, Ga.; 2,200.
Calvary INT, Ga.; Greenville, Fla., VOR; *2,000. *1,500—MOCA.
Marianne, Fla., VOR via S alter.; Blountstown, Fla., VOR via S alter.; *2,000. *1,200—MOCA.
Blountstown, Fla., VOR via S alter.; Tallahassee, Fla., VOR via S alter.; *2,000. *1,600—MOCA.
Tallahassee, Fla., VOR via S alter.; Greenville, Fla., VOR via S. alter.; *2,000. *1,500—MOCA.

Section 95.6022 *VOR Federal airway 22* is amended by adding:

Marianna, Fla., VOR; Tallahassee, Fla., VOR; *2,000. *1,600—MOCA.
Tallahassee, Fla., VOR; Greenville, Fla., VOR; *2,000. *1,600—MOCA.

Section 95.6024 *VOR Federal airway 24* is amended to read in part:

Caledonia INT, Minn.; Lone Rock, Wis., VOR; *3,000. *2,400—MOCA.

Section 95.6032 *VOR Federal airway 32* is amended to read in part:

Elko, Nev., VOR via N alter.; *Wells, Nev., VOR via N alter.; **13,000. *11,800—MCA Wells VOR, southwestbound. **12,600—MOCA.

Section 95.6035 *VOR Federal airway 35* is amended by adding:

Cross City, Fla., VOR; Greenville, Fla., VOR; *2,000. *1,500—MOCA.
Greenville, Fla., VOR; Hartsfield INT, Ga.; *2,000. *1,700—MOCA.
Hartsfield INT, Ga.; *Sales INT, Ga.; 2,500. *3,000—MRA.
Sales INT, Ga.; Albany, Ga., VOR; *2,000. *1,600—MOCA.

Section 95.6035 *VOR Federal airway 35* is amended to delete:

Cross City, Fla., VOR; Cody INT, Fla.; *2,000. *1,300—MOCA.
Cody INT, Fla.; Tallahassee, Fla., VOR; *2,000. *1,200—MOCA.
Tallahassee, Fla., VOR; Calvary INT, Ga.; 2,200.
Calvary INT, Ga.; Hopeful INT, Ga.; *2,000. *1,600—MOCA.
Hopeful INT, Ga.; Camilla INT, Ga.; 2,500.
Camilla INT, Ga.; Albany, Ga., VOR; *1,800. *1,600—MOCA.

Section 95.6035 *VOR Federal airway 35* is amended to read in part:

Albany, Ga., VOR; Cobb INT, Ga.; *1,800. *1,600—MOCA.
Cobb INT, Ga.; Fort Valley INT, Ga.; *2,200. *1,500—MOCA.
Fort Valley INT, Ga.; Macon, Ga., VOR; *2,000. *1,800—MOCA.
*Oyster INT, Fla., via W alter.; **Shrimp INT, Fla., via W alter.; ***4,000. *4,000—MRA. **4,000—MRA. ***1,200—MOCA.

From, to, and MEA

Shrimp INT, Fla., via W alter.; Cross City, Fla., VOR via W alter.; *4,000. *1,200—MOCA.
Cross City, Fla., VOR via W alter.; Tallahassee, Fla., VOR via W alter.; *2,000. *1,600—MOCA.
Tallahassee, Fla., VOR via W alter.; Albany, Ga., VOR via W alter.; *2,000. *1,600—MOCA.

Section 95.6056 *VOR Federal airway 56* is amended to read in part:

Gordon INT, Ga.; *Anna INT, Ga.; **2,100. *2,600—MRA. **1,900—MOCA.
Anna INT, Ga.; Mitchell INT, Ga.; *2,100. *1,900—MOCA.

Section 95.6066 *VOR Federal airway 66* is amended by adding:

Raleigh-Durham, N.C., VOR; Franklin, Va., VOR; *2,500. *1,800—MOCA.
Franklin, Va., VOR; Portsmouth INT, Va.; 2,000.
Portsmouth INT, Va.; Deep Creek INT, Va.; *2,000. *1,000—MOCA.
Deep Creek INT, Va.; Norfolk, Va., VOR; 2,000.

Section 95.6068 *VOR Federal airway 68* is amended to delete:

Corpus Christi, Tex., VOR; Pogo INT, Tex.; *1,600. *1,400—MOCA.
Pogo INT, Tex.; Solon INT, Tex.; *1,600. *1,500—MOCA.
Solon INT, Tex.; *Armstrong, INT, Tex.; **3,000. $3,000—MRA. **1,500—MOCA.
Armstrong INT, Tex.; Raymondville INT, Tex.; *1,500. *1,400—MOCA.
Raymondville INT, Tex.; Harlingen, Tex., VOR; *1,500. *1,300—MOCA.
Harlingen, Tex., VOR; McAllen, Tex., VOR; 1,900.

Section 95.6068 *VOR Federal airway 68* is amended by adding:

Corpus Christi, Tex., VOR; Pogo INT, Tex.; *1,600. *1,400—MOCA.
Pogo INT, Tex.; Solon INT, Tex.; *1,600. *1,100—MOCA.
Solon INT, Tex.; Armstrong INT, Tex.; *4,000. *1,100—MOCA.
Armstrong INT, Tex.; Mina INT, Tex.; *4,000. *1,400—MOCA.
Mina INT, Tex.; Hargill INT, Tex.; *3,200. *1,400—MOCA. MAA–14,000.
Hargill INT, Tex.; McAllen, Tex., VOR; *1,600. *1,500—MOCA. MAA–14,000.
Armstrong, INT, Tex., via S alter.; Raymondville, INT, Tex., via S alter.; *4,000. *1,300—MOCA.
Raymondville INT, Tex., via S alter.; Harlingen, Tex., VOR via S alter.; *1,600. *1,300—MOCA.
Harlingen, Tex., VOR via S alter.; McAllen, Tex., VOR via S alter.; *1,600. *1,500—MOCA.

Section 95.6070 *VOR Federal airway 70* is amended to read in part:

Albany INT, La.; Picayune, Miss., VOR; *1,700. *1,400—MOCA.

Section 95.6074 *VOR Federal airway 74* is amended to read in part:

Akins INT, Okla., via S alter.; Fort Smith, Ark., VOR via S alter.; 2,500.

Section 95.6092 *VOR Federal airway 92* is amended to read in part:

Mansfield, Ohio, VOR; McDowell INT, Ohio; *3,000. *2,500—MOCA.
McDowell INT, Ohio; Briggs, Ohio, VOR; 3,000.

Section 95.6097 *VOR Federal airway 97* is amended to read in part:

From, to, and MEA

*Scallop INT, Fla.; **Lobster INT, Fla.; ***6,000. *3,000—MRA. **3,000—MRA. ***1,100—MOCA.
Lobster INT, Fla.; Tallahassee, Fla., VOR; *2,000. *1,600—MOCA.
Tallahassee, Fla., VOR; Albany, Ga., VOR; *2,000. *1,600—MOCA.
Cross City, Fla., VOR via E alter.; Tallahassee, Fla., VOR via E alter.; *2,000. *1,600—MOCA.
Americus INT, Ga.; *Junction City INT, Ga.; 1,800. *3,000—MRA.
London, Ky., VOR via W alter.; Lexington, Ky., VOR via W alter.; 3,300.

Section 95.6115 *VOR Federal airway 115* is amended to read in part:

*Jones INT, Ala.; Birmingham, Ala., VOR; **3,000. *3,000—MRA. **2,600—MOCA.

Section 95.6129 *VOR Federal airway 129* is amended to read in part:

Hibbing, Minn., VOR via W alter.; International Falls, Minn., VOR via W alter.; *3,500. *2,800—MOCA.

Section 95.6154 *VOR Federal airway 154* is amended to read in part:

Lotts INT, Ga.; Savannah, Ga., VOR; *2,000. *1,500—MOCA.

Section 95.6157 *VOR Federal airway 157* is amended to read in part:

Harvey INT, Fla.; Miami, Fla., VOR; *2,000. *1,300—MOCA.
Harvey INT, Fla., via W alter.; *Vega INT, Fla., via W alter.; **5,000. *3,100—MRA. **1,500—MOCA.
Vega, INT, Fla., via W alter.; *Pine INT, Fla., via W alter.; **3,100. *2,300—MRA. **1,500—MOCA.

Section 95.6159 *VOR Federal airway 159* is amended to read in part:

Cross City, Fla., VOR via W alter.; Greenville, Fla., VOR via W alter.; *2,000. *1,500—MOCA.
Greenville, Fla., VOR; Hartsfield INT, Ga.; *2,000. *1,700—MOCA.
Hartsfield INT, Ga.; *Sales INT, Ga.; 2,500. *3,000—MRA.
Sales INT, Ga.; Albany, Ga., VOR; *2,000. *1,600—MOCA.
Int, 341° M rad, Vero Beach VOR and 123° M rad, Orlando VOR via E alter.; Orlando, Fla., VOR via E alter.; *2,000. *1,700—MOCA.

Section 95.6161 *VOR Federal airway 161* is amended to delete:

Grand Rapids, Minn., VOR; Hibbing, Minn., VOR; *3,300. *2,600—MOCA.

Section 95.6161 *VOR Federal airway 161* is amended by adding:

Grand Rapids, Minn., VOR; International Falls, Minn., VOR; *3,500. *2,800—MRA.

Section 95.6163 *VOR Federal airway 163* is amended to read in part:

Brownsville, Tex., VOR; Mansfield INT, Tex.; *1,500. *1,300—MOCA.
Mansfield INT, Tex.; Armstrong INT, Tex.; *4,000. *1,300—MOCA.
Armstrong INT, Tex.; Solon INT, Tex.; *4,000. *1,100—MOCA.
Solon INT, Tex.; Pogo INT, Tex.; *1,600. *1,100—MOCA.
Pogo INT, Tex.; Corpus Christi, Tex., VOR; *1,600. *1,400—MOCA.
Brownsville, Tex., VOR via W alter.; Harlingen, Tex., VOR via W alter.; *1,500. *1,300—MOCA.

From, to, and MEA

Harlingen, Tex., VOR via W alter.; Raymondville INT, Tex., via W alter.; *1,600. *1,300—MOCA.
Raymondville INT, Tex., via W alter.; Armstrong INT, Tex., via W alter.; *4,000. *1,300—MOCA.

Section 95.6180 *VOR Federal airway 180* is amended to read in part:

Eagle Lake, Tex., VOR; Rosenberg INT, Tex.; *2,000. *1,400—MOCA.
Rosenberg INT, Tex.; Arcola INT, Tex.; *2,000. *1,600—MOCA.

Section 95.6216 *VOR Federal airway 216* is amended to read in part:

Janesville, Wis., VOR; *Wind Lake INT, Wis.; **3,000. *3,000—MRA. **2,600—MOCA.

Section 95.6222 *VOR Federal airway 222* is amended to read in part:

Dalsetta, Tex., VOR via N alter.; Kountze INT, Tex., via N alter.; *1,600. *1,400—MOCA.
Kountze INT, Tex., via N alter.; Orange INT, Tex., via N alter.; *2,200. *2,000—MOCA.
San Antonio, Tex., VOR; Selma INT, Tex.; 2,500.
Selma INT, Tex.; Staples INT, Tex.; 2,600.
Staples INT, Tex.; Redwoods INT, Tex.; *2,500. *1,900—MOCA.
Goony INT, Tex.; Morganza INT, La.; *5,000. *1,500—MOCA.
Morganza INT, La.; *Woodville INT, La.; **5,000. *3,000—MRA. **1,300—MOCA.

Section 95.6240 *VOR Federal airway 240* is amended to read in part:

New Orleans, La., VOR; Opal INT, La.; *1,600. *1,400—MOCA.
Opal INT, La.; Pearl INT, La.; *1,600. *1,110—MOCA.

Section 95.6243 *VOR Federal airway 243* is amended to read in part:

Vienna, Ga., VOR; Yatesville INT, Ga.; *2,000. *1,800—MOCA.

Section 95.6245 *VOR Federal airway 245* is amended to read in part:

Alexandria, La., VOR; Cox INT, La.; 1,700.
Cox INT, La.; Larto INT, La.; *1,700. *1,400—MOCA.
Larto INT, La.; Natchez, Miss., VOR; *2,000. *1,700—MOCA.

Section 95.6267 *VOR Federal airway 267* is amended to read in part:

Dublin, Ga., VOR; Wayside INT, Ga.; *2,200. *1,900—MOCA.

Section 95.6289 *VOR Federal airway 289* is amended to read in part:

Beaumont, Tex., VOR; Mitchell INT, Tex.; *1,500. $1,400—MOCA.
Mitchell INT, Tex.; Kountze INT, Tex.; 1,600.

Section 95.6298 *VOR Federal airway 298* is amended to read in part:

Yakima, Wash., VOR; Sunnyside DME Fix, Wash.; *5,000. *4,900—MOCA.

Section 95.6298 *VOR Federal airway 298* is amended by adding:

Pasco, Wash., VOR; Pendleton, Oreg., VOR; 4,000.

Section 95.6306 *VOR Federal airway 306* is amended to read in part:

Austin, Tex., VOR; Elgin INT, Tex.; *2,500. *2,100—MOCA.
Elgin INT, Tex.; Navasota, Tex., VOR; *2,500. *1,800—MOCA.
Navasota, Tex., VOR; Conroe INT, Tex.; *2,100. *1,600—MOCA.

From, to, and MEA

Conroe INT, Tex.; Cleveland INT, Tex.; *2,100. *1,500—MOCA.
Cleveland INT, Tex.; Dalsetta, Tex., VOR; *1,600. *1,400—MOCA.

Section 95.6310 *VOR Federal airway 310* is amended to read in part:

Louisville, Ky., VOR; London, Ky., VOR; 3,300.

Section 95.6319 *VOR Federal airway 319* is added to read:

Boysen Reservoir, Wyo., VOR; Worland, Wyo., VOR; 9,600.
Worland, Wyo., VOR; Cody, Wyo., VOR; *9,500. *9,100—MOCA.

Section 95.6430 *VOR Federal airway 430* is amended by adding:

Grand Rapids, Minn., VOR via N alter.; Hibbing, Minn., VOR via N alter.; *3,300. *2,600—MOCA.
Hibbing, Minn., VOR via N alter.; Duluth, Minn., VOR via N alter.; *3,300. *2,700—MOCA.

Section 95.6455 *VOR Federal airway 455* is amended to read in part:

*Snail INT, La.; Picayune, Miss., VOR; **1,700. *2,000—MRA. **1,300—MOCA.

Section 95.6465 *VOR Federal airway 465* is amended to read in part:

Elko, Nev., VOR; *Wells, Nev. VOR; **13,000. *11,800—MCA Wells VOR, southwestbound. **12,600—MOCA.

Section 95.6477 *VOR Federal airway 477* is amended to read in part:

Houston, Tex., VOR; Trout INT, Tex.; 1,800.
Trout INT, Tex.; Conroe INT, Tex.; *2,100. *1,600—MOCA.
Conroe INT Tex.; Leona, Tex., VOR; *2,700. *1,600—MOCA.

Section 95.6492 *VOR Federal airway 492* is amended to read in part:

La Belle, Fla., VOR via S alter.; Canal INT, Fla., via S alter.; *2,000. *1,600—MOCA.

Section 95.7002 *Jet Route No. 2* is amended to read in part:

From, to, MEA, and MAA

Tallahassee, Fla., VORTAC; Jacksonville, Fla., VORTAC; 18,000. 45,000.

Section 95.7034 *Jet Route No. 34* is amended to read in part:

Milwaukee, Wis., VORTAC; Carleton, Mich., VORTAC; 18,000. 45,000.
Carleton, Mich., VORTAC; Cleveland, Ohio, VORTAC; 18,000. 45,000.

2. By amending Subpart D as follows:

Airway Segment: From; to—Changeover point: Distance; from

Section 95.8003 *VOR Federal airway changeover points:*

V–35 is amended to delete:
Albany, Ga., VOR; Macon, Ga., VOR; 29; Albany.
V–97 is amended to delete:
St. Petersburg, Fla., VOR; Tallahassee, Fla., VOR; 82; St. Petersburg.
V–241 is amended to delete:
Eufaula, Ala., VOR; Columbus, Ga., VOR; 18; Eufaula.
V–319 is amended by adding:
Worland Wyo., VOR; Cody, Wyo., VOR; 20; Cody.

(Secs. 307, 1110, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1510)

Issued in Washington, D.C., on August 28, 1967.

R. S. SLIFF,
Acting Director,
Flight Standards Service.

[F.R. Doc. 67-10302; Filed, Sept. 5, 1967; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Proposed Advertising for Mink Oil Skin Lotion

§ 15.141 Proposed advertising for mink oil skin lotion.

(a) The Commission was requested to render an advisory opinion with respect to proposed advertising for a skin lotion containing mink oil, which would represent that the product will relieve the scaling, itching, and redness of psoriasis and eczema.

(b) The opinion advised the advertiser that while the Commission has no objection to representations that the product will afford temporary relief of itching and scales of psoriasis, any mention of eczema or representations in advertising that the product will relieve redness would appear to have the capacity and tendency to deceive.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: September 5, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-10355; Filed, Sept. 5, 1967; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Information Required on Label Affixed to Textile Fiber Products

§ 15.142 Information required on label affixed to textile fiber products.

(a) The Commission was requested to render an opinion with respect to the labeling of textile fiber products manufactured so as to simulate a fur or fur product.

(b) The requesting party proposed using two labels on his products. The first would bear his trademark and trade name and would be affixed inside the neck of the garment in the conventional manner. The second, bearing the required fiber content disclosures, would be a separate tag hung elsewhere on the garment.

(c) The Commission pointed out that the rules and regulations promulgated under authority of the Textile Fiber Products Identification Act (Part 303 of this chapter) define "required information" as that which must appear on labels, and "label" as the means of identification required to be affixed on textile fiber products and on which the "required information" is to appear (§ 303.1 (e) and (f) of this chapter). The "required information" includes "the generic names and percentages by weight of the constituent fibers present" which shall be "conspicuously and separately set out on the same side of the label in such a manner as to be clearly legible and readily accessible" to a prospective purchaser (§ 303.16 of this chapter). The name to be used on such labels "shall be the name under which the person is doing business" or his word trademark if registered (§ 303.19 of this chapter).

(d) The opinion pointed out that § 303.16(b) of this chapter provides that the required name or registered identification number may be conspicuously set out on a separate label which is prominently displayed in close proximity to the label containing the other required information. However, in this instance, the Commission believed that it would not be proper, in the labeling of a textile product, to identify the product with one label bearing a trademark and trade name including fur terminology and to make the fiber content disclosure on another label or tag hung elsewhere on the product. It was the Commission's opinion that the proposed labeling of a textile fiber product manufactured so as to simulate the fur of an animal commonly or commercially used in fur products would have the tendency and capacity of inducing prospective purchasers into the mistaken belief that such product was a fur or fur product.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 72 Stat. 1717; 15 U.S.C. 70)

Issued: September 5, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-10356; Filed, Sept. 5, 1967; 8:45 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 67-201]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

Certificates of Shipments of Alcoholic Beverages in Vessels of Not Over 500 Net Tons

Correction

In F.R. Doc. 67-10145, appearing in the issue for Wednesday, August 30, 1967, at page 12557, make the following change: In § 4.13, transpose the "Consular Impression Seal" so that it appears opposite the signature and title in the "Certificate of Consular Officer".

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 20—FROZEN DESSERTS

Ice Cream, Identity Standard; Order Listing Neutral and Mineral Salts as Optional Ingredients

In the matter of amending the standard of identity for ice cream (21 CFR 20.1) to list as optional ingredients the neutral mineral salts sodium citrate, disodium phosphate, tetrasodium pyrophosphate, and sodium hexametaphosphate; and the alkaline mineral salts calcium oxide, magnesium oxide, calcium hydroxide, and magnesium hydroxide:

A notice of proposed rule making in the above-identified matter was published in the FEDERAL REGISTER of May 5, 1967 (32 F.R. 6938), based on a petition submitted by the Food Adjuncts Association, Inc., 7979 Old Georgetown Road, Washington, D.C. 20014.

The information submitted by the petitioner, the comments received in response to the proposal, and other relevant material have been considered, and it is concluded that it will promote honesty and fair dealing in the interest of consumers to adopt the amendment as proposed. Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120): *It is ordered*, That § 20.1(f) be amended by adding thereto a new subparagraph, as follows:

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

* * * * * *

(f) * * *

(8) (i) Sodium citrate, disodium phosphate, tetrasodium pyrophosphate, sodium hexametaphosphate, or any combination of two or more of these; but the total quantity of the solids of such ingredients (exclusive of any disodium phosphate or sodium citrate present in chocolate or cocoa, as permitted by paragraph (b)(3) of this section) is not more than 0.2 percent by weight of the finished ice cream.

(ii) Calcium oxide, magnesium oxide, calcium hydroxide, magnesium hydroxide, or any combination of two or more of these; but the total quantity of the solids of such ingredients is not more than 0.04 percent of the weight of the finished ice cream.

* * * * * *

Due to cross-references, this amendment to the standard for ice cream (§ 20.1) upon becoming effective will have the effect of making the subject mineral salts permitted ingredients of frozen custard (§ 20.2) and of ice milk (§ 20.3).

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

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: August 28, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-10401; Filed, Sept. 5, 1967; 8:48 a.m.]

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

PART 121—FOOD ADDITIVES

Chlortetracycline, Oxytetracycline

In the FEDERAL REGISTER of August 23, 1966 (31 F.R. 11155), a notice was published proposing the revocation of tolerances established in the pesticide regulations (21 CFR 120.117, 120.148) for residues of the antibiotic substances chlortetracycline and oxytetracycline from uses as antibacterial agents in or on certain raw agricultural commodities, and the reasons for the proposal were set forth in said notice. In response thereto, American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540, manufacturer of chlortetracycline, and Charles Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y. 10017, manufacturer of oxytetracycline, submitted comments questioning the findings in the proposal and submitted certain reprints and references to technical literature in support of their comments.

The comments and materials submitted have been considered and it is concluded that such food-preservative uses do not meet the guidelines of the ad hoc advisory committee appointed by the Commissioner of Food and Drugs to review the veterinary medical and nonmedical uses of antibiotics, and further, that such uses are not safe in light of present safety criteria. The risk of introduction of mutant organisms resistant to the tetracyclines exceeds the benefits achieved by the use of these drugs for preventing food spoilage because the transfer to humans of such resistant organisms may prevent the effective action of these drugs when used for treatment of human diseases. Therefore, the Commissioner finds that the subject regulations should be revoked as proposed.

1. Accordingly, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (b), (e), 68 Stat. 511, 514; 21 U.S.C. 346a (b), (e)), and delegated by him to the Commissioner (21 CFR 2.120), Part 120 is amended by revoking § 120.117 *Chlortetracycline; tolerances for residues* and § 120.148 *Oxytetracycline; tolerances for residues.*

2. Also, pursuant to the authority vested in the Secretary by the act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)) and delegated as cited above, Part 121 is editorially amended to delete references to the sections revoked herein, as follows:

a. In § 121.1014 *Chlortetracycline*, the sentence following paragraph (a)(2) and reading "Residues established in subparagraphs (1) and (2) * * *" is deleted.

b. In § 121.1046 *Oxytetracycline*, the sentence following paragraph (a)(2) and reading "Residues of oxytetracycline in * * *" is deleted.

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

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

(Secs. 408 (b), (e), 701(a), 52 Stat. 1055, 68 Stat. 511, 514; 21 U.S.C. 346a (b), (e), 371(a))

Dated: August 28, 1967.

WINTON B. RANKIN,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 67-10400; Filed, Sept. 5, 1967; 8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

NATURAL FLAVORING SUBSTANCES AND NATURAL SUBSTANCES USED IN CONJUNCTION WITH FLAVORS

In a notice published in the FEDERAL REGISTER of March 30, 1966 (31 F.R. 5131), the Commissioner of Food and Drugs proposed that § 121.1163 be amended (1) to provide for the safe use in food of certain additional substances as natural flavoring substances and natural substances used in conjunction with flavors, (2) to delete the limitation restricting certain flavoring substances to use in alcoholic beverages, and (3) to change the thujone limitation for certain substances to "thujone free."

A comment was received objecting to the proposed change regarding thujone stating that it would confuse rather than clarify the status of thujone as a natural flavoring contaminant. The Commissioner concludes that the proposed limitations statement "thujone free" should be adopted with the addition for clarity of a reference to acceptable methodology for determining thujone and that the absence of thujone should be in terms of the finished food.

The Commissioner also concludes that the prussic acid limitations for certain items should be changed so that they are in terms of the flavoring substance instead of the finished food.

The proposed item "Melilotus (yellow melilot)" as a flavoring in alcoholic beverages is not included in this order because recent preliminary findings on feeding studies with dihydrocoumarin, which is naturally present as a component of melilotus, have raised questions of safety that must first be resolved.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.1163 *Natural flavoring substances and natural substances used in conjunction with flavors* is amended by changing the table in paragraph (b) in the following respects:

1. The limitation "In alcoholic beverages only" is deleted from the following items: "Arnica flowers"; "Artemisia (wormwood)"; "Pennyroyal, European"; and "Thistle, blessed".

2a. The limitations statement for "Elder tree leaves" and "Peach leaves" is revised to read as indicated below.

b. The expression of thujone limitation for the items "Artemisia (wormwood)," "Cedar, white * * *," "Oak moss," and "Yarrow" is changed to read as indicated below and a footnote is added.

c. New items are alphabetically inserted.

The revised items (referred to in amendment 2 a and b) and the new items read as follows:

Common name	Scientific name	Limitations
Aloe	*Aloe perryi* Baker, *A. barbadensis* Mill., *A. ferox* Mill., and hybrids of this sp. with *A. africana* Mill. and *A. spicata* Baker.	
Angola wood	*Roccella fuciformis* Ach.	In alcoholic beverages only.
Artemisia (wormwood)	*Artemisia* spp.	Finished food thujone free.[1]
Boldus (boldo) leaves	*Peumus boldus* Mol.	In alcoholic beverages only.
Bryonia root	*Bryonia alba* L., or *B. dioica* Jacq.	In alcoholic beverages only.
Castor oil	*Ricinus communis* L.	
Cedar, white (arborvitae), leaves and twigs.	*Thuja occidentalis* L.	Finished food thujone free.[1]
Chestnut leaves	*Castanea dentata* (Marsh.) Borkh.	
Cork, oak	*Quercus suber* L., or *Q. occidentalis* F. Gay	In alcoholic beverages only.
Damiana leaves	*Turnera diffusa* Willd.	
Dragon's blood (dracorubin)	*Daemonorops* spp.	
Elder tree leaves	*Sambucus nigra* L.	In alcoholic beverages only; not to exceed 25 p.p.m. prussic acid in the flavor.
Lungmoss (lungwort)	*Sticta pulmonacea* Ach.	
Oak moss	*Evernia prunastri* (L.) Ach., *E. furfuracea* (L.) Mann, and other lichens.	Finished food thujone free.[1]
Opopanax (bisabolmyrrh)	*Opopanax chironium* Koch (true opopanax) or *Commiphora erythraea* Engl. var. *glabrescens*.	
Passion flower	*Passiflora incarnata* L.	
Peach leaves	*Prunus persica* (L.) Batsch.	In alcoholic beverages only; not to exceed 25 p.p.m. prussic acid in the flavor.
Pine, white oil	*Pinus palustris* Mill., and other *Pinus* spp.	
Quillaia (soapbark)	*Quillaja saponaria* Mol.	
Red saunders (red sandal wood).	*Pterocarpus santalinus* L.	In alcoholic beverages only.
Rosin (colophony)	*Pinus palustris* Mill., and other *Pinus* spp.	In alcoholic beverages only.
Sandarac	*Tetraclinis articulata* (Vahl.), Mast.	In alcoholic beverages only.
Tansy	*Tanacetum vulgare* L.	In alcoholic beverages only; finished alcoholic beverage thujone free.[1]
Walnut husks (hulls), leaves, and green nuts.	*Juglans nigra* L., or *J. regia* L.	
Yarrow	*Achillea millefolium* L.	In beverages only; finished beverage thujone free.[1]
Yerba santa	*Eriodictyon californicum* (Hook. et Arn.) Torr.	

[1] As determined by using the method (or, in other than distilled liquors, a suitable adaptation thereof) in sec. 9.091, "Official Methods of Analysis of the Association of Official Agricultural Chemists," 10th Edition (1965).

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

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

(Sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d))

Dated: August 28, 1967.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 67-10325; Filed, Sept. 5, 1967; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4265]

[Wyoming 0321051]

WYOMING

Withdrawal for National Forest Administrative Site and Recreation Areas

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described national forest lands are hereby withdrawn from appropriation under the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, in aid of programs of the Department of Agriculture:

SIXTH PRINCIPAL MERIDIAN

BLACK HILLS NATIONAL FOREST

Reuter Campground

T. 51 N., R. 63 W.,
Sec. 9, NE¼NW¼NE¼ and S½NW¼NE¼.

MEDICINE BOW NATIONAL FOREST

Esterbrook Administrative Site

T. 28 N., R. 71 W.,
Sec. 10, S½S½NW¼NW¼ and that portion of lot 1 more particularly described as the N½N½SW¼NW¼ except MS 453.

Pole Creek and Yellow Pine Campgrounds

T. 15 N., R. 72 W.,
Sec. 24, NE¼SW¼, N½SE¼, and N½S½SE¼.

Camel Creek Campground

T. 29 N., R. 75 W.,
Sec. 28, SW¼NE¼.

Lake Owen Recreation Area

T. 14 N., R. 78 W.,
Sec. 25, SW¼ and W½SE¼;
Sec. 26, E½E½SE¼;
Sec. 35, E½NE¼NE¼;
Sec. 36, NW¼NE¼ and N½NW¼.

Rob Roy Reservoir Recreation Area

T. 14 N., R. 79 W.,
Sec. 3, lots 3 and 4, except MS 156, E½SE¼NE¼, SW¼NW¼, NE¼SE¼NW¼, NW¼NE¼SW¼, NW¼SW¼, NW¼SW¼SW¼, E½SE¼, and SE¼SW¼SE¼;
Sec. 4, lot 1, except MS 156, SE¼NE¼SE¼, and N½SE¼SE¼;
Sec. 9, S½NE¼NE¼, NW¼NE¼, E½SW¼NE¼, W½SE¼NE¼, W½E½SE¼NE¼, and W½NE¼SE¼;
Sec. 10, N½N½NE¼, SE¼NE¼NE¼, SW¼NW¼NE¼, SE¼NE¼, SE¼NE¼NW¼, S½SE¼NW¼, E½NW¼SW¼, NE¼SW¼, and N½SE¼.

The areas described aggregate 1,380.72 acres in Albany, Converse and Crook Counties.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 30, 1967.

[F.R. Doc. 67-10377; Filed, Sept. 5, 1967; 8:46 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission and Department of Transportation

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. 55]

PART 101—GENERAL RULES OF PRACTICE

Miscellaneous Amendments

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 28th day of August 1967.

There being under consideration the Commission's general rules of practice and for good cause appearing therefor:

It is ordered, That Part 101 of Chapter I, Subtitle B, of Title 49 of the Code of Federal Regulations be amended as follows:

1. In § 101.101, the heading of paragraph (a)(2) is amended, and a new sentence is added at the end thereof; paragraph (e) is amended; and the first sentence of paragraph (g) is amended. As amended, § 101.101 reads as follows:

§ 101.101 Petitions for rehearing, reargument, or reconsideration.

(a) *In general.* * * *

(2) *Administrative finality of division and employee board decisions.* * * *. Decisions of an employee board, whether original or on review, are not administratively final. Such employee board decisions shall be subject to review by an appropriate appellate division of the Commission upon the filing of a timely petition in accordance with these rules of practice.

* * * * *

(e) *Time for filing.* Except for good cause shown, and upon leave granted, petitions under this section must be filed within 30 days after the date of service of a decision or order, except as otherwise provided in the special rules of practice.

* * * * *

(g) *Petitions for reconsideration of appellate division decisions on review of board decisions.* When an appellate division has denied a petition seeking a reversal, change, or modification of a determination whether original or on review by a board of employees, any further petition for reconsideration by the same party or parties upon substantially the same grounds will not be entertained. * * *

§§ 101.242–101.244 [Deleted]

2. Sections 101.242, 101.243, and 101.244 are deleted.

(Secs. 12, 17, 24 Stat. 383, as amended, 385, as amended; secs. 204, 205, 49 Stat. 546, as amended; secs. 304, 316, 54 Stat. 933, 946; secs. 403, 417, 56 Stat. 285, 297; 49 U.S.C. 12, 17, 304, 904, 916, 1003, 1017)

It is further ordered, that these amendments shall become effective September 5, 1967.

And it is further ordered, that notice of this order shall be given to the general public by depositing a copy hereof in the Office of the Secretary of the Commission, Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission.

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

[F.R. Doc. 67-10403; Filed Sept. 5, 1967; 8:49 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[Tariff Circular No. 3]

PART 531—PUBLICATION, POSTING AND FILING OF FREIGHT AND PASSENGER RATES, FARES AND CHARGES IN THE DOMESTIC OFFSHORE TRADE

Transportation of U.S. Government Personnel and Property; Special Permission

Section 6 of the Intercoastal Shipping Act, 1933, permits domestic offshore carriers subject to Federal Maritime Commission jurisdiction to provide services to the Government free or at reduced rates Under section 2 of that Act, however, no carrier in the domestic offshore trades may lawfully carry property or passengers at any rate different from that specified in its effective tariffs on file with the Commission. There is no exemption from the filing requirement in any statute the Commission administers. Therefore, the reduced rates afforded the Government for passengers or property must be on file with the Commission to be lawful. Section 2 further requires that any refund or remission of any rate or fare, or any privilege extended must be in accordance with the tariff on file.

Accordingly, the Federal Maritime Commission hereby adopts regulations which will govern the submission to the Commission of quotations or tenders of rates, fares, or charges for the transportation, storage, or handling of property or the transportation of persons free or at reduced rates for the U.S. Government, or any agency or department thereof, pursuant to the provisions of section 6 of the Intercoastal Shipping Act, 1933 as amended (46 U.S.C. 846).

Therefore, pursuant to the provisions of section 4, Administrative Procedure Act (5 U.S.C. 553); sections 2 and 6, Intercoastal Shipping Act, 1933 (46 U.S.C. 844 and 846); and section 43 of the Shipping Act, 1916 (46 U.S.C. 841(a)), Part 531 of Title 46 Code of Federal Regulations is hereby amended by adding a new § 531.25 reading as follows:

§ 531.25 Transportation of U.S. government personnel and property; special permission.

(a) All carriers, conferences of carriers and/or agents of carriers operating in the domestic offshore commerce of the United States, are hereby granted continuing special permission to file on 1 day's notice, in the form and manner indicated in paragraph (c) of this section, all rates, fares, or charges for the transportation, storage, or handling of property, or the transportation of persons, free or at reduced rates for the U.S. Government or any agency or department thereof.

(b) The provisions of this special permission shall apply to copies of quotations or tenders made by all common carriers by water in the domestic offshore trades (including nonvessel operating common carriers by water) to the U.S. Government, or any agency or department thereof, for the transportation, storage or handling of property or the transportation of persons free or at reduced rates as permitted by section 6 of the Intercoastal Shipping Act, 1933 as amended.

(c) Copies of all quotations or tenders by common carriers to which this special permission applies shall be submitted to this Commission on or after the effective date of this special permission and shall comply with subparagraphs (1) through (6) inclusive of this paragraph.

(1) *Copies to be submitted concurrently with submittal to government agencies.* Exact copies of the quotation or tender shall be submitted to this Commission concurrently with the submittal of the quotation or tender to the Federal department or agency for whose account the quotation or tender is offered or the proposed services are to be rendered.

(2) *Filing in duplicate required.* All quotations or tenders shall be filed in duplicate, one copy of which will be maintained at the Washington office of this Commission for public inspection. One of the copies shall be signed and both shall clearly indicate the name and official title of the officer executing the document.

(3) *Filing procedure.* Both copies of the quotations or tenders shall be filed together with a letter of transmittal which clearly indicates that they are being filed in accordance with the requirements of section 6, and this section.

(4) *Numbering.* The copies of quotations or tenders which are filed with the Commission by each carrier or agent shall be numbered consecutively in a series maintained by such carrier or agent beginning with the number "1".

(5) *Quotation or tender superseding prior one.* A quotation or tender which supersedes a prior quotation or tender shall cancel the prior document by number.

(6) *Amendments or supplements to quotations or tenders.* When amendments or supplements are filed to quotations or tenders issued prior to the effective date of this special permission, copies of the original quotations or tenders, and any prior amendments thereto, must be filed with the amendments or supplements.

Notice and public procedure are not necessary prerequisites for the promulgation of this amendment since it grants a limited waiver of the requirements otherwise imposed by the rules of Part 531.

Effective date. The amendment contained herein shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

By the Commission.

FRANCIS C. HURNEY,
Assistant Secretary.

[F.R. Doc. 67-10397; Filed, Sept. 5, 1967; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM

PART 32—HUNTING

Certain Wildlife Refuges in Montana

The following regulations are issued and are effective on date of publication in the FEDERAL REGISTER. These regulations apply to public hunting on portions of certain National Wildlife Refuges in Montana. General Conditions: Hunting shall be in accordance with applicable State regulations. Portions of refuges which are open to hunting are designated by signs and/or delineated on maps—Special conditions applying to individual refuges are listed on the reverse side of the refuge hunting map. Maps are available at refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 730 Northeast Pacific Street, Portland, Oreg. 97208.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

Migratory game birds may be hunted on the following refuges:

Bowdoin National Wildlife Refuge, Malta, Mont. 59538.

Charles M. Russell NWR, Post Office Box 110, Lewistown, Mont. 59457.

Medicine Lake National Wildlife Refuge, Medicine Lake, Mont. 59247.

Ravalli NWR, No. 5—Third Street, Stevensville, Mont. 59870.

Red Rock Lakes National Wildlife Refuge, Monida, Mont. 59744.

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

Upland game birds may be hunted on the following refuge areas:

Bowdoin National Wildlife Refuge, Malta, Mont. 59538.

Special conditions: Only pheasants may be hunted.

Charles M. Russell NWR, Post Office Box 110, Lewistown, Mont. 59457.

Ravalli NWR, No. 5—Third Street, Stevensville, Mont. 59870.

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

Big game animals may be hunted on the following refuge areas:

Charles M. Russell NWR, Post Office Box 110, Lewistown, Mont. 59457.

Medicine Lake National Wildlife Refuge, Medicine Lake, Mont. 59247.

Ravalli NWR, No. 5—Third Street, Stevensville, Mont. 59870.

Red Rock Lakes National Wildlife Refuge, Monida, Mont. 59744.

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 31, 1968.

PAUL T. QUICK,
Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 25, 1967.

[F.R. Doc. 67-10353; Filed, Sept. 5, 1967; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 26]

GRAIN STANDARDS

Established Inspection Points for Grain

Statement of considerations. At present, there are 12 established inspection points in Iowa where licensed grain inspectors are authorized to post their licenses to inspect and grade grain under the U.S. Grain Standards Act. Requests have been received from the following organizations: Automated Sampling Systems, Des Moines, Iowa; Des Moines Grain Exchange, Des Moines, Iowa; Waterloo-Cedar Falls (Iowa) Traffic Association, Waterloo, Iowa, asking that licensed grain inspectors be authorized to post their licenses to inspect and grade grain under the Act at one or more of the following additional places in Iowa:

Jefferson, Greene County,
Perry, Dallas County,
Waterloo, Black Hawk County.

The requests, submitted by the above mentioned organizations for approval to establish certain inspection points in Iowa, do not preclude other interested organizations or individuals from submitting similar requests. If the requests are granted, Jefferson, Perry, and Waterloo, Iowa, would be considered "established inspection points" as defined in § 26.2(t) of the regulations under the U.S. Grain Standards Act (7 CFR 26.2(t)); licensed grain inspectors located at those points would then have certain responsibilities to inspect and grade grain as provided in § 26.19 of the regulations (7 CFR 26.19); and persons who shipped grain to or from the points would then have certain responsibilities to have grain inspected and graded as provided in § 26.80 of the regulations (7 CFR 26.80). The above regulations read as follows:

§ 26.2 *Terms defined.* * * *

* * * * * *

(t) *Established inspection point.* A town, city, port, or other area within which a licensed inspector is located, has his license posted and approved, and performs inspection service regularly.

* * * * * *

§ 26.19 *Inspection and grading, when required.* Each licensed inspector whose license remains in effect shall, without discrimination, as soon as practicable, and upon reasonable terms, inspect, grade, and issue a certificate of grade for each inspection of any grain of the kind mentioned in his license, the inspection and grading of which are required under the Act, provided such grain be offered and made accessible during customary business hours at the point where he performs service as a licensed inspector, and under conditions which permit the taking of a representative sample and the proper determination of the grade of the grain.

§ 26.80 *Inspection to be obtained, where.* For each shipment of grain in interstate or foreign commerce from or to a place where a licensed inspector is located, which is sold, offered for sale, or consigned for sale by grade, an inspection by a licensed inspector must, in accordance with section 4 of the act, be obtained at the shipping point, at some convenient point en route, or at destination.

The Department policy under the U.S. Grain Standards Act is to approve only one official grain inspection agency at one time for any one place. This policy helps promote and protect the orderly and efficient marketing of grain by promoting the uniform application of the grain standards, reducing undesirable competition between inspection agencies, and reducing unnecessary duplicate inspections. The policy has been supported by the grain trade.

In order that the Department may determine which of the above places, if any, should be approved as established inspection points, and which inspection agencies should be approved as the official inspection agencies at such places as may be approved as established inspection points, interested parties are given opportunity to submit their views and comments in writing, as follows:

Inspection agencies that wish to submit views and comments are requested to include the following information:

1. Whether they are a government, trade, or private organization, or are sponsored by a government, trade, or private organization. (If a trade organization or sponsored by a trade organization, the nature and function of the organization, a list of the member firms, the managerial and technical controls which the trade organization exercises over the inspection activities, and the operating procedure for exercising the controls; e.g., managed by a grain committee which employs and directs the inspection personnel.)

2. Whether they are now providing grain inspection services at established inspection points and, if so, where.

3. The name(s) of places in Iowa which they recommend for approval as established inspection points for their own agency, but which are not now approved.

4. The number of licensed inspectors who would post their licenses at such points, and the names of the inspectors, if known.

5. The inspection equipment and facilities which they would have at such points.

6. Additional laboratory services, if any, such as protein testing, which they would provide at such points.

7. The schedules of inspection fees and charges which they propose to assess at such points, and a statement as to whether it may be necessary for the trade to agree to a minimum annual volume of business.

8. Whether their fees and charges would be reasonable and in accordance with the cost of the service rendered.

9. Whether they would be willing to keep separate and complete accounts of all receipts for inspection service and all disbursements from such receipts for purpose of audit by this Department.

10. Whether they would be willing to retain file samples of all inspections for a minimum period of time as prescribed by the Department.

11. Whether they can provide Statewide grain inspection services at places if such services are desired and needed by the trade, but are not now available.

12. The regular hours of business when service would be available and whether they will be able to provide "24 hour per day" service if requested by the trade.

13. The names and addresses of the firms located at or near the proposed points which are believed to desire compulsory grain inspection of interstate shipments sold by grade and shipped from or to the proposed inspection points.

14. The expected annual volume of bargelot, carlot, trucklot, and other inspections which they estimate will be handled at such points.

Members of the grain trade and others who wish to submit views and comments are requested to include the following information:

1. Which, if any, of the above places or other places in Iowa they recommend for approval as established inspection points.

2. The expected annual volume of bargelot, carlot, trucklot, and other inspections which they would request at each place which they recommend for approval as an established inspection point.

3. The name of the inspection agency which they recommend for approval at each place which they recommend for approval as an established inspection point.

Whether or not any one or more of the above places is approved as an established inspection point, it is proposed that Part 26 of the regulations (7 CFR 26.1 et seq.) be amended to read substantially as follows:

§ 26.80a Places where licensed inspectors are located.

A list of the places where licensed inspectors are located may be obtained from field offices or from the headquarters office of the Grain Division of the Consumer and Marketing Service.

Opportunity is hereby afforded interested parties to submit written data, views, or arguments with respect to the

requests and the proposed amendment to the regulations to the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions should be in duplicate and should be mailed to the Hearing Clerk not later than 30 days after this notice is published in the FEDERAL REGISTER. All submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)). Consideration will be given to the written data, views, or arguments received by the Hearing Clerk and to other information available to the U.S. Department of Agriculture before final determination is made with respect to the requests and the proposed amendment.

Done in Washington, D.C., this 31st day of August 1967.

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

[F.R. Doc. 67-10410; Filed, Sept. 5, 1967; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 3]

TIMED-RELEASE DOSAGE FORMS OF DRUGS

Statement Regarding New-Drug Status

The Commissioner of Food and Drugs has concluded that § 3.512, a statement of policy on the new-drug status of timed-release dosage forms of drugs (published May 9, 1959; 24 F.R. 3756), should be revised to clearly set forth the application to such drugs of the effectiveness provisions of the Drug Amendments of 1962 (Public Law 87-781; 76 Stat. 780 et seq.). It is recognized, however, that some preparations may be exempted by section 107(c)(4) of that act (76 Stat. 789). Preparations claimed to be exempted under these "grandfather" provisions will be considered on an individual basis.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201(p), 701(a), 52 Stat. 1042, as amended, 1055; 21 U.S.C. 321(p), 371(a)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), it is proposed that § 3.512 be revised to read as follows:

§ 3.512 New-drug status of timed-release dosage forms of drugs.

Any drug offered or intended for delayed or prolonged action or release, repeat action, sustained or controlled release, or similar type of action or release is a new drug within the meaning of section 201(p) of the Federal Food, Drug, and Cosmetic Act, and a new-drug application is required for such a product to demonstrate that it is properly made and controlled to release the active components at a safe rate and a rate at which the drug will have its intended effect(s). These requirements apply to all such products whether or not the dosage form contains a quantity of active ingredients generally recognized as safe for administration as a single dose. In submitting a new-drug application for these preparations, particular attention should be given to data establishing that the active ingredients are released over a period of time and have their intended effect(s) over the period of time represented in the labeling.

All interested persons are invited to submit their views in writing, preferably in quintuplicate, regarding this proposal. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, within 60 days following the date of publication of this notice in the FEDERAL REGISTER. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: August 28, 1967.

WINTON B. RANKIN,
Deputy Commissioner of
Food and Drugs.

[F.R. Doc. 67-10402; Filed, Sept. 5, 1967; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[46 CFR Part 401]

[CGFR 67-66]

RATES AND CHARGES FOR GREAT LAKES PILOTAGE SERVICES

Notice of Proposed Rule Making

1. The Commandant, U.S. Coast Guard, has received the following proposals for changes in the rates and charges for Great Lakes Pilotage Services:

(a) The St. Lawrence Seaway Pilots Association of Cape Vincent, N.Y., a voluntary association of U.S. Registered Pilots authorized to form a pilotage pool in District 1 pursuant to Subpart C of the Great Lakes Pilotage Regulations (46 CFR 401.300 to 401.340, inclusive), on December 27, 1966, submitted a petition for an increase and adjustment of the rates and charges for pilotage services as established for District 1 provided for under 46 CFR 401.400 to 401.440, inclusive, in Subpart D of the Great Lakes Pilotage Regulations.

(b) The Great Lakes Advisory Association, on behalf of the Lakes Pilots Association, Port Huron, Mich., and Lake Superior Pilots Association, Duluth, Minn., voluntary associations authorized to form pilotage pools in Districts 2 and 3, respectively, pursuant to Subpart C of the Great Lakes Pilotage Regulations (46 CFR 401.300 to 401.340, inclusive), on March 23, 1967, submitted a proposal for the amendment of the rates and charges for pilotage services provided under the Memorandum of Arrangements Great Lakes Pilotage, an executive agreement between the United States and Canada.

2. The respective associations represented that the substantive basis of these proposals was claimed increase in cost of operation, increased numbers of pilots among whom present revenue must be distributed, and the substantial decline of ocean traffic in the Great Lakes. Fixed overhead cost elements in the operation of the dispatch facilities required was stressed as a factor imposing economic strain on these voluntary associations. The proposed rates and charges submitted for consideration were not presented in a manner to permit direct correlation with the rates and charges in 46 CFR 401.400 to 401.440, inclusive. Accordingly, the proposed rates and charges are arranged in geographic sequence from east to west, numerically identified by major headings by District.

3. Any changes made in the rates and charges for piloting services will be made after consideration has been given to written comments submitted by interested persons. Written data, views, or arguments may be submitted to the Commandant (CCS-3), U.S. Coast Guard, Washington, D.C. 20591, within 15 days after date of publication of this document in the FEDERAL REGISTER. The data, views or arguments submitted may include such matters as wage comparability, and the economic and operational aspects which affect the interested persons. The law requires that rates, charges, conditions, and terms for pilotage services by registered pilots shall be fair and equitable, giving due consideration to the public interest and the reasonable cost and expense of providing and maintaining such facilities and arrangements as are required for the efficient performance of pilotage services. In order to insure efficient consideration it is requested that the identification as given in the proposals described below be given, together with the proposed change or changes (if any), the reason or basis, and the name, business firm or organization (if any), and the address of the submitter.

4. The authority to prescribe rules and regulations with respect to the Great Lakes Pilotage is in sections 4 and 5 of the Great Lakes Pilotage Act of 1960, as amended (secs. 4, 5, 74 Stat. 260, 261; 46 U.S.C. 216b, 216c). The Commandant, U.S. Coast Guard, has been authorized by the Secretary of Transportation in Department of Transportation Order 1100.1 (49 CFR 1.4(a)(1)) to exercise the functions, powers, and duties of the Secretary with respect to functions under the Great Lakes Pilotage Act of 1960, within specified limitations. Any changes in rates approved as a result of this Notice, will be prescribed as amendments to the Great Lakes Pilotage Regulations in 46 CFR 401.400 to 401.440, inclusive (Subchapter D—Rates, Charges, and Conditions for Pilotage Services) pursuant to

the authority in sections 4 and 5 of the Great Lakes Pilotage Act of 1960, as amended (74 Stat. 260, 261; 46 U.S.C. 216b, 216c).

PROPOSED RATES, CHARGES, AND CONDITIONS

5. *Rates and charges for pilotage services.*

(a) *District No. 1.*

	Charges
(i) Between Snell Lock and Cape Vincent or Kingston via Wolfe Island Channel—$220 plus $25 for each lock transited except Snell Lock which shall be transited for a charge of $12.50. A total of	$282.50
(ii) Between Snell Lock and Cardinal, Prescott, or Ogdensburg	172.50
(iii) Between Cardinal Prescott or Ogdensburg and Cape Vincent or Kingston via Wolfe Island Channel	160.00
(iv) For any pilotage commencing or terminating at any point above Snell Lock, other than those named in items (i) to (iii), $2.20 per mile plus $25 for each lock transited with a minimum charge of	50.00
and a fee for each lock transited	25.00
(v) For trips commencing or terminating at Kingston via Lake Ontario, in either direction, a charge of (This charge shall be added to the rate to or from Kingston via Wolfe Island Channel.)	75.00
(vi) For a movage in any harbor	50.00
(vii) Transit of Lake Ontario	200.00

(b) *District No. 2.*

(i) Passage through the Welland Canal or any part thereof, $5 for each mile plus $15 for each lock transited, but with a minimum charge of	$75.00
and a maximum charge of	250.00
(ii) Between Southeast Shoal or any point on Lake Erie west thereof and any point on the St. Clair River or the approaches thereto as far as the northerly limit of the District	250.00
(iii) Between Southeast Shoal and any point on Lake Erie west thereof or on the Detroit River	145.00
(iv) Between any point on Lake Erie west of Southeast Shoal and any point on the Detroit River	145.00
(v) Between points on Lake Erie west of Southeast Shoal	75.00
(vi) Between points on the Detroit River	75.00
(vii) Between any point on the Detroit River and any point on the St. Clair River or its approaches as far as the northerly limit of the District	145.00
(viii) Between points on the St. Clair River only	75.00
(ix) Any movement beginning or terminating at Lake Huron lightship to a point on the St. Clair River	100.00
(x) Transit of the Black Rock Canal or any parts thereof	175.00
(xi) All other ports and all moves within a harbor or port confines not previously specified	90.00

(c) *District No. 2—District No. 3 Interpool.*

	Charges
(i) Chicago port rates:	
South Chicago Breakwater—Lake Calumet	$175.00
South Chicago Breakwater—Basin No. 3	150.00
South Chicago Breakwater—95th Street:	
(1) Bridge	90.00
(2) Navy Pier	90.00
(3) Buffington	90.00
(4) Indiana Harbor	90.00
(ii) Kinosha port rates	90.00
(iii) Milwaukee port rates	90.00
(iv) Muskegon port rates	90.00
(v) Green Bay to Leichts Dock	125.00
(vi) Green Bay to Smiths Dock (Upper Leichts)	175.00
(vii) Bay City:	
(1) Dow Dock	125.00
(2) Wick's	125.00
(3) Carlton	175.00
(4) Saginaw	175.00
(viii) All other ports and all moves within a harbor or port confines not previously specified	90.00
(ix) Translake rate (breakwater to breakwater) per 24-hour period	100.00
(x) Transit of the Sturgeon Bay Canal or any part thereof	150.00

(a) *District No. 3.*

(i) Between the southerly limit of the District and the northerly limit of the District or the Algoma Steel Corp. Wharf at Sault Ste. Marie, Ontario	$250.00
(ii) Between the southerly limit of the District and Sault Ste. Marie, Mich., or any point in Saulte Ste. Marie, Ontario, other than the Algoma Steel Corp. Wharf	200.00
(iii) Between the northerly limit of the District and Sault Ste. Marie, Ontario, including the Algoma Steel Corp. Wharf, or Sault Ste. Marie, Mich	100.00
(iv) Between southerly limit of the District and the Lime Island fuel dock	100.00
(v) For a movage in Sault Ste. Marie lower harbor	100.00
(vi) Harbor move, lower Sault Ste. Marie harbor to upper harbor or Gros Cap	125.00
(vii) Duluth-Superior Harbor move	90.00
(viii) Fort William-Port Arthur Harbor move	90.00
(ix) All other ports and all moves within a harbor or port confines not previously specified	90.00
(x) Translake rate (breakwater to breakwater) per 24-hour period	100.00
(xi) Transit Keewanaw Waterway or any part thereof	150.00

(e) *Definitions.*

The following definitions pertain to the rates listed above:

(i) The translake rate may begin and/or end at the breakwater or entrance to a port or designated water area.

(ii) A harbor move is not a combination of a translake and a harbor move, it includes a separate rate and is from:

(1) One dock to another;
(2) From dock to anchorage;
(3) From anchorage to dock;
(4) From breakwater to anchorage or dock;
(5) From one anchorage to another; or
(6) From anchorage or dock to breakwater.

A harbor move is completed whenever the vessel docks or drops anchor.

(iii) For purposes of this schedule of rates, the Welland Canal shall be considered to begin and/or end at the Port Colborne approach buoy, and at the Port Weller approach buoy.

6. *Charges of pilot in undesignated waters and detention charges.* (a) Subject to paragraphs (b) and (c), the charges to be paid by a ship that has a registered pilot on board in the undesignated waters shall be $100 for each 24-hour period or part thereof that the pilot is on board, plus the travel expenses reasonably incurred by a pilot in joining the ship and returning to his base.

(b) When a registered pilot is carried on a ship in a direct transit of the undesignated waters of Lake Erie between Southeast Shoal and Port Colborne, the charges referred to in paragraph (a) are not payable unless;

(i) The ship is required by law to have a registered pilot on board in those waters; or

(ii) Services are performed by the pilot in those waters at the request of the Master.

However, if the ship is not required by law to have a registered pilot on board in those waters and services are not requested to be performed by the pilot, and the pilot is still retained on board, he shall be paid the detention rate.

(c) When a pilot is called to perform translake services and he is retained on board during a harbor move prior to or upon termination of his translake duties for which his services are not requested or utilized, he shall charge the detention rate until such time as he commences his translake duties or is released from the ship.

7. *Detention en route.* (a) When the passage of a ship through a District is interrupted for the purpose of loading or discharging cargo or for any other reason and the services of the registered pilot are retained, during such interruption, for the convenience of the ship, the ship shall be required to pay an additional charge of $7.50 for each hour or part of an hour during which each interruption lasts, but with a maximum of $112.50 for each 24-hour period of such interruption.

8. *Delays.* (a) When in designated or undesignated waters the departure or the movage of a ship for which a registered pilot has been ordered is delayed for the convenience of the ship for more than 1 hour after the pilot reports for duty or after the time for which he is ordered, whichever is the later, or when a pilot is detained on board a ship for the convenience of the ship for more than 1 hour after the end of the assignment for which he was ordered, there shall be payable an additional charge of $7.50 per hour, but with a maximum of $112.50 for any 24-hour period.

9. *Cancellations.* When in designated or undesignated waters a registered pilot reports for duty as ordered and the order is canceled, the charges to be paid by the ship shall be:

(a) A cancellation charge of $50.

(b) If the cancellation is more than 1 hour after the pilot was ordered, a further charge of $7.50 for every hour or part of an hour after the first hour, except that the aggregate cancellation fee payable in any 24-hour period shall not exceed $112.50.

(c) The ship shall pay travel expenses reasonably incurred by the pilot in joining the ship and returning to his base. The ship shall also pay, at detention rates, for the actual travel time from point of dispatch, however, this amount shall not exceed $30.

10. *Collection of charges.* (a) Charges for services rendered by a United States or Canadian Registered Pilot which are not paid to the appropriate association within sixty (60) days from the date of the services performed shall bear interest at the rate of 7 percent per annum from the date of performance of the service.

(b) Charges referred to above which are not paid within ninety (90) days of the date of performance of the service shall be determined to be delinquent and shall bear a 5 percent penalty.

(c) Upon application of an association or appropriate billing office, any vessel line or shipping association, which has a history of certified delinquent accounts, may be required to make advance payment for pilotage service requested to the appropriate association, or to post a suitable bond securing payment.

(Secs. 4, 5, 74 Stat. 260, 261; 46 U.S.C. 216b, 216c, Department of Transportation Order 1100.1, Mar. 31, 1967, 49 CFR 1.4(a)(1))

Dated: September 1, 1967.

W. J. SMITH,
Admiral U.S. Coast Guard
Commandant.

[F.R. Doc. 67-10446; Filed, Sept. 1, 1967; 3:26 p.m.]

FEDERAL RESERVE SYSTEM

[12 CFR Part 215]

[Reg. O]

LOANS TO EXECUTIVE OFFICERS OF MEMBER BANKS

Notice of Proposed Rule Making

The Board of Governors of the Federal Reserve System is considering a revision of Part 215 (Regulation O), relating to loans to executive officers of member banks, to read as hereinafter set forth.

The purposes of this revision would be (1) to conform Part 215 to amendments made to section 22(g) of the Federal Reserve Act (12 U.S.C. 375a) by the Act of July 3, 1967 (P.L. 90-44); and (2) to limit the definition of the term "executive officer" to those persons (other than nonofficer directors) who participate or are authorized to participate in the major policy-making functions of a member bank.

While the proposed revision would make changes in Part 215 to conform to the amended law under which the part is issued, it should be understood that member banks and their officers may currently act in accordance with the provisions of the amended law despite more restrictive provisions of the present Part 215.

The proposed redefinition of "executive officer" is intended to exclude persons who may have official titles and may exercise a certain measure of discretion in the performance of their duties, including discretion in the making of loans, but who do not participate in the determination of major policies of the bank and whose decisions are circumscribed by policy standards fixed by the top management of the bank. For example, the revised definition would not include a manager or assistant manager of a branch of a bank unless he participates or is authorized to participate in major policy-making functions. Under the revised definition, certain titled officers would be presumed to be executive officers unless they are specifically excluded by a resolution of the bank's board of directors from participation in major policy-making functions. Such resolutions might be particularly appropriate in the case of many vice presidents of large banks.

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, views, or arguments. Any such material should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 1, 1967.

Dated at Washington, D.C., this 30th day of August 1967.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN,
Secretary.

PART 215—LOANS TO EXECUTIVE OFFICERS OF MEMBER BANKS

Sec.
215.1 Basis and scope.
215.2 Definitions.
215.3 General prohibitions.
215.4 Exceptions.
215.5 Requirements for extensions of credit.
215.6 Reports of indebtedness to other banks.
215.7 Reports of member banks.

AUTHORITY: The provisions of this Part 215 issued under 12 U.S.C. 248, 375a, 77.

§ 215.1 Basis and scope.

This part is issued pursuant to section 22(g) of the Federal Reserve Act, as amended (12 U.S.C. 375a), and relates to extensions of credit by member banks to their executive officers.

§ 215.2 Definitions.

(a) *"Member bank"*. The term "member bank" means any banking institution that is a member of the Federal Reserve System.

(b) *"Executive officer"*. The term "executive officer" means every officer of a member bank who participates or has authority to participate, otherwise than in the capacity of a director, in major policy-making functions of the bank, regardless of whether he has an official title or whether his title contains a designation of assistant and regardless of whether he is serving without salary or other compensation. The chairman of the board, the president, every vice president, the cashier, secretary, treasurer, and trust officer of a member bank are assumed to be executive officers, unless, by resolution of the board of directors or by the bank's bylaws, such officer is excluded from participation in major policy-making functions of the bank and he does not actually participate therein.

(c) *"Extension of credit" and "extend credit"*. The terms "extension of credit" and "extend credit" mean the making of a loan or the extending of credit in any manner whatsoever, and include:

(1) Any advance by means of an overdraft, cash item, or otherwise;

(2) The acquisition by discount, purchase, exchange, or otherwise of any note, draft, bill of exchange, or other evidence of indebtedness upon which an executive officer may be liable as maker, drawer, indorser, guarantor, or surety;

(3) The increase of an existing indebtedness, except on account of accrued interest or on account of taxes, insurance, or other expenses incidental to the existing indebtedness and advanced by the bank for its own protection;

(4) Any advance of unearned salary or other unearned compensation for periods in excess of 30 days; and

(5) Any other transaction as a result of which an executive officer becomes obligated to a bank, directly or indirectly by any means whatsoever, by reason of an indorsement on an obligation or otherwise, to pay money or its equivalent.

Such terms, however, do not include:

(i) Advances against accrued salary or other accrued compensation, or for the purpose of providing for the payment of authorized travel or other expenses incurred or to be incurred on behalf of the bank;

(ii) The acquisition by a bank of any check deposited in or delivered to the bank in the usual course of business unless it results in the granting of an overdraft to or the carrying of a cash item for an executive officer;

(iii) The acquisition of any note, draft, bill of exchange, or other evidence of indebtedness, through a merger or consolidation of banks or a similar transaction by which a bank acquires assets and assumes liabilities of another bank or similar organization, or through foreclosure on collateral or similar proceeding for the protection of the bank; or

(iv) Indebtedness arising by reason of general arrangements under which a bank (*a*) acquires charge or time credit accounts or (*b*) makes payments to or on behalf of participants in a bank credit card plan, check credit plan, or similar plan, except that this subdivision (iv) shall not apply to indebtedness of an executive officer to his own bank to the extent that the aggregate amount thereof exceeds $1,000 or to any such indebtedness to his own bank that involves prior individual clearance or approval by the bank other than for the purpose of determining whether his participation in the arrangement is authorized or whether any dollar limit has been or would be exceeded.

§ 215.3 General prohibitions.

(a) *Extensions of credit to executive officers.* Except as provided in § 215.4, no member bank shall extend credit to any of its own executive officers and no executive officer of a member bank shall borrow from or otherwise become indebted to such bank.

(b) *Extensions of credit to partnerships.* Except as provided in subparagraph (3) of § 215.4(b), no member bank shall extend credit to a partnership in which one or more executive officers of such bank are partners having either individually or together a majority interest in the partnership and no such partnership shall borrow from or otherwise become indebted to such member bank.

§ 215.4 Exceptions.

(a) *Protection of member bank against loss.* This Part shall not apply to the indorsing or guaranteeing for the protection of a member bank of any loan or other asset previously acquired by such bank in good faith or to any indebtedness for the purpose of protecting a member bank against loss or of giving financial assistance to it.

(b) *Particular exceptions.* Subject to the requirements of § 215.5, the provisions of this part shall not apply:

(1) To any loan not exceeding $30,000 made by a member bank, with the specific prior approval of its board of directors, to any executive officer of such bank if, at the time the loan is made, it is secured by a first lien on a dwelling which is expected, after the making of the loan, to be owned by the officer and used by him as his residence, and no other loan by the bank to the officer under authority of this subparagraph is outstanding;

(2) To extensions of credit made by a member bank to any executive officer of the bank, not exceeding the aggregate amount of $10,000 outstanding at any one time, to finance the education of the children of the officer; or

(3) To extensions of credit made by a member bank to any executive officer of the bank which are not otherwise specifically authorized under this paragraph (b), not exceeding the aggregate amount of $5,000 outstanding at any one time. For purposes of this subparagraph, the full amount of any extension of credit authorized hereunder that may be made to a partnership in which one or more of the member bank's executive officers are partners and have either individually or together a majority interest shall be considered to have been extended to each officer of the bank who is a member of the partnership.

§ 215.5 Requirements for extensions of credit.

In the case of any extension of credit authorized under this part,

(a) The extension of credit shall be promptly reported to the board of directors of the member bank; [1]

(b) The extension of credit shall be one that the member bank shall be authorized to make to borrowers other than its officers;

(c) The extension of credit shall be on terms not more favorable than those afforded other borrowers;

(d) The borrowing officer shall have submitted a detailed current financial statement; and

(e) The extension of credit shall be subject to the condition that it shall become due and payable on demand of the bank at any time when the officer is indebted to any other bank or banks on account of extensions of credit of any one of the three categories respectively described in subparagraphs (1), (2), and (3) of § 215.4(b), in an aggregate amount greater than the amount of credit of the same category that could be extended to him by the bank of which he is an officer.

§ 215.6 Reports of indebtedness to other banks.

Any executive officer of a member bank who was indebted to any other bank or banks on July 3, 1967, or who becomes indebted to any other bank or banks after that date on account of extensions of credit of any one of the three categories respectively described in subparagraphs (1), (2), and (3) of § 215.4 (b), in an aggregate amount greater than the aggregate amount of credit of the same category that could lawfully be extended to him by the bank of which he is an executive officer, shall make a written report to the board of directors of the member bank, identifying the lender and stating the date and amount of each such extension of credit, the security therefor, and the purposes for which the proceeds have been or are to be used.

§ 215.7 Reports of member banks.

Each member bank shall include with (but not as part of) each report of condition and copy thereof filed under section 7(a)(3) of the Federal Deposit Insurance Act a report of all loans under authority of this part made by the bank since its previous report of condition.

[F.R. Doc. 67-10385; Filed, Sept. 5, 1967; 8:47 a.m.]

[1] Prior approval by the board of directors of an extension of credit under § 215.4(b)(1) shall be regarded as compliance with this requirement.

FEDERAL TRADE COMMISSION

[16 CFR Part 153]

BEAUTY AND BARBER EQUIPMENT AND SUPPLIES INDUSTRY

Extension of Time for Comments Regarding Proposed Revision of Trade Practice Rules

Public hearings were held on April 3, 7, and 11, 1967, at San Francisco, New York City, and Atlanta, respectively, to consider proposed revision of trade practice rules for the Beauty and Barber Equipment and Supplies Industry. Notice of the hearings was published in the FEDERAL REGISTER, issued March 3, 1967, 32 F.R. 3711.

Notice is hereby given that the Commission has extended the closing date for submission of written views concerning the proposed revised rules until October 31, 1967.

Approved: August 29, 1967.

By direction of the Commission.

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

[F.R. Doc. 67-10453; Filed, Sept. 5, 1967; 8:49 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

CANNED WHITE JELLY FUNGUS AND LOQUATS

Importation Directly From Taiwan (Formosa); Available Certification by Government of Republic of China

Notice is hereby given that, effective August 1, 1967, certificates of origin issued by the Ministry of Economic Affairs of the Republic of China under procedures agreed upon between that Government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan (Formosa) of the following additional commodities:

Canned white jelly fungus.
Canned loquats.

[SEAL] MARGARET W. SCHWARTZ,
Director.

[F.R. Doc. 67-10405; Filed, Sept. 5, 1967; 8:49 a.m.]

Office of the Secretary

[Antidumping—ATS 643.3-b]

THIOUREA FROM JAPAN

Determination of Sales at Not Less Than Fair Value

AUGUST 29, 1967.

On June 29, 1967, there was published in the FEDERAL REGISTER a "Notice of Tentative Determination" that thiourea imported from Japan is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

The statement of reasons for the tentative determination was published in the above-mentioned notice, and interested parties were afforded until July 29, 1967, to make written submissions or to request in writing an opportunity to present views in connection with the tentative determination.

No written submissions or requests having been received, I hereby determine that for the reasons stated in the tentative determination thiourea imported from Japan is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

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

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-10406; Filed, Sept. 5, 1967; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Bureau Order 551, Amdt. 112]

CENTRAL OFFICE PERSONNEL

Delegation of Authority

AUGUST 29, 1967.

Bureau Order 551 (an order by which the Commissioner of Indian Affairs delegates authority to Bureau officials), as amended, is further amended by the revision of section 2(a) to authorize the Associate Commissioner to exercise any and all authority conferred upon the Commissioner of Indian Affairs by the Secretary of the Interior. As so revised, section 2(a) reads as follows:

SEC. 2. *Authority of Central Office personnel.* (a) The Deputy Commissioner and the Associate Commissioner may exercise any and all authority conferred upon the Commissioner of Indian Affairs by the Secretary of the Interior. The Assistant Commissioners, the Director of Administration, the Director of Engineering, and those persons designated to act in their place during their absence may exercise, within the scope of their functional responsibilities, any and all authority conferred upon the Commissioner of Indian Affairs by the Secretary of the Interior.

* * * * *

ROBERT L. BENNETT,
Commissioner.

[F.R. Doc. 67-10379; Filed, Sept. 5, 1967; 8:46 a.m.]

Bureau of Land Management

[C-2534]

COLORADO

Proposed Classification of Public Lands for Multiple Use Management

AUGUST 24, 1967.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify for multiple use management the public lands within the areas described below, together with any lands therein that may become public lands in the future. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269) as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating all public lands described in this notice from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9, 25 U.S.C. 334) and from sale under section 2455 of the Revised Statutes (43 U.S.C. 1171). Except as provided above, the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws.

3. Public lands proposed for classification are located within the following described areas in Jackson County. For the purposes of this proposed classification, the lands have been subdivided into blocks, each of which has been analyzed in detail and described in documents and on maps available for inspection at the Glenwood Springs District Office, Bureau of Land Management, Post Office Box 1009, Glenwood Springs, Colo.; at the Walden suboffice, Walden, Colo.; and Land Office, Bureau of Land Management, 1961 Stout Street, Denver, Colo.

SIXTH PRINCIPAL MERIDIAN, COLORADO
JACKSON COUNTY

Block A

T. 9 N., R. 81 W.,
Secs. 4, 5, 6, 8, and 9.
T. 10 N., R. 81 W.,
Secs. 27 to 35, inclusive.

Block A aggregates approximately 4590.06 acres of public land.

Block B

T. 8 N., R. 82 W.,
Sec. 2.
T. 9 N., R. 82 W.,
Sec. 35.

Block B aggregates approximately 248.39 acres of public land.

Block C

T. 7 N., R. 81 W.,
Secs. 5, 6, and 7.
T. 7 N., R. 82 W.,
Secs. 1 and 12.
T. 8 N., R. 81 W.,
Secs. 9 and 10;
Sec. 14, SE¼SW¼, SW¼SE¼;
Secs. 15, 20 to 23, inclusive;
Secs. 26 to 29, inclusive;
Secs. 31 and 32;
Sec. 33, N½NE¼, NW¼;
Sec. 34, NW¼NW¼.

Block C aggregates approximately 6,066.72 acres of public land.

Block D

T. 7 N., R. 80 W.,
Secs. 13, 14, 15, and 21 to 24, inclusive;
Sec. 26, NW¼NW¼;
Secs. 27 and 28.

Block D aggregates approximately 2,020 acres of public land.

Block E

T. 7 N., R. 79 W.,
Secs. 29 and 30;
Sec. 31, NE¼NE¼;
Sec. 32, NW¼NW¼.

Block E aggregates approximately 640 acres of public land.

Block F

T. 6 N., R. 81 W.,
Secs. 1 to 4, inclusive;
Secs. 10 and 11;
Sec. 12, NW¼NW¼.
T. 7 N., R. 80 W.,
Sec. 31.
T. 7 N., R. 81 W.,
Sec. 36.

Block F aggregates approximately 2,684.73 acres of public land.

Block G

T. 6 N., R. 80 W.,
Sec. 5, lots 5, 6, and 9, SW¼SW¼;
Sec. 6;
Sec. 7, lots 5, 6, and 7.
T. 6 N., R. 81 W.,
Sec. 12, SE¼NE¼, E½SE¼, SW¼SE¼;
Sec. 13, NW¼NE¼.

Block G aggregates approximately 762.68 acres of public land.

T. 6 N., R. 80 W.,
Sec. 19, lots 7, 8, 10;
Secs. 29 and 32.

Block H aggregates approximately 1,311.23 acres of public land.

Block I

T. 5 N., R. 80 W.,
Sec. 7.
T. 5 N., R. 81 W.,
Secs. 1, 2, and 4;
Sec. 5, NE¼SE¼, SE¼NW¼SE¼;
Sec. 7 to 12, inclusive;
Sec. 14;
Sec. 15, lots 1, 2, and 3;
Secs. 17 and 18;
Sec. 19, part of lots 5, 6, 11, 12, 13, 14, and 19;
Sec. 20, part of lots 2, 3, and 4;
Sec. 22, lot 2, and part of lot 4;
Sec. 30, lots 5 and 8, part of lots 9 and 10.
T. 5 N., R. 82 W.,
Secs. 23 and 24;
Sec. 25, lot 1.
T. 6 N., R. 81 W.,
Secs. 26 and 35.

Block I aggregates approximately 5,326.90 acres of public land.

Block J

T. 6 N., R. 79 W.,
Secs. 26, 27, 28, 33, 34, and 35.
T. 6 N., R. 80 W.,
Sec. 25;
Sec. 26, S½;
Secs. 35 and 36.

Block J aggregates approximately 3,240 acres of public land.

Block K

T. 6 N., R. 79 W.,
Secs. 2, 3, and 4.
T. 7 N., R. 79 W.,
Secs. 33 and 34.

Block K aggregates approximately 1,372.63 acres of public land.

The public lands described aggregate approximately 29,163.34 acres of public land.

For a period of sixty (60) days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with this proposed classification may present their views in writing to the District Manager, Bureau of Land Management, Post Office Box 1009, Glenwood Springs, Colo. 81601.

A public hearing on the proposed classification will be held at 10 a.m. on September 27, 1967 in Brunner Hall, Walden, Colo.

E. I. ROWLAND,
State Director.

[F.R. Doc. 67-10378; Filed, Sept. 5, 1967; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

LICENSED DEALERS UNDER LABORATORY ANIMAL WELFARE ACT

List of Persons

Pursuant to § 2.127 of the regulations (9 CFR 2.127) under the Act of August 24, 1966 (80 Stat. 350; 7 U.S.C. 2131 et seq.), commonly known as the Laboratory Animal Welfare Act, notice is hereby given that, as of August 1, 1967, the following persons were licensed as dealers under said Act and regulations as indicated below:

ALABAMA

G. R. Floyd and E. A. Marchand, Partners, Route 1, Box 235D, McDonald Road, Irvington 36544.
Claude Hancock, Route 2, Section 35771.

ARKANSAS

George J. E. Holzwarth, doing business as George J. E. Holzwarth Co., Post Office Box 186, Fayetteville 72701.

CALIFORNIA

Charles V. Means, Jr., doing business as California Caviary, 10830 Prairie Avenue, Inglewood 90303.
Henry K. Knudsen, doing business as Knudsen's Biological Supplies, J 12488 South, Highway 50, Lathrop 95330.

DISTRICT OF COLUMBIA

George Mazur Enterprises, Inc., 77 Eye Street, SE., Washington 20003.

ILLINOIS

John C. Akers, doing business as Sailfin Pet Shop, 104 North Sixth Street, Champaign 61820.
Ani-Lab Corporation, 196th and Route 54, Homewood 60430.
Dr. Lawrence G. Clark and Edwin W. Short, Partners, doing business as Roseland Research, Route 1, Box 15, Crete 60417.
Oscar V. Calanca, doing business as Calanca's Beagles, R.R. 1, Box 175, Grayslake 60030.
Don A. Carlson and Carl S. Carlson, Partners, doing business as Viking Kennels, 238 Sanders Road, Deerfield 60015.
George Lomax, Opdyke 62872.
Moline Dog Pound, 1701 First Avenue, Moline 61265.
Robert R. Motsinger, doing business as Robert Motsinger Kennel, R.R. 2, St. Joseph 61873.
Omis Corp., 504 North Parkside Avenue, Chicago 60644.
Bertha Peterson, 1607 Delaney Road, Gurnee 60031.
Southern Illinois Farms, Valmeyer 62295.
Lewis N. Warren, Box 125, Pana 62557.

INDIANA

American Animal Industries, Inc., R.R. 3, Box 303A, Sheridan 46069.
Atlantic Kennels, Inc., R.R. 1, Box 167, Zionsville 46077.
Robert A. Everett, doing business as Oakdale Farm and Kennel, R.R. 5, Decatur 46733.
Robert R. Metcalf, R.R. 1, Box 88, Auburn 46706.
David W. Wilson, doing business as Wilson Small Animal Farm, R.R. 3, Box 91, Vincennes 47591.
Alton S. Windsor, Sr., doing business as Windsor Biology Gardens, Box 1210, Bloomington 47401.
Harry K. Zook, doing business as Maple Hill Kennel, R.R. 5, Martinsville 46151.

IOWA

Dewey Adams, 514 North Kent Street, Knoxville 50138.
Henry F. Bockenstedt, R.F.D. 1, Earlville 52041.
Corales Hull, R.R. 1, Weldon 50264.
Dave Irving, Route 1, Charlton 50049.
Robert R. Lauer, doing business as Lauer's Kennels, 1210 Home Park Boulevard, Waterloo 50701.
Elmer B. Scherbring, doing business as Clearview Kennels, Box 106, Earlville 52041.

KANSAS

Biotec Laboratories, Inc., 5245 Merriam Drive, Merriam 66203.
Charles M. Brink, Route 2, Box 13, Paola 66071.

KENTUCKY

Earl Feeback, doing business as Bourbon County Dog Pound, County Farm, Ruddles Mills Road, Route 3, Paris 40361.
M. E. Northcutt, doing business as Goodwill Kennels, R.R. 5, Cynthiana 41031.
William A Newman, Star Route, Beech Creek 42321.
J. W. Toombs, Moreland 40454.

MAINE

The Jackson Laboratory, Otter Creek Road, Bar Harbor 04609.

MARYLAND

W. L. Eckert, Harney Road, Taneytown 21787.
William T. Thompson, doing business as Thompson Rabbit Farm, Box 372, Route 2, Reisterstown 21136.
Edgar E. Walls, Sr., Route 1, Box 57A, Centreville 21617.

MASSACHUSETTS

Dr. Thomas Boria, doing business as Scientific Breeding Laboratory, 1108 Main Street, Worcester 01603.
John Czepiel, 26 Paderewski Avenue, Chicopee 01013.
Dr. Orville H. Drumm, doing business as O'Malley Animal Hospital, 100 Boylston Street, Clinton 01510.
Alvin C. Finch, doing business as Pineland Farm Kennels, Leonard Street, Raynham 02767.
Vincent R. Malone, 42 Oakland Street, Medway 02053.
Roma Kennels, Inc., Main Street, Dunstable 01827.

MICHIGAN

Heric Pehrenbach, doing business as H-Bar-B Research Beagles, 201 Main Street, Essexville 48732.
Grant Hodgins, doing business as Hodgins Kennel, 6110 Lange Road, Howell 48843.
Laboratory Research Enterprises, 5040 Meredith Road, Kalamazoo 49002.
Edward Radzilowski, doing business as Meadow Brook Farms and Co., 10533 Gratiot, Richmond 48062.
Tri-Co Research Projects, Inc., 314 South Sherwood Avenue, Plainwell 49080.

MINNESOTA

Delores N. Besle, Route 4, Hastings 55033.
Melvin Besle, Jordan 55352.
James Goebel, Janesville 56048.
Earland Guetzkow, New Germany 55367.
Donald Hippert, Kasson 55944.
Allen W. LaFave, 402 Third Street SE., East Grand Forks 56721.
Norman L. Larson, doing business as Wayside Kennels, Route 2, Box 449, Long Lake 55336.
Math Serger, Watkins 55389.

MISSISSIPPI

Holley Vanlandingham, Post Office Box 133, Vardaman 38878.

MISSOURI

Bill Adams, doing business as Adams Kennels, 602 North Allen, Marshall 65340.
Wanda Barnfield, doing business as Bar-Wan Rabbitry and Kennel, Route 1, Box 60, Crocker 65452.
Elmer G. Hines, doing business as Sho-Me Kennels, R.R. 1, Grain Valley 64029.
Woodrow W. Huffstutler, Vienna 65582.
Dr. M. L. McGown, 208 East Church Street, Aurora 65605.
Harold Miller, Granger 63442.
Dick Palmer, doing business as Palmer's Livestock Farm, R.R. 2, Box 186, Liberal 64762.

MONTANA

Earl M. Pruyn, doing business as Pruyn Veterinary Hospital, 1515 Livingston, Missoula 59801.

NEBRASKA

Mrs. Kenneth Campbell, South Fulton, Falls City 68355.
Sam A. Gross, Shickley 68436.
Harold Hansen and Viola Hansen, Partners, Route 2, Hooper 68031.
Clarence Hayes, 7732 Main Street, Ralston 68127.
Richard McGinnis, Route 3, Omaha 68123.
Mrs. Sylvia Meisinger, Rural Route 1, Ashland 68003.

NEW HAMPSHIRE

Henry Bickford, Goose Pond Road, Lyme Center 03769.
John B. Simpson, Pike 03780.

NEW JERSEY

James Joseph Barton and Edward D. Barton, Partners, doing business as Barton's West End Farms, R.D. 1, Box 45, Hackettstown 07840.
Carl Calabrese, doing business as Eastcoast Animal Supply, 477 North Main Street, Lodi 07644.
Henry Christ, Box 217, Marlboro Road, Old Bridge 08857.
George Clauss, 18–19 Saddle River Road, Fairlawn 07410.
Howard E. Doolittle, doing business as H Bar D Farms, R.D. 1, Box 103, Lafayette 07848.
John W. Jaeger, doing business as John W. Jaeger Enterprises, Post Office Box 345, R.D. 1, Sussex 07461.
K-G Farms, Inc., 3651 Hill Road, Parsippany 07054.
Donald Munson, doing business as Munson Farms, Almond Road, Norma 08347.
Ernest Parker and Walter H. Daniels, Partners, doing business as West Jersey Kennels, Lindenwold 08021.
Price Laboratories, Inc., 2367 Lakewood Road, Toms River 08753.
Valley Farms, Post Office Box 585, West Paterson 07424.
Lloyd D. Wenger, doing business as Wenger Pet Farm, Box 235, Oxford 07863.
James E. Williams, doing business as Hilldale Farms, Box 728, Dutchmill Road, Franklinville 08322.

NEW YORK

Abark, Inc., Route 17–M, MD 1, Monroe 10950.
E. J. Argetsinger, 203 Pine Tree Road, Ithaca 14850.
Ronald M. Barlow, doing business as Barlow Research Animals, Ridge Road, Pompey 13138.
Beagles for Research, Inc., White Sulphur Springs 12787.
Mrs. Eugenia K. Bean, R.R. 3, Iowa Road, Moravia 13118.
Claude Benjamin, doing business as Lake Brook Kennel, Hobart 13788.
Cornell Dog Farm—New York State College of Agriculture at Cornell University, 37 Sapsucker Woods Road, Ithaca 14850.
Dr. Thomas M. Flanagan, doing business as Grouse Ridge Kennel's, Manley Road, Norwich 13815.
Arthur F. Kelcher, 948 South French Road, Cheektowaga 14225.
Kinwood Farm, Inc., R.D. 1, Mannsville 13661.
Marshall Research Animals, Inc., North Rose 14516.
Steven Molnar, 231 Union Street, Box 182, Hudson 12534.
Clarence Morey, R.D. 2, Waverly 14892.
J. J. Nowak, doing business as J. J. Nowak Kennels, 4347 Broadway, Depew 14043.
Robert W. Steedman, North Road, Leroy 14482.
Donald L. Stumbo, doing business as Stumbo Farms, Reed Road, Lima 14485.
Eugene E. Wells, Box 174, Springfield Center 13468.
Western New York Animal Resources, Inc., 10 Boston Road, Ontario 14519.
Warren H. Wilson, Shay Road, Middlesex 14507.

OHIO

Paul Anthony, Route 1, Trestle Road, St. Paris 43072.
Carrol Blue, doing business as Blue's Animal Farm, Route 1, Plain City 43064.
James C. Cotrell and George F. Cotrell, Partners, doing business as Cotrell Farm and Kennel, Route 1, Fort Laramie 45845.
Romeo Marchetti and Quintino Marchetti, Partners, doing business as Roe-Quinn Kennels, 16728 Route 700, Burton 44021.
Frank H. Maxfield, doing business as Maxfield Animal Supply, Box 44004, 3192 Little Dry Run Road, Cincinnati 45244.

OKLAHOMA

Charles Alexander, doing business as Alexander's Kennels, Route 1, Wayne 73095.

OREGON

Percy A. Powers, doing business as Gresham Veterinary Clinic, 520 Northwest Division, Gresham 97030.

PENNSYLVANIA

The Buckshire Corp., Ridge Road, Route 1, Perkasie 18944.
Dierolf Farms, Inc., Post Office Box 26, R.D. 2, Boyertown 19512.
Sam Esposito, Box 137, R.D. 1, Quakertown 18951.
Patricia Haab, Daisy M. Grosso, and Walter Haab, Partners, doing business as Pocono Rabbit Farm and Laboratory, Dutch Hill Road, Canadensis 18325.
W. J. Haas, doing business as Three Springs Kennels, 146 Bascom Street, Pittsburgh 15214.
Haycock Kennels, Inc., R.D. 4, Quakertown 18951.
Charles Hazzard, doing business as North Creek Kennels, Box 121, West Chester 19380.
M. L. Kredovski, doing business as Lone Trail Kennels, Post Office Box 46, Friedensburg 17933.
Dale M. Lightner and Myrtle M. Mehring, Partners, doing business as The Orange and Black Farm, R.D. 5, Hanover 17331.
William R. Miller, doing business as Broken Arrow Kennels, Box 111, McConnelsburg 17233.
Vincent Neamond and Janet Neamond, Partners, doing business as White Eagle Farms, 2015 Lower State Road, R.D. 3, Doylestown 18901.
George F. Pierce, doing business as Pleasant View Kennel, Box 131, R.D. 3, Hummelstown 17036.
Harry Pratt, doing business as Pratt Laboratories, 1739 South 54th Street, Philadelphia 19143.
Frances V. Stinson, doing business as Hy-Line Beagles, Kellers Church Road, Bedminster 18910.
Marlin U. Zartman, R.D. 2, Douglassville 19518.

RHODE ISLAND

James Leo Burke, doing business as Shangri-La Kennels, 750 Greenville Avenue, Johnston 02919.

TENNESSEE

Terrell Fisher, Route 1, Greenbrier 37073.
William L. Hargrove, Jr., West Avenue, Medina 38355.
James B. Wampler, doing business as Rocky Mountain Kennels, Post Office Box 991, Cleveland 37311.

TEXAS

Carmon Nichols, doing business as Carmon Nichols Kennels, 100 South Elm Street, Bonham 75418.
Dr. James E. Teague, doing business as Dublin Veterinary Clinic, Post Office Box 206, Dublin 76446.
Carl Walden, doing business as Clayco Kennels, Box 506, Henrietta 76365.

UTAH

Thomas F. Imlay, doing business as Dogs for Research, 4996 South Redwood Road, Murray 84107.

VERMONT

Allen Clark, Box 171, Hartford 05047.
Harold I. Johnson, Star Route 2, Windsor 05089.
Richard Frank Lahue, doing business as Shady Maples Animal Farm, Box 132, East Berkshire 05447.

VIRGINIA

Dublin Laboratory Animals, Inc., Box 875, Dublin 24084.
Sidney J. Edwards, 2014 West Norfolk Road, Chesapeake 23703.
Leslie H. Judd and Ronnie Judd, Partners, doing business as Rockey Lane Kennels, Route 1, Edinburg 22824.
Noel E. Leach, doing business as Leach Kennels, Route 3, Chase City 23924.
Jack T. Musick, 2333 Shakeville Road, Bristol 24201.
Earl Saunders, doing business as Myers Creek Kennel and Supply Co., Route 2, Box 666, Lancaster 22503.
The Richard E. Saunders Corp., 1 Belt Boulevard, Richmond 23224.
John P. Thompson, R.F.D. 2, Box 63, Saltville 24370.

WASHINGTON

H. D. Cowan, 18015 140th Avenue SE., Renton 98055.
Robert L. Dry and Margot F. Dry, Partners, doing business as Berliner Zwinger Kennels, Route 1, Box 302, Colbert 99005.
Charles C. Kruger, D.V.M., doing business as Schaferhaus Kennels, 33707 30th Avenue South, Auburn 98002.
Mrs. Janet R. Wilcox, doing business as Jareaux Kennels, 26607 Pacific Hwy South, Kent 98031.

WEST VIRGINIA

John F. Troxell, doing business as The "Show Me" Farm, Route 4, Box 197D, Martinsburg 25401.

WISCONSIN

Wayne Anderson, Route 2, Richland Center 53581.
Fred J. Barr, doing business as Barr Beagle Kennels, Route 2, Greenwood 54437.
Richard Bubolz, R.F.D. 2, Rio 53960.
Mrs. Doris Carlstrom, Ellsworth 54011.
John W. Evans, doing business as Merry Hill Kennel, Route 1, Box 177, Sun Prairie 53590.
Felix. A. Hartmeister, doing business as Northern Biological Supply, 455 South Arch Avenue, New Richmond 54017.
Albert Lippert, Route 1, Winneconne 54986.
Walter Feuschel, 13101 North Wauwatosa Road, 76W, Mequon 53092.
Ridgian Farms, Inc., 301 West Main Street, Mount Horeb 53572.
Joseph R. Schettle Frog Farm, Inc., Houlton.
Leonard Tauber, Route 1, Waldo 53093.
Stanley Wilke, R.F.D. 2, Waunakee 53597.

Done at Washington, D.C., this 30th day of August 1967.

E. E. SAULMON,
Director, Animal Health Division, Agricultural Research Service.

[F.R. Doc. 67-10361; Filed, Sept. 5, 1967; 8:45 a.m.]

Packers and Stockyards Administration

GRAY & SONS STOCKYARDS ET AL.

Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below, it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, as amended (7 U.S.C. 202), and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

Name, location of Stockyard and date of posting

ALABAMA

Gray & Sons Stockyards, Clanton, Aug. 12, 1967.

CALIFORNIA

A and M Livestock Auction, Hanford, Aug. 4, 1967.

NEBRASKA

Ericson Livestock Commission Company, Ericson, July 3, 1967.
Holdrege Commission Company, Holdrege, Aug. 12, 1967.

NEW YORK

Circle K Livestock Co., Inc., Hudson Falls, July 24, 1967.

NORTH CAROLINA

Jarman Stables, Greenville, May 15, 1967.

OKLAHOMA

Marlow Sale Barn, Marlow, July 24, 1967.
Osage County Livestock Auction, Fairfax, July 18, 1967.

SOUTH CAROLINA

Marlboro Livestock Auction Market, Bennettsville, Aug. 2, 1967.

SOUTH DAKOTA

Aberdeen Livestock Sales Company, Inc., Aberdeen, Aug. 14, 1967.
Hub City Livestock Sales, Inc., Aberdeen, Aug. 16, 1967.

TEXAS

Brazoria County Livestock Commission, Inc., Alvin, June 21, 1967.

Done at Washington, D.C., this 29th day of August 1967.

CHARLES G. CLEVELAND,
Acting Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[F.R. Doc. 67-10366; Filed, Sept. 5, 1967; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 23(67)-17]

T. J. SAS & SON, LTD., ET AL.

Order Denying Export Privileges for Indefinite Period

In the matter of T. J. Sas & Son, Ltd., T. J. Sas, T. R. Sas, Victoria House, Vernon Place, Holborn, London, W.C. 1, England, Respondents, File No. 23(67)-17.

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, has applied for an order denying to the above-named respondents all export privileges for an indefinite period because the said respondents failed to furnish answers to interrogatories and failed to furnish certain records and documents specifically requested, without good cause being shown. This application was made pursuant to § 382.15 of the Export Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations).

In accordance with the usual practice, the application was reviewed by the Compliance Commissioner, Bureau of International Commerce, who after consideration of the evidence has recommended that the application be granted. The report of the Compliance Commissioner and the evidence in support of the application have been considered.

The evidence presented shows that the respondent firm T. J. Sas & Son, Ltd. is a private limited company with a place of business in London, England; the firm acts as importer and exporter of general merchandise; the respondent T. R. Sas is a director of the firm in charge of sales and contracts. The evidence also shows that T. J. Sas is the managing director of the firm. The evidence further shows that in 1967 the respondent firm received from suppliers in the United States electrical and electronic items and that on a number of occasions in 1967 the respondent firm ordered or requested quotations from several firms in the United States for a variety of commodities including electronic equipment, spare parts for rail diesel cars, spare parts for air compressors, equipment for vacuum power and air brake equipment and parts for textile machines. The said Investigations Division is conducting an investigation relating to the ordering and disposition of the commodities received by respondent firm and also relating to the orders, inquiries and requests for quotations of the other commodities, to ascertain whether violations of the U.S. Export Regulations were involved, particularly whether the commodities in question were exported to or intended to be exported to Cuba or any other unauthorized destination.

It is impracticable to subpoena the firm or its officials, and relevant and material written interrogatories and requests to furnish certain specific documents relating to the matters under investigation were served on the firm and T. R. Sas pursuant to § 382.15 of the Export Regulations. They have failed to furnish responsive answers to the interrogatories and have failed to furnish the documents requested, all as required by said section. They have not shown good cause for such failure. I find that an order denying export privileges to said respondents for an indefinite period is reasonably necessary to protect the public interest and to achieve effective enforcement of the Export Control Act of 1949, as amended. I further find that T. J. Sas as managing director of the respondent firm is the individual primarily responsible for conducting the affairs of said firm. It is hereby determined that this order is effective against said T. J. Sas and that he be regarded as a respondent herein. *Accordingly, it is hereby ordered:*

I. All outstanding validated export licenses in which respondents appear or participate in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

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

any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

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

IV. This order shall remain in effect until the respondents provide responsive answers, written information, and documents in response to the interrogatories heretofore served upon them or give adequate reasons for failure to do so, except insofar as this order may be amended or modified hereafter in accordance with the Export Regulations.

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

VI. A copy of this order shall be served on respondents.

VII. In accordance with the provisions of § 382.15 of the Export Regulations, the respondents may move at any time to vacate or modify this Indefinite Denial Order by filing with the Compliance Commissioner, Bureau of International Commerce, U.S. Department of Commerce, Washington, D.C. 20230, an appropriate motion for relief, supported by substantial evidence, and may also request an oral hearing thereon, which, if requested shall be held before the Compliance Commissioner at Washington, D.C., at the earliest convenient date.

Dated: August 28, 1967.

This order shall become effective forthwith.

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

[F.R. Doc. 67-10357; Filed, Sept. 5, 1967; 8:45 a.m.]

Business and Defense Services Administration

NATIONAL BUREAU OF STANDARDS AND PURDUE UNIVERSITY

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6 (c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribed the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C.

A copy of each comment filed with the Director of the Office of Scientific and Technical Equipment must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 68-00066-00-46040. Applicant: National Bureau of Standards, Gaithersburg, Md. 20760. Article: Electron Microscope accessory, Anticontamination trap, Model No. ACS-2. Manufacturer: Japan Electron Optics Laboratory Co., Inc., Japan. Intended use of article: The article will be used as an accessory to model JEM 5Y electron microscope made by the same manufacturer. Application received by Commissioner of Customs: Aug. 10, 1967.

Docket No. 68-00067-33-46040. Applicant: Purdue University, Purchasing Department, Lafayette, Ind. 47907. Article: Electron Microscope, Norelco Model EM-300 type PW 6001/00. Manufacturer: N. V. Philips, The Netherlands. Intended use of article: The article will be used to study the structure of cellular membranes, Lipoprotein association, fibrous structures in mitochondria and chloroplast structure. Other studies include examination of the orientation of monomers in the segments of bacterial flagella, structural differences found in spore coats of wild type Bacillus cereus and various mutant strains, detailed studies of the mechanism of cell wall digestion in yeast including subsequent comparative ultrastructure between derived yeast "protoplast" and whole cell, and investigation into the synthesis of these spore coats. Application received by Commissioner of Customs: August 10, 1967.

THOMAS Z. CORLESS,
Acting Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-10372; Filed, Sept. 5, 1967; 8:46 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00037-65-46040. Applicant: University of California, East End of Hearst Avenue, Berkeley, Calif. 94720. Article: Electron Microscope, Model HU-125. Manufacturer: Hitachi, Ltd., Japan. Intended use of Article: This article will be used to investigate the properties of thick metal specimens that have not been polished to conventional specimen thickness for electron microscopy. Comments: Comments have been received from one domestic manufacturer, Radio Corporation of America (RCA). These were received after the period for comment on this application had expired. Therefore, pursuant to § 602.5(a) of the regulations cited above, the comments have been treated as an offer to provide additional information to the extent that they contain factual information, as contrasted with arguments, explanations or recommendations. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The principal pertinent specification with respect to the investigation of the properties of metals, is the maximum accelerating voltage. The foreign article provides a maximum accelerating voltage of 125 kilovolts, whereas the RCA

Model EMU–4 provides only 100 kilovolts maximum accelerating voltage. (See respectively the specifications for the Hitachi Model HU–125 attached to application and specifications of RCA Model EMU–4 attached to comments of RCA dated July 10, 1967.) We are advised by the National Institutes of Health that the higher accelerating voltage provides at least 11 percent more penetrating power and higher resolution than an accelerating voltage of 100 kilovolts.

The higher accelerating voltage permits the use of thicker specimens and the thicker the specimen, the greater the amount of information concerning the crystalline structure of alloys which may be obtained. (See memorandum from National Institutes of Health dated June 29, 1967.) We are also advised by the National Bureau of Standards (memorandum dated July 31, 1967) that the lack of the 125-kilovolt accelerating voltage in the domestic instrument justifies the finding that said instrument is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used. For the foregoing reasons, we find that the RCA Model EMU–4 electron microscope is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, that is being manufactured in the United States.

THOMAS Z. CORLESS,
Acting Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–10369; Filed, Sept. 5, 1967; 8:46 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67–00109–33–46040. Applicant: University of California, Lawrence Radiation Laboratory, East End of Hearst Avenue, Berkeley, Calif. 94720. Article: Scanning Electron Microscope Model JSM–3 and ancillary equipment. Manufacturer: Japan Electron Optics Laboratory Co., Ltd., Japan. Intended use of article: Applicant states:

The Scanning Electron Microscope will be used in a wide range of biological and medical investigations where a high resolution of 250 Angstroms on a continuously maintained basis, and multi-informational image is needed. Information will be sought concerning stereoscopic morphology, chemistry and electrical properties of cells, tissue sections, and complete living organisms. The information will be used in describing the pathology of certain diseases as well as in basic physiological developmental studies. It will also be used as a microsource of radiation and radiobiological investigations using living specimens (such as the flour beetle).

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: We are advised by the National Bureau of Standards that no scanning electron microscopes are manufactured in the United States (memorandum dated July 19, 1967). The Bureau further advises that optical microscopes cannot be used for the purposes for which the foreign article is intended to be used, because optical microscopes cannot provide the resolving power equal to the 250 Angstroms necessary to accomplish the scientific objectives of the applicant.

The Department of Commerce does not otherwise know of any other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

THOMAS Z. CORLESS,
Acting Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–10370; Filed, Sept. 5, 1967; 8:46 a.m.]

UNIVERSITY OF LOUISVILLE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67–00073–00–78050. Applicant: University of Louisville, 2301 South Third Street, Louisville, Ky. 40208. Article: Circular dichroism accessory for Cary Model 15 Spectrophotometer. Manufacturer: Rehovoth Instruments, Ltd., Israel. Intended use of article: Applicant states:

Its purpose is to provide circular dichroic vectors through 360° of rotation in the spectrum of the instrument used.

Comments: No comments were received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The article is an accessory for use with the Cary Model 15 spectrophotometer, for measuring circular dichroism. We are advised by the National Bureau of Standards in its memorandum of July 12, 1967, that no counterpart of this article is being manufactured in the United States.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

THOMAS Z. CORLESS,
Acting Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–10371; Filed, Sept. 5, 1967; 8:46 a.m.]

OREGON STATE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67–00021–65–46040. Applicant: Oregon State University, Department of Engineering, Corvallis, Oreg. 97331. Article: Hitachi Perkin-Elmer Electron Microscope Model HU–11B–3. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The electron microscope will be used in both teaching and research in the laboratories of the School of Engineering. Investigations and instructions are related to metals and alloys. Comments: Comments were received from one domestic manufacturer, Radio Corporation of America (RCA), which alleges inter alia that the "RCA Model EMU–4 Electron Microscope is of equivalent scientific value to the instrument for which duty-free entry has been requested for the purposes stated in the application for which the instrument is intended to be used." (Par. (3), letter from RCA dated May 5, 1967.)

Decision: Application approved. No instrument of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United

States. Reasons: (1) The foreign article provides a maximum accelerating voltage of 125 kilovolts (specifications for Hitachi Model HU–11B–3 attached to application), whereas the RCA Model EMU–4 provides a maximum accelerating voltage of 100 kilovolts. The higher accelerating voltage furnishes greater penetrating power and, consequently, permits thicker specimens to be used. RCA claims (par. (4) of comments) that an accelerating voltage of 125 kilovolts furnishes only 11.5 percent more penetrating power, which RCA asserts is a convenience. We are advised by the National Bureau of Standards (memorandum dated July 5, 1967) that the greater penetrating power of even 11.5 percent allows more flexibility in sample preparation. We therefore find that the additional accelerating voltage is pertinent. (2) The foreign article contains among other accessories a deflecting beam system which was not available in the domestic instrument when the applicant placed the order for the foreign article. The National Bureau of Standards advises that this accessory is necessary for attaining the research objectives of the applicant.

For the foregoing reasons, we find that the RCA Model EMU–4 Electron Microscope is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used. The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

THOMAS Z. CORLESS,
Acting Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–10373; Filed, Sept. 5, 1967; 8:46 a.m.]

UNIVERSITY OF PITTSBURGH

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67–00036–33–46040. Applicant: University of Pittsburgh, Department of Anatomy and Cell Biology, School of Medicine, 3550 Terrace Street, Pittsburgh, Pa. 15213. Article: Norelco Electron Microscope, Type EM–300, Model PW 6001. Manufacturer: N. V. Philips Gloeilampenfabrieken, Holland. Intended use of article: Applicant states:

Continuing program of research in cell biology. Qualitative and quantitative characterization of lipids and proteins of membranes in different physiological situations.

Comments: Comments with respect to this application were received from one domestic manufacturer, Radio Corporation of America (RCA), which stated inter alia that "The RCA Model EMU–4 Electron Microscope with the following accessory (low magnification projector pole piece) is of equivalent scientific value to the instrument for which duty free entry has been requested for the purposes stated in the application for which the instrument is intended to be used.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article provides a guaranteed resolution of 5 Angstroms (specification sheet for Norelco EM–300 Electron Microscope attached to application), whereas the RCA Model EMU–4 provides a guaranteed resolution of 8 Angstroms (specifications for Model EMU–4). (The lower the numerical rating in terms of Angstroms, the better the resolving power.) We are advised by the National Bureau of Standards (NBS) (memorandum dated July 10, 1967), that the difference between 5 Angstroms and 8 Angstroms is very significant in view of the purposes for which the foreign article is intended to be used. RCA claims that "no specimen preparation technique has been introduced which permits the preservation of cell structure below the 10–15 Angstrom range for sectioned specimens" (RCA comments dated May 11, 1967, par. 4(a)). NBS advises in its memorandum cited above that this statement does not apply to research concerned with variations in the components in the plasma membranes after chemical treatments. We find that the better resolving power of the foreign article is pertinent to the question of scientific equivalency. (2) The foreign article provides five accelerating voltages (20, 40, 60, 80, and 100 kilovolts), whereas the RCA Model EMU–4 provides only 2 accelerating voltages (50 and 100 kilovolts). Applicant states that "Because of the low electron density of the plasma membranes and because electron staining must be avoided since the latter would obscure the detailed structure desired, it is necessary to work at very low accelerating potentials such as 20 KV at the same time being able to move step-wise to more conventional potentials for normal work."

(Question 13 of application.) We are advised by both the Department of Health, Education, and Welfare (HEW) and NBS that the lower accelerating voltage available in the foreign article is a pertinent characteristic. HEW states that the 20 kilovolts accelerating voltage is a necessity, not a convenience. NBS states that "it is essential to the research objectives of the applicant that [it] have the capability to attempt to obtain improved contrast through the use of these accelerating voltages." Further while RCA claims that "no results have been demonstrated to our knowledge to date with an accelerating voltage of 20 KV" (par. 4(b) of RCA comments), HEW, in its memorandum of July 28, 1967, cites four references to published articles on research done with low voltage electron microscopy.

For the foregoing reasons, we find that the RCA Model EMU–4 is not of equivalent scientific value to the foreign article for the purposes for which such article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, which is being manufactured in the United States.

THOMAS Z. CORLESS,
Acting Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67–10374; Filed, Sept. 5, 1967; 8:46 a.m.]

SAINT LOUIS UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67–00063–85–30500. Applicant: Saint Louis University, Post Office Box 8020, College Station, St. Louis, Mo. 63156. Article: Ground Electromagnetic Equipment, Model Ronka Mark III. Manufacturer: Huntec, Ltd., 1450 O'Connor Drive, Toronto 16, Ontario, Canada. Intended use of article: Applicant states:

This equipment is to be used for the purpose of instructing geophysics seniors about modern geophysical exploration methods. It will form part of our undergraduate geophysical exploration laboratory and will be used in the course entitled Electrical Exploration Laboratory.

Comments: No comments were received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a portable electromagnetic device which will form part of a geophysical laboratory which will be used

for teaching undergraduate students of geophysics in the methods of geophysical exploration. For the purposes for which the applicant intends to use the article, the characteristic of portability is pertinent.

The Department of Commerce knows of no portable ground equipment which is of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, and which is being manufactured in the United States.

THOMAS Z. CORLESS,
Acting Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-10375; Filed, Sept. 5, 1967; 8:46 a.m.]

SYRACUSE UNIVERSITY

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00086-00-46040. Applicant: Syracuse University, 150 Marshall Street, Syracuse, N.Y. 13210. Article: Electron Microscope Accessories. Manufacturer: Japan Electron Optics Laboratory, Japan. Intended use of article: These accessories will be used for Model JEM-7A electron microscope which is used for metallurgical research.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The application relates to accessories for use with a JEM-7A electron microscope which is already in the possession of the applicant.

The Department of Commerce knows of no domestic manufacturer which produces comparable accessories which will fit the JEM-7A electron microscope. We therefore find that no instrument or apparatus of equivalent scientific value to the foreign articles, for the purposes for which such articles are intended to be used, is being manufactured in the United States.

THOMAS Z. CORLESS,
Acting Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-10376; Filed, Sept. 5, 1967; 8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 67-54]

UNITED STATES STEEL CORP. (INTERCOASTAL FLEET)

Notice of Amendment of Registration of House Flag

The Commandant, U.S. Coast Guard, in accordance with the provisions of 19 CFR 3.81 (§ 3.81, Customs Regulations), issued under the authority of the Act of May 28, 1908, as amended (46 U.S.C. 49), has amended the registration of the house flag of the United States Steel Corp. described in Treasury Decision 56112 of February 13, 1964 (20 F.R. 2562) by substituting the words "Intercoastal Fleet and Great Lakes Fleet" for "Intercoastal Fleet" so that the house flag is registered as that of "United States Steel Corp. (Intercoastal Fleet and Great Lakes Fleet)."

The particulars of the house flag remain as described in Treasury Decision 56112.

Dated: June 30, 1967.

C. P. MURPHY,
Chief, Office of Merchant Marine Safety.

[F.R. Doc. 67-10394; Filed, Sept. 5, 1967; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18919]

INCREASED BABY POULTRY RATES [1]

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on September 18, 1967, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Herbert K. Bryan.

Dated at Washington, D.C., August 30, 1967.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 67-10395; Filed, Sept. 5, 1967; 8:48 a.m.]

[Docket No. 18273; Order No. E-25622]

AIRLIFT INTERNATIONAL, INC., ET AL.

Exemption of Air Carriers for Military Charters and Substitute Service; Order Denying Petition

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 31st day of August 1967.

Exemption of Air Carriers for Military Charters and Substitute Service—Joint Petition seeking clarification and/or other relief, Docket 18273.

[1] See orders E-25538 and E-25592.

On June 6, 1967, 12 air carriers performing charter services pursuant to contracts with the Military Airlift Command (MAC) filed in Docket 18273 a document entitled "Joint Petition for Clarification and/or other relief." In essence, the petition complains against action by MAC reducing the mileage factors used to compute charter compensation to three southeast Asia points. The petition alleges that such reductions in mileage are inconsistent with the rationale expressed by the Board in Regulation No. ER-494, adopted May 25, 1967, which, after a comprehensive review, effected general revisions in the minimum rates for military charters stated in Part 288 of the Board's regulations. Trans World Airlines, Inc. (TWA), has filed a telegram in support of the joint petition and MAC has filed an answer in opposition.

The Board has determined that the action of MAC reducing certain pay mileages does not violate the existing provisions of Part 288, and that the petition should therefore be denied. If the petitioners are entitled to any relief from the Board, it can be effected only by appropriate amendment of Part 288. However, on the basis of information available to the Board, we do not find sufficient basis for instituting a rulemaking proceeding.

The mileage factors used in constructing minimum rates for MAC charters are set forth in section 10 of Part 288. In the case of charters between United States west coast points and points in southeast Asia, there are two standard mileages. If the contract calls for routing via the North Pacific, the mileage factor is the direct airport-to-airport mileage between origin and destination via Anchorage, Alaska; Yokota Air Force Base, Japan; and Clark Air Force Base, Philippine Islands, regardless of the routing actually flown. If the contract calls for a mid-Pacific routing, the mileage factor is the direct airport-to-airport mileage between the point of origin and the point of destination via Honolulu, Wake, and Clark.

There are only three reduced mileage factors against which the petitioners complain. These include the pay mileages between Clark Air Force Base, on the one hand, and the following three southeast Asia points, on the other hand: Saigon, Viet-Nam; Bien Hoa, Viet-Nam; and Bangkok, Thailand. In its contracts covering fiscal year 1967 and earlier years, MAC specified a pay mileage factor between Clark and Saigon of 1,108 miles; 1,093 miles between Clark and Bien Hoa; and 1,678 miles between Clark and Bangkok. In the case of Clark-Saigon and Clark-Bien Hoa, the pay mileages were constructed on the basis of the course indicated by the principal airways used in navigating between such points. In the case of Clark-Bangkok, the pay mileage was based on the airway course between such points circumnavigating Cambodia to the south. Effective June 1, 1967, the effective date of Regulation No. ER-494, which reissued Part 288 stating revised minimum rates for military charters,

MAC advised that it was revising the pay mileage factors used on the three segments mentioned above. The pay mileage between Clark and Saigon is now based on the great-circle distance of 982 miles, and the great-circle distance of 968 miles is also now used as the pay mileage factor between Clark and Bien Hoa. The new mileage between Clark and Bangkok is 14 miles longer than the great-circle distance of 1,336 miles, or 1,350 miles, the extra 14 miles being for the purpose of compensating for the distance associated with circumnavigating Cambodia to the north.

Clark is a common point on both the North Pacific and the mid-Pacific routings used for computing standard mileages on transpacific MAC charters under section 10 of Part 288. Thus, the mileage reduction effected by MAC will reduce the compensation paid contractors on all transpacific charters to the three southeast Asia points involved. Using the North Pacific standard mileage, on which the compensation for most transpacific charters is computed,[1] the mileage reductions have the effect of reducing the compensation on charters between Travis Air Force Base and Saigon or Bien Hoa by 1.5 percent, and between Travis and Bangkok by 3.7 percent.

In its recent review of Part 288, the Board was faced with the issue of whether certain of the standard mileages applicable to transpacific charters should be revised. At the beginning of the review, MAC alleged that the range capability of modern jet aircraft was such that contractors using the North Pacific routing were generally flying nonstop between Japan and southeast Asia omitting the intermediate stop at Clark provided for in the standard-mileage routing. MAC therefore urged the Board to revise the North Pacific standard mileage to omit the Clark stop between Japan and southeast Asia destinations, and the notice of proposed rule making proposed the deletion of Clark from the routing used for computing standard mileages on North Pacific charters to southeast Asia.

In comments responding to the notice, the carriers objected to the change proposed in the North Pacific standard-mileage routing. It was pointed out that many carriers prefer to use the mid-Pacific routing even though their payment is based on the shorter North Pacific mileage. These carriers, for the most part, report their MAC miles to the Board on the basis of the longer mid-Pacific route actually flown instead of the North Pacific routing upon which their payment is based. This, it was argued, results in a disparity between the MAC miles reported to the Board and the miles used by MAC to compute payment, and it was contended that the deletion of the Clark stop in the computation of North Pacific standard pay miles would accentuate this disparity. In other words, the carriers argued that with Clark deleted from the pay mileage factor they would be short-changed, since the pay mileage factor would then be substantially smaller than the mileage factor used by the Board in determining the carriers' costs per mile flown and in setting the minimum rates per ton-mile or passenger-mile.

In its final action, the Board decided not to adopt the deletion of Clark from the standard mileage proposed in the notice. We noted that the extent to which miles flown exceeded pay miles could not be determined from the data available; and, in such circumstances, we determined that it was appropriate to maintain the status quo with respect to pay mileages pending a further and more extensive review of the problem in the next minimum-rate review.[2] On the same point, we also said, "The rate reductions determined herein have been developed after a careful analysis of carrier costs of service as estimated for fiscal year 1968. It would be inequitable, we believe, to magnify those reductions by cutting the mileage to which the rates are applied when there has been no apparent reduction in the miles actually flown by the carriers in transpacific crossings."[3]

The petitioners allege that MAC's action reducing pay mileage factors to the three southeast Asia destinations involved is inconsistent with the Board's rationale in deciding not to revise transpacific standard mileages in ER–494. MAC answers that it has merely revised the mileages in question so as to place them on the same great-circle basis as all other pay mileages are determined, that its action is not inconsistent with the requirements of Part 288 either before or after the revisions effected by ER–494, and the matter of whether the carriers should receive compensation based on mileages greater than the standard mileages provided for in Part 288 should be left to negotiations between MAC and the carriers.

The Board believes it clear that, where certain routings are set forth in Part 288 for purposes of determining standard miles, the mileages between the points specified in the routing are great-circle miles. In almost all cases, other than those complained of here, the pay mileages have been determined by reference to the great-circle distance between the points specified in the standard-mileage routing. The carriers have not complained and do not complain against payment based on great-circle distances where that has been the consistent practice.

In making the reduction in pay mileages against which the petitioners complain, MAC has reduced the Clark-Saigon, Clark-Bien Hoa, and Clark-Bangkok pay mileages from a course-flown to a great-circle basis. In doing so, it has not violated section 10 of Part 288 or any other existing regulation of the Board. The statements in ER–494 on which petitioners rely are not relevant to this matter. They were, instead, related to the proposed changes in the basis for computing standard mileages and not to adjustments in pay mileage factors exceeding the standard mileages.

While the reduced pay mileages are consistent with Part 288, so were the greater mileages specified in the fiscal 1967 contracts. Part 288 merely establishes minimum rates and therefore recognizes the right of the carriers and MAC to negotiate on matters that may warrant compensation greater than the minimums set forth in the regulations. Although MAC has generally refused to contract for greater compensation than the minimum rates, there have been cases where it has done so, the obvious examples being the negotiated mileages to Saigon, Bien Hoa, and Bangkok used in the 1967 and earlier contracts. Moreover, even today MAC contracts to pay for the extra mileage associated with circumnavigating Cambodia, although it is not expressly required to do so under the terms of Part 288.

We turn to the question whether action should be undertaken to amend Part 288 prospectively so as to prescribe the previous contract mileages as the minimum pay mileages. We find no basis for adjusting the mileages at this time. In the rate review just completed the Board undertook a comprehensive costing of MAC charter services. This costing was based primarily on taking each carrier's experienced MAC costs for a base period, adjusting them to reflect forecast operating conditions, and then dividing the result by the MAC miles reported for the base period to obtain a forecast cost per mile. The miles used in this computation are consistent with those reported to the Board on Form 41 and are supposed to be reported in accordance with Form 41 instructions calling for miles to be reported on the basis of the great-circle miles between the points where the aircraft stops. It appears that the reporting of MAC miles by most carriers is consistent with the Form 41 instructions, although there are a few carriers which report on the basis of the MAC pay miles or some other basis. Thus, since the miles used in this computation are the great-circle miles reported by most carriers, the fact that the MAC pay miles between Clark and the three southeast Asia destinations were greater than the great-circle miles would have little or no distorting effect on this computation. Stated differently, the cost-per-mile data on which the minimum rates per passenger- and ton-mile are based in fact reflect the costs of flight circuity. Application of the rates thus derived to pay

[1] Payment is based on the routing specified in the contract, and on transpacific charters a North Pacific routing is normally specified. However, unless the carrier is required to make traffic stops at the intermediate points specified, it may elect to fly whatever routing it feels is most advantageous to it. Thus, many transpacific charters, while paid on the basis of the North Pacific routing, are actually flown over the longer mid-Pacific route, which in the view of many contractors offers more favorable operating conditions.

[2] The Board noted that while many carriers were flying over routings longer than the routing on which their payment was based, there were also carriers flying less than the standard miles on which their payment was based. This was particularly true of carriers flying the North Pacific and stopping at Cold Bay rather than Anchorage and flying nonstop from Japan to southeast Asia.

[3] Regulation No. ER–494, May 25, 1967, p. 31.

miles on a great-circle basis produces revenues consistent with the costs of operation. An increase in the pay mileage would thus result in a duplicate reflection of the circuity costs.

The Board also notes that, in Viet-Nam, charters are being operated in large volume to Da Nang and Cam Ranh Bay. The pay mileage to these points has been based on the great-circle distance prior to as well as after June 1, 1967, without objection from the carriers.[1] The carriers do not contend that the compensation paid them for their substantial volume of charters to Da Nang and Cam Ranh Bay is inadequate, notwithstanding the fact that the pay mileages to such points are and will be based on the direct mileage from Clark regardless of the Board's action with respect to the joint petition. If such compensation is adequate, it is hard to believe that Saigon and Bien Hoa charters are not also being adequately compensated using the same pay mileage basis. There is no reason to believe that flights between Clark and Saigon or Bien Hoa require relatively more circuitous flying than flights between Clark and Da Nang or Clark and Cam Ranh Bay, and the petitioners do not so allege.

In consideration of the foregoing, the Board has decided that the joint petition should be denied.

Accordingly, pursuant to the Federal Aviation Act of 1958: *It is ordered*, That the joint petition filed on behalf of:

Airlift International, Inc.
Braniff Airways, Inc.
Capitol International Airways, Inc.
Continental Air Lines, Inc.
The Flying Tiger Line Inc.
Northwest Airlines, Inc.
Overseas National Airways, Inc.
Saturn Airways, Inc.
Seaboard World Airlines, Inc.
Trans Caribbean Airways, Inc.
Trans International Airlines, Inc.
World Airways, Inc.

in Docket 18273 on June 6, 1967, is hereby denied.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] MABEL MCCART,
Acting Secretary.

[F.R. Doc. 67-10396; Filed, Sept. 5, 1967; 8:48 a.m.]

[Docket No. 18587]

TURKS AND CAICOS AIR SERVICES, LTD.

Notice 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 is assigned to be held before the undersigned Examiner on September 11, 1967, at 10 a.m., e.d.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on June 27, 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., September 5, 1967.

[SEAL] RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 67-10509; Filed, Sept. 5, 1967; 11:28 a.m.]

FEDERAL MARITIME COMMISSION

A. B. ATLANTTRAFIK ET AL.

Notice of Agreement Filed for Approval

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

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

Notice of agreement filed for approval by:

Mr. Elmer C. Maddy, Kirlin, Campbell & Keating, 120 Broadway, New York, N.Y. 10005.

Agreement 9655, between A. B. Atlanttrafik, Blue Star Line, Ltd., Columbus Line, Port Line, Ltd., Ellerman Lines, Ltd., and Farrell Lines, Inc., all members of the Australia/U.S. Atlantic and Gulf Conference, establishes a sailing limitation agreement in the trade from Australia (Fremantle southabout to Cairns inclusive) including Tasmania to the U.S. Gulf and Atlantic ports. The major feature of this arrangement is that Farrell Lines has agreed to limit itself to eighteen (18) northbound sailings per year, and the remaining parties to seventy (70) sailings per year.

Dated: August 31, 1967.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Assistant Secretary.

[F.R. Doc. 67-10398; Filed, Sept. 5, 1967; 8:48 a.m.]

[Docket No. 67-48; Agreement Nos. 9648, etc.]

INTER-AMERICAN FREIGHT CONFERENCE

Order of Investigation and Hearing

The carriers named herein as respondents have filed with the Commission for approval, pursuant to section 15 of the Shipping Act, 1916, a number of agreements, which have been assigned Federal Maritime Commission Nos. 9648, 9649, 9649-A, 9649-B, and 9649-C.

Agreement No. 9648 would establish a conference to govern the transportation of cargo between the Atlantic and Gulf ports of the United States and ports in Brazil, Uruguay, Argentina, and Paraguay.

Agreement No. 9649 and the other agreements (9649-A, 9649-B, and 9649-C) denominated as Appendices to that agreement, would establish Pooling Guidelines in the trades and pools for the carriage of coffee and cocoa.

There are now seven other agreements covering the various trades encompassed by the proposed agreement whose members could be seriously affected by the implementation of the proposed series of agreements.

The Commission notes that a series of decrees by the Brazilian Government have been issued with the stated purpose of assuring that a heavy preponderance of the cargoes that move in the Brazil/United States trades will be carried by Brazilian and American flag lines. The proposed agreements appear, by their terms, to carry out the precepts of these decrees. Indeed parties to the conference agreement must accept these principles as a condition precedent to admission.

In addition to any possible adverse effect upon these so-called "third-flag" carriers, question also arises as to whether implementation of the proposed agreements will cause U.S. importers of Brazilian goods, including coffee and cocoa, to suffer discriminatory disadvantages by virtue of the limitation on the number of carriers and services with which they can book cargoes.

It has been alleged that rebating and other malpractices have been rife in these trades; that rebates have seriously affected the distribution of traffic; and that the proposed agreements and pools are the only solution to such problems.

To discharge its responsibilities under section 15 of the Shipping Act, 1916, and to insure an adequate record upon which the Commission may make the necessary judgment regarding approvability of the several pending agreements, the Commission finds that an investigation and

[1] It appears that, initially, charters to Da Nang were compensated on the basis of more than the great-circle distance between Clark and Da Nang. However, early in 1967 this was changed to a great-circle basis without objection from the carriers.

hearing is required in order to afford all affected parties an opportunity to establish their respective positions on a public record. A number of protests have been filed with the Commission in which it is alleged that the subject agreements are not approvable because they do not meet the criteria for approvability set forth in section 15 of the Shipping Act, 1916. Each protestant requests a hearing.

Therefore, it is ordered, That pursuant to sections 15 and 22 of the Shipping Act, 1916, as amended, an investigation and hearing be and is instituted to determine whether pending Agreements Nos. 9648 and 9649 and the other agreements denominated as Appendices to No. 9649, are or would be discriminatory or unfair as between carriers, shippers, exporters, and importers; or operate to the detriment of the commerce of the United States; or be contrary to the public interest; or be in violation of the Shipping Act, 1916; and whether those agreements should be approved, disapproved, or modified in accordance with the provisions of section 15 of the Shipping Act, 1916.

It is further ordered, That the parties to the subject agreements, listed in Appendix A hereto, be made respondents in this proceeding;

It is further ordered, That this matter be assigned for public hearing before an examiner of the Commission's Office of Hearing Examiners and that the hearing be held at a date and place to be determined and announced by the presiding examiner; and

It is further ordered, That this proceeding be expedited; and

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon respondents; and

It is further ordered, That any person other than respondents or Hearing Counsel, who desires to become a party to this proceeding and participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before September 15, 1967 with copy to parties.

And it is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Assistant Secretary.

APPENDIX A

Companhia De Navegacao Loide Brasileiro, Rua do Rosario, 1/17, Rio de Janeiro, Brazil.

Companhia De Navegacao Maritima Netumar, Avenida Presidente Vargus, 482-22°, Rio de Janeiro, Brazil.

The Booth Steamship Co., Ltd., Cunard Building, Water Street, Liverpool, England.

Delta Steamship Lines, Inc., 2 Canal Street, Suite 1700, International Trade Mart Building, New Orleans, La. 70130.

Empresa Lineas Maritimas Argentinas (E.L.M.A.), 25 de Mayo, 459, Buenos Aires, Argentina.

Georgia Steamship Corp., Georgia-Pacific International Corp., Post Office Box 909, Augusta, Ga. 30903.

The Lamport-Holt Line, Ltd., Royal Liver Building, Liverpool 3, England.

Montemar S.A., Commercial Y Maritima, Rincon 468, Montevideo, Uruguay.

Moore-McCormack Lines, Inc., 2 Broadway, New York, N.Y. 10004.

Navegacao Mercantil S.A., Avenida Rio Branco, 115, Rio de Janeiro, Brazil.

[F.R. Doc. 67-10399; Filed, Sept. 5, 1967; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP68-56]

ALGONQUIN GAS TRANSMISSION CO.

Notice of Application

AUGUST 25, 1967.

Take notice that on August 18, 1967, Algonquin Gas Transmission Co. (Applicant), 1284 Soldiers Field Road, Boston, Mass. 02135, filed in Docket No. CP68-56 an application pursuant to subsection (c) of section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of additional quantities of natural gas to three existing resale customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks authorization to sell and deliver additional quantities of natural gas to three existing resale customers as follows:

Customer	Additional volume required (Mcf)	Proposed maximum daily quantity (Mcf)
Buzzards Bay Gas Co.	470	8,800
Fall River Gas Co.	1,000	14,000
Norwood Gas Co.	107	2,805
Total	1,577	25,605

Applicant states that it can render the additional natural gas service proposed above from a small reserve supply of unallocated natural gas it maintains to meet the unanticipated demands of its customers and therefore no additional purchases of natural gas will be required to render such service. Applicant further states that no additional facilities will be required to render the above-proposed service.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before September 22, 1967.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 67-10381; Filed, Sept. 5, 1967; 8:47 a.m.]

[Project No. 982]

FOREST SERVICE

Order Vacating Withdrawal of Lands

AUGUST 28, 1967.

Application has been filed by the Forest Service (Applicant), Department of Agriculture, for vacation of the power withdrawal pertaining to the following described lands of the United States located within Eldorado National Forest involving 5.43 acres:

MOUNT DIABLO MERIDIAN, CALIFORNIA

All portions of the following tracts lying within 5 feet of the center line of the transmission line location shown on a map designated "Exhibits J and K" and entitled "Proposed Meeks Bay—Fallen Leaf 13 K.V. Transmission Line to be filed with Federal Power Commission by Sierra Pacific Power Co., Reno, Nev.," and filed in the office of the Federal Power Commission on April 18, 1929:

T. 12 N., R. 17 E.,
Sec. 12, SE¼SW¼;
Sec. 14, Lots 7, 8, SW¼SW¼;
Sec. 15, Lots 7 and 8.
T. 13 N., R. 17 E.,
Sec. 21: NE¼NE¼, SW¼NE¼, SE¼NW¼.

All portions of the following described tracts lying within 25 feet of the center line of the transmission line location shown on above described map:

T. 13 N., R. 17 E.,
Sec. 9, W½SE¼, NE¼SW¼.

All portions of the N½NE¼, SW¼NE¼ sec. 21, T. 13 N., R. 17 E., M. D. M., California, lying within the fifteen (15) foot strip embracing the power transmission line right-of-way relocation as shown on an amendatory map designated "Exhibits J and K" and entitled "Meeks Bay—Fallen Leaf Lake 13 K.V. Distribution Line", and filed in the office of the Federal Power Commission on June 18, 1940.

The subject lands were withdrawn pursuant to the filing on April 18, 1929, of an application for license and on June 18, 1940 of an application for amendment by Sierra Pacific Power Co. for transmission line Project No. 982. By order issued November 1, 1965 (34 FPC 1215), the Commission accepted the surrender of a number of transmission line licenses held by Sierra Pacific upon a finding that the transmission lines involved in the several licenses were neither primary lines nor part of a "project" as defined in section 3(11) of the Federal Power Act. The

transmission lines formerly included in the license for Project No. 982 are covered by a Special Use Permit issued by the Forest Service on October 12, 1965.

The Commissions finds: The power value of the subject lands is for transmission line purposes all as recognized by the Forest Service Special Use Permit. The withdrawal pertaining to the lands as referred to in the recital above serves no useful purpose and should be vacated.

The Commission orders: The withdrawal of the subject lands pursuant to the application for Project No. 982 is hereby vacated insofar as it pertains to the subject lands.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67-10382; Filed, Sept. 5, 1967; 8:47 a.m.]

[Project Nos. 1198, 1861]

FOREST SERVICE

Order Vacating Withdrawals of Land

AUGUST 28, 1967.

Application has been filed by the U.S. Forest Service for vacation of the power withdrawals under section 24 of the Federal Power Act pertaining to the following described lands of the United States withdrawn: (a) Pursuant to the filing on February 6, 1932, of an application for license for Project No. 1198 and pursuant to the filing on May 10, 1934, of an application for amendment of the license for the project, totaling approximately 283 acres:

6TH PRINCIPAL MERIDIAN, WYOMING

T. 41 N., R. 115 W.,
Sec. 1, W½SW¼ of lot 4;
Sec. 2, lot 1.
T. 42 N., R. 115 W.,
Sec. 35, E½SW¼, S½SE¼.

and all of the portions of the following described tracts lying within 50 feet of the center line of the transmission line location shown on a map designated "Exhibit F" and entitled "Map to Accompany Application for License, for filing with Federal Power Commission, Jackson Hole Light & Power Co., Applicants, Showing Project Boundaries," and filed in the office of the Federal Power Commission on February 6, 1932; the general determination made by the Commission at its meeting of April 17, 1922, with respect to lands reserved for transmission line purposes, being applicable to these lands:

T. 41 N., R. 115 W.,
Sec. 2, lot 4;
Sec. 3, lots 1, 2, SW¼NE¼, S½NW¼, NW¼SW¼;
Sec. 4, E½SE¼, SW¼SE¼;
Sec. 7, S½SE¼, SE¼SW¼;
Sec. 8, SE¼NE¼, NE¼SE¼, S½S½;
Sec. 9, NW¼NE¼, NE¼NW¼, S½NW¼, NW¼SW¼;
Sec. 17, N½NE¼, NE¼NW¼;
Sec. 18, E½NW¼.
T. 42 N., R. 115 W.,
Sec. 35, S½SW¼.
T. 41 N., R. 116 W.,
Sec. 23, NE¼SE¼, S½SE¼;
Sec. 24, S½NW¼, NW¼SW¼;
Sec. 26, N½NE¼, SW¼NE¼, NE¼SW¼, SW¼SW¼.

and (b) pursuant to the filing of February 14, 1942, of an application for license for Project No. 1861, comprising approximately 6.75 acres:

6TH PRINCIPAL MERIDIAN, WYOMING

all portions of the following described subdivisions lying within 50 feet of the center line of the combined pipe and transmission line right-of-way, a tract 300 feet square embracing the powerhouse and a strip 50 feet in width embracing the tailrace right-of-way as shown on map designated "Exhibits J and K" and entitled "Map and Drawings to Accompany Application for License, Project No. 1861; Applicant: Jackson Hole Light & Power Co." and filed in the office of the Federal Power Commission on February 14, 1942:

T. 42 N., R. 115 W.,
Sec. 34, NE¼SE¼;
Sec. 35, SW¼.

Notice of the power withdrawal for Project No. 1198 was given to the General Land Office (now Bureau of Land Management) by Commission letter dated February 23, 1932, except for T. 41 N., R. 115 W., sec. 1, W½SW¼ of lot 4 which was withdrawn pursuant to the filing of the aforementioned May 10, 1935, application for amendment of the license for the project. Notice of the power withdrawal for Project No. 1861 was given to the GLO by Commission letter dated March 19, 1942.

The subject lands lie on or near Flat Creek, a tributary of Snake River, near the town of Jackson in Teton County, Wyo. Portions of the lands are within the Teton National Forest and other portions are within the Jackson Hole National Elk Refuge.

Project Nos. 1198 and 1861 served the town of Jackson, Wyo., and adjacent areas. Project Nos. 1198 and 1861 had authorized installed capacities of 730 and 160 horsepower, respectively. Due to the availability of less expensive energy from the Bureau of Reclamation's Palisades Dam and Powerplant, the projects ceased operations in November of 1956, and by its orders issued July 27, 1964, the Commission accepted surrender of the licenses for the projects, effective as of October 3, 1963. Growth of electric power requirements, coupled with the economic advantages of large generating units and the trend towards interconnected transmission systems render any power value of the Flat Creek sites negligible.

The Commission finds: Inasmuch as the subject lands have insignificant power value, the power withdrawals pertaining thereto serve no useful purpose and should be vacated.

The Commission orders: The power withdrawals pertaining to the subject lands pursuant to the applications for Project Nos. 1198 and 1961 are hereby vacated.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67-10383; Filed, Sept. 5, 1967; 8:47 a.m.]

[Docket No. RP66-8]

KENTUCKY GAS TRANSMISSION CORP.

Notice of Proposed Changes in Rates and Tariff Revisions

AUGUST 29, 1967.

Take notice that on August 23, 1967, Kentucky Gas Transmission Corp. tendered for filing proposed changes in the level of its jurisdictional rates in its FPC Gas Tariff Second Revised Volume No. 1, such changes to be effective November 1, 1966. Concurrently tendered was a stipulation and agreement regarding a number of issues in these proceedings and with respect to flowthrough of future supplier refunds and rate reductions.

Copies of the proposed changes were served on all parties, customers, and interested State Commissions, whether interveners or not in this proceeding.

Comments on the aforementioned filing and changes may be filed with the Commission on or before September 15, 1967.

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67-10367; Filed, Sept. 5, 1967; 8:45 a.m.]

[Docket No. CP67-187 etc.]

PACIFIC GAS TRANSMISSION CO. AND EL PASO NATURAL GAS CO.

Order Granting Request for Additional Conference in Advance to Prehearing Conference Presently Scheduled

AUGUST 29, 1967.

Pacific Gas Transmission Co. and El Paso Natural Gas Co.; Docket Nos. CP67-187, CP67-188, CP67-217.

Southern California Gas Co. and Southern Counties Gas Co. of California (Southern Companies) filed a motion pursuant to § 1.12 of the Commission's rules of practice and procedure on August 11, 1967, requesting that the Commission schedule a prehearing conference in the above-styled proceedings on or about September 6, 1967, in addition to that previously scheduled by the Commission's order of July 26, 1967.

The Commission in the aforementioned order consolidated the above-styled proceedings for purposes of hearing and scheduled a prehearing conference for October 17, 1967.

In their motion Southern Companies state that the market needs for Southern California demand prompt certification by the Commission of the pending application filed by El Paso Natural Gas Co. (El Paso) in which the latter company proposes to increase service to the Southern Companies by 150,000 Mcf per day. Southern Companies contend that this additional supply of natural gas is needed to enable them to meet their firm peak day gas requirements during the course of the 1968-69 winter heating season. In their motion the Southern Companies strongly urge that an additional prehearing conference in advance

to the one already scheduled by the Commission would serve as one means of expediting these proceedings. They insist that expedition is important in order to assure that additional supplies of natural gas from El Paso can be made available by the 1968–69 winter heating season in the event the Commission is disposed to act favorably upon that company's application. It is the contention of the Southern Companies that at such a conference important tasks such as resolving the order of presentation of evidence and scheduling the filing of evidence could be undertaken. There may be some merit to the proposal made by the Southern Companies that the resolution of certain preliminary matters in an additional prehearing conference may tend to expedite the final determination of these proceedings.

The Commission finds: The scheduling of an additional prehearing conference as proposed by Southern California Gas Co. and Southern Counties Gas Co. may be in the public interest.

The Commission orders: A prehearing conference be convened in the proceedings entitled Pacific Gas Transmission Co. et al., Docket Nos. CP67–187 et al., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., on September 6, 1967, at 10 a.m., e.d.s.t. The Chief Examiner will designate an appropriate officer of the Commission to preside at the prehearing conference and at the formal hearing of these matters, pursuant to the Commission's rules of practice and procedure.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67–10368; Filed, Sept. 5, 1967; 8:45 a.m.]

[Docket No. CI67–1768]

PHILLIPS PETROLEUM CO.

Notice of Application

AUGUST 25, 1967.

Take notice that on June 12, 1967, Phillips Petroleum Co. (Applicant), Bartlesville, Okla. 74003, filed in Docket No. CI67–1768 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale of natural gas in interstate commerce to El Paso Natural Gas Co. (El Paso), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to sell certain volumes of natural gas to El Paso from its Lusk Plant, Lusk Area, Lea County, N. Mex., at a price of 16.11 cents per Mcf at 14.65 p.s.i.a. for residue gas derived from gas well gas and at a price of 14.51 cents per Mcf at 14.65 p.s.i.a. for residue gas derived from casinghead gas. Both the aforementioned prices include all adjustments and tax reimbursement.

The total estimated volumes of gas to be sold are 1,800,000 Mcf per month.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before September 15, 1967.

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

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

GORDON M. GRANT, *Secretary.*

[F.R. Doc. 67–10384; Filed, Sept. 5, 1967; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

SOUTHEAST BANCORPORATION, INC.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Southeast Bancorporation, Inc., Miami, Fla., for approval of action to become a bank holding company through the acquisition of voting shares of three banks located in or near Miami, Fla.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), and § 222.4 (a) of Federal Reserve Regulation Y (12 CFR 222.4(a)), an application by Southeast Bancorporation, Inc., Miami, Fla., for the board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of The First National Bank of Miami; Coral Way National Bank, Miami; and Curtiss National Bank of Miami Springs, all in Florida.

As required by section 3(b) of the Act, notice of receipt of the application was given to, and views and recommendation requested of, the Comptroller of the Currency. The Comptroller submitted a strong recommendation for expeditious approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on July 25, 1967 (32 F.R. 10893), which provided an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved, provided that the acquisition so approved shall not be consummated (a) before the 30th day following the date of this order or (b) later than 3 months after the date of the order unless such period is extended for good cause by the Board or by the Federal Reserve Bank pursuant to delegated authority.

Dated at Washington, D.C., this 29th day of August 1967.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 67–10386; Filed, Sept. 5, 1967; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1–3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

AUGUST 30, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 31, 1967, through September 9, 1967, both dates inclusive.

By the Commission.

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

[F.R. Doc. 67–10388; Filed, Sept. 5, 1967; 8:47 a.m.]

---

[1] Filed as part of the original document and available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta. Dissenting Statement of Governor Robertson also filed as part of the original document and available upon request.

[2] Voting for this action: Governors Mitchell, Daane, Maisel, Brimmer, and Sherrill. Voting against this action: Vice Chairman Robertson. Absent and not voting: Chairman Martin.

[70-4530]

METROPOLITAN EDISON CO.

Notice of Proposed Issue and Sale of Debentures

AUGUST 30, 1967.

Notice is hereby given that Metropolitan Edison Co. ("Met-Ed"), 2800 Pottsville Pike, Mulhenberg Township, Berks County, Pa. 19605, an electric utility subsidiary company of General Public Utilities Corp. ("GPU"), a registered holding company, has filed an application with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) thereof and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Met-Ed proposes to issue and sell for cash, subject to the competitive bidding requirements of Rule 50, $20 million principal amount of unsecured debentures to be dated October 1, 1967, and to mature October 1, 1992. The interest rate to be borne by the debentures (which shall be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid to Met-Ed (which shall not be less than 100 percent and not more than 102¾ percent of the principal amount of the debentures) will be determined by competitive bidding. The debentures will be issued under an indenture dated as of June 1, 1965, between Met-Ed and The Marine Midland Trust Company of New York (now Marine Midland Grace Trust Company of New York), trustee, as supplemented by a proposed first supplemental indenture to be dated as of October 1, 1967. The proceeds from the sale of the debentures will be used for the purpose of financing the business as a public utility, including the payment of all short-term bank loans outstanding at the date of sale of the debentures. Such bank notes are expected to aggregate approximately $15 million at that date. Any premium realized from the sale of the debentures will be used for financing the business of Met-Ed, including the payment of expenses of its 1967 financing program. The 1967 construction program is estimated to cost $37 million, part of which is to be financed by the sale of the debentures, by funds generated internally, and by capital contributions from GPU aggregating $8 million.

The fees and expenses of the proposed issue and sale of the debentures are estimated at $67,000, and include legal fees of $19,000 and accounting fees of $4,000. The fees and disbursements of counsel for the underwriters, to be paid by the successful bidders, will be supplied by amendment. It is stated that the Pennsylvania Public Utility Commission has jurisdiction with respect to the proposed issue and sale of debentures and that a copy of the Securities Certificate required to be filed with the State commission and a copy of the order of that State commission relating to the debentures will be supplied by amendment. It is further stated that no other State commission and no Federal commission, other than this Commission, has jurisdiction with respect to the proposed transaction.

Notice is further given that any interested person may, not later than September 26, 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 the filing 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 applicant 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 application, as filed or as it may be amended, may be granted 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. 67-10389; Filed, Sept. 5, 1967; 8:47 a.m.]

[File No. 0-592]

PAKCO COMPANIES, INC.

Order Suspending Trading

AUGUST 30, 1967.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Pakco Companies, Inc., and all other securities of Pakco Companies, Inc., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 31, 1967, through September 9, 1967, both dates inclusive.

By the Commission.

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

[F.R. Doc. 67-10390; Filed, Sept. 5, 1967; 8:47 a.m.]

[File No. 1-4371]

WESTEC CORP.

Order Suspending Trading

AUGUST 30, 1967.

The common stock, 10 cents par value, of Westec Corp., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Westec 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 31, 1967, through September 9, 1967, both dates inclusive.

By the Commission.

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

[F.R. Doc. 67-10391; Filed, Sept. 5, 1967; 8:47 a.m.]

TARIFF COMMISSION

[332-54]

MINK FURSKINS

Notice of Investigation and Hearing

In response to a request dated August 28, 1967, by the President of the United States, the U.S. Tariff Commission has instituted an investigation of the conditions of competition in the United States between mink furskins produced in the United States and in foreign countries. The full text of the request is as follows:

DEAR MR. CHAIRMAN: I request, in accordance with section 332(g) of the Tariff Act of 1930, that the Tariff Commission make an investigation of the conditions of competition in the United States between mink furskins produced in the United States and in foreign countries.

The report of the Commission shall include (but not be limited to) data with respect to U.S. consumption, domestic production, imports, exports, prices, employment, the financial returns to domestic producers, and the effect of imports on the industry.

I request that you report the results of this investigation to me at the earliest practicable date.

Sincerely,

LYNDON B. JOHNSON

A hearing will be held in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., on December 5, 1967. Interested parties desiring to appear and to be heard should notify

the Secretary of the Commission, in writing, at least 3 days in advance of the date set for the hearing.

Interested parties desiring to submit written statements pertinent to the investigation are referred to section 201.8 of the Commission's rules of practice and procedure (19 CFR 201.8) regarding the filing of documents. Written submissions must be filed not later than December 5, 1967.

Issued: August 31, 1967.

By order of the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 67-10354; Filed, Sept. 5, 1967; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 444]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 31, 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 Exparte 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 94265 (Sub-204 TA), filed August 29, 1967. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Military Highway, Norfolk, Va. 23502. Applicant's representative: Harry G. Buckwalter (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plantsite of Lloyd J. Harriss and the warehouses used by Lloyd J. Harriss Pie Co., Saugatuck, Mich., to points in Connecticut, Delaware, District of Columbia, New Hampshire, Maryland, Massachusetts, Rhode Island, New Jersey, New York, Maine, Pennsylvania, Virginia, West Virginia, Vermont, North Carolina, and South Carolina, for 180 days. Supporting shipper: Lloyd J. Harriss Pie Co., 350 Culver Street, Saugatuck, Mich. 49453. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, Va. 23240.

No. MC 96619 (Sub-No. 2 TA), filed August 28, 1967. Applicant FEDERAL TRANSFER COMPANY, INC., 270 South Hanford Street, Seattle, Wash. 98134. Applicant's representative: Jack R. Davis, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General freight*, between Seattle, Wash., and points in Washington; *household goods, heavy machinery, and building materials* (excluding cement in bulk, in tank or bottom dump vehicles or similar specialized equipment) between points in Washington; general freight (local cartage) in city of Seattle, Wash., for 150 days. Supporting shippers: There are approximately 17 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 97357 (Sub-No. 19 TA) filed August 28, 1967. Applicant: ALLYN TRANSPORTATION COMPANY, a corporation, 14011 South Central Avenue, Los Angeles, Calif. 90059. Applicant's representative: Don Beal (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid nitrogen*, in bulk, in tank vehicles, from Pittsburg, Calif., to Ontario, Oreg., and Boise, Idaho, for 120 days. Supporting Shipper: Union Carbide Corp., 22 Battery Street, San Francisco 6, Calif. Send protests to: John E. Nance, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 7708, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 103378 (Sub-No. 326 TA), filed August 28, 1967. Applicant: PETROLEUM CARRIER CORPORATION, 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, from Johnston, S.C., to points in Georgia, for 150 days. Supporting shipper: Johnston Flour Mills, Inc., Johnston, S.C. 29832 (J. C. Timmerman, Secretary). Send protests to: District Supervisor, Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 107496 (Sub-No. 584 TA), filed August 29, 1967. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way; Post Office Box 855, 50304, Des Moines, Iowa 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mineral filler*, in bulk, and in bags, from Superior, Wis., to points in Minnesota, for 150 days. Supporting shipper: J. L. Shiely Co., 1101 Snelling Avenue North, St. Paul, Minn. 55108. Send protests to: Ellis L. Annett, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa 50309.

No. MC 107515 (Sub-No. 587 TA), filed August 28, 1967. Applicant: REFRIGERATED TRANSPORT CO., INC., 3901 Jonesboro Road SE., Post Office Box 10799, Station A, Atlanta, Ga. 30310. Applicant's representative: B. L. Gundlach (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy, confectionery products, and snack foods*, from New Orleans, La., Ponchatoula, La., and Memphis, Tenn., to points in Louisiana, Alabama, Florida, Georgia, Tennessee, Mississippi, North Carolina, South Carolina, Missouri, Oklahoma, Virginia, West Virginia, Delaware, Maryland, District of Columbia, Pennsylvania, New Jersey, Arkansas, Texas, New York, Ohio, Kentucky, Indiana, Michigan, Illinois, Wisconsin, and Kansas for 180 days. Supporting shipper: Elmer Candy Corp., Post Office Box 50360, 540-44 Magazine Street, New Orleans, La. 70150. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 126402 (Sub-No. 7 TA), filed August 29, 1967. Applicant: JACK WALKER TRUCKING SERVICE, INC., 844 Loudon Avenue, Lexington, Ky. 40508. Applicant's representative: George M. Catlett, 703-706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, in containers, from Detroit, Mich., to points in Fayette County, Ky., for 180 days. Supporting shippers: George T. Lyons, President, Ace Beer Distributing Co., Inc., 260 East Vine Street, Lexington, Ky. 40507, Dave L. Kelly, President, C-K Distributing Co., Inc., 708 West Third Street, Lexington, Ky. 40508, Hargis Sexton, President, United Beverage Co., Inc., 537 Anglin Avenue, Lexington, Ky. 40508. Send protests to: R. W. Schneiter, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 207 Exchange Building, Lexington, Ky. 40507.

No. MC 25708 (Sub-No. 23 TA), filed August 29, 1967. Applicant: LANEY TANK LINES, INCORPORATED, 1009 Church Street, Post Office Box 516, Camden, S.C. 29020. Applicant's representative: Frank A. Graham, Jr., 707 Security Federal Building, Columbia, S.C. 29201. Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *hexamethylene diamine adipate* (nylon saly) in solution and *hexamethylene diamine solution*, in bulk, in tank vehicles, from points in Escambie County, Fla., to points in Greenville County, S.C., and *empty shipper-owned tank vehicles*, on return, for 150 days. Supporting shipper: Phillips Petroleum Co., Bartlesville, Okla. 74003. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, 303A Federal Building 901 Sumter Street, Columbia, S.C. 29201.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 67-10404; Filed, Sept. 5, 1967; 8:49 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—SEPTEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during September.

3 CFR

Page

PROCLAMATION:
3803 ... 12663
EXECUTIVE ORDER:
11370 ... 12665

5 CFR

PROPOSED RULES:
890 ... 12725
891 ... 12727

7 CFR

201 ... 12778
908 ... 12709
910 ... 12709, 12743
926 ... 12709
927 ... 12743
958 ... 12743
989 ... 12710
1099 ... 12744
1421 ... 12744, 12745
PROPOSED RULES:
26 ... 12755

9 CFR

201 ... 12667

12 CFR

604 ... 12710
PROPOSED RULES:
215 ... 12758

14 CFR

39 ... 12668, 12711, 12746
71 ... 12668, 12712
73 ... 12712
93 ... 12747

14 CFR—Continued

Page

95 ... 12747
97 ... 12669
PROPOSED RULES:
71 ... 12690, 12724
91 ... 12724

16 CFR

13 ... 12713
15 ... 12750
PROPOSED RULES:
153 ... 12759

19 CFR

4 ... 12750
PROPOSED RULES:
13 ... 12690

21 CFR

2 ... 12714
3 ... 12714
8 ... 12715
20 ... 12750
120 ... 12715, 12716, 12751
121 ... 12716, 12717, 12751
141a ... 12717
141c ... 12717
146c ... 12717
148j ... 12717
148o ... 12717
148r ... 12717
148x ... 12717
PROPOSED RULES:
3 ... 12756
19 ... 12723
51 ... 12723

24 CFR

Page

207 ... 12718
221 ... 12718

29 CFR

526 ... 12675

32 CFR

168 ... 12718
169a ... 12675

36 CFR

PROPOSED RULES:
7 ... 12723

41 CFR

5B–2 ... 12720
5B–16 ... 12720
101–27 ... 12721

43 CFR

PUBLIC LAND ORDERS:
4265 ... 12752

46 CFR

531 ... 12753
PROPOSED RULES:
401 ... 12756

47 CFR

97 ... 12682

49 CFR

101 ... 12752
600 ... 12689

50 CFR

10 ... 12685
32 ... 12689, 12721, 12722, 12754

FEDERAL REGISTER

VOLUME 32 • NUMBER 172

Wednesday, September 6, 1967 • Washington, D.C.

PART II

Department of Agriculture

Consumer and Marketing Service

•

Federal Seed Act Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER K—FEDERAL SEED ACT

PART 201—FEDERAL SEED ACT REGULATIONS

Miscellaneous Amendments

On January 17, 1967, there was published in the FEDERAL REGISTER (32 F.R. 454) a notice of rule making and hearing with respect to proposed amendments to the regulations (7 CFR Part 201, as amended) under the Federal Seed Act, as amended (7 U.S.C. 1551 et seq.). On February 8, 1967, there was published in the FEDERAL REGISTER (32 F.R. 2644) a notice of extension of the hearing. After consideration of all relevant matters presented at the hearing and in writing, pursuant to said notice, and under authority of section 402 of the Federal Seed Act, the proposed amendments to the regulations are adopted as so published except as indicated below:

1. The proposed amendment of § 201.2 (h) referred to in proposal 1c is not adopted. Information received indicates the botanical name for harding-grass should not be changed.

2. The proposed amendment of § 201.2(y) referred to in proposal 1i is not adopted. The substance of the proposal is added to § 201.34 of the regulations which more appropriately pertains to designation of hybrid seed and precautions to be taken in determining kind, variety, and hybrid.

3. The proposed amendment of § 201.10 referred to in proposal 4 is adopted as proposed except that "Beet, sugar" is deleted from the list of names of kinds.

4. The proposed § 201.11a referred to in proposal 5 is revised to require that hybrid components be designated as such.

5. The proposed § 201.12a referred to in proposal 6 is adopted except that paragraph (c) is not adopted.

6. The proposed amendment of § 201.22 referred to in proposal 11 is adopted as proposed except a phrase is added in this section rather than in § 201.36c to limit the time after testing for interstate shipment of seed in hermetically sealed containers.

7. The proposed § 201.30a referred to in proposal 17 is revised to clarify in this section rather than in § 201.36c the limitation of the time after testing for interstate shipment of seed in hermetically sealed containers.

8. The proposed amendment of § 201.34 referred to in proposal 19 is amended as follows:

a. An amendment of paragraph (c) of said § 201.34 is included to set forth requirements and precautions for labeling hybrid seed similar to those that were contained in proposal 1i, the definition of hybrid.

b. Paragraph (e)(6) of said § 201.34, referred to in proposal 19e, is amended to correct the names "Horizon SF 20" and "Leafmaster 43" and to delete "RS 305F."

c. Paragraph (e)(8) of said § 201.34, referred to in proposal 19g, is amended to correct the name "Sure-Graze."

9. The proposed amendment of §201.36b referred to in proposal 20 is amended by revising the proposed paragraph (e) of said § 201.36b to more clearly indicate what usage of trademark or brand names in advertising is misleading.

10. The proposed § 201.36c referred to in proposal 21 is adopted except for the following:

a. Paragraph (a) of said § 201.36c is amended to permit packaging in hermetically sealed containers up to 9 months after harvest instead of only 6 months.

b. Paragraph (d)(3) of said §201.36c is revised to require that the calendar month and year in which the germination test was completed be stated on the labels and not to require a statement as to the validity of the germination test.

11. The proposed amendment of § 201.46 referred to in proposal 22 is adopted except that the amendment set forth in proposal 22b is not adopted. Information received indicates the botanical name for hardinggrass should not be changed.

12. The proposed amendment of § 201.47 referred to in proposal 23 is adopted except that the last sentence is deleted.

13. The proposed amendment of § 201.56–2 referred to in proposal 24 is adopted except that the last phrase in the amendment set forth in proposal 24a is amended to read "and other external causes and natural pigmentation."

14. The proposed amendment of § 201.58 referred to in proposal 26 is adopted as proposed except that the amendment set forth in proposal 26c is revised to not change the botanical name of hardinggrass.

15. The proposed amendment of § 201.59 referred to in proposal 28 is not adopted.

16. The proposed amendment of § 201.61 referred to in proposal 29 is changed to limit the heading and text of the amended section so that they apply only to fluorescence percentages in ryegrasses and to incorporate provisions similar to those heretofore contained in § 201.61 including the portion of the table in said section relating to 400-seed tests.

17. The proposed amendment of § 201.62 referred to in proposal 30 is adopted and the proposed "table 4" is included in this section.

The amendments as adopted are as follows:

§ 201.2 [Amended]

1. Section 201.2 is amended as follows:

a. Delete from the alphabetical list in paragraph (h) the item reading "Bentgrass or," "Sweetclover or," "Vetch or," and "Wheat or."

b. Insert in alphabetical order in the list in paragraph (h) the name "Barrelclover—Medicago tribuloides Desr."

c. Delete from the alphabetical list in paragraph (h) the name "Mustard—Brassica juncea (L.) Coss." and insert "Mustard, India—Brassica juncea (L.) Coss."

d. Delete from the alphabetical list in paragraph (h) the name "Vetch, purple—Vicia atropurpurea Desf." and insert "Vetch, purple—Vicia benghalensis L.".

e. Delete from the alphabetical list in paragraph (i) the name "Bean—Phaseolus vulgaris L." and insert "Bean, garden—Phaseolus vulgaris L.".

f. Delete from the alphabetical list in paragraph (i) the name "Mustard—Brassica juncea (L.) Coss." and insert "Mustard, India—Brassica juncea (L.) Coss.".

g. Amend subparagraphs (1) and (2) of paragraph (l) to read as follows:

(l) *Complete record.* (1) The term "complete record" means information which relates to the origin, treatment, germination, and purity (including variety) of each lot of agricultural seed transported or delivered for transportation in interstate commerce, or which relates to the treatment, germination, and variety of each lot of vegetable seed transported or delivered for transportation in interstate commerce. Such information includes seed samples and records of declarations, labels, purchases, sales, cleaning, bulking, treatment, handling, storage, analyses, tests, and examinations.

(2) The complete record kept by each person for each treatment substance or lot of seed consists of the information pertaining to his own transactions and the information received from others pertaining to their transactions with respect to each treatment substance or lot of seed.

h. Add paragraph (x) to read as follows:

(x) *Inoculant.* The term "inoculant" means a commercial preparation containing nitrogen-fixing bacteria applied to seed.

§ 201.4 [Amended]

2. Section 201.4(b) is amended by inserting the word "treatment," preceding the word "germination" wherever the latter occurs in this paragraph.

3. Section 201.7a is issued to read as follows:

§ 201.7a Treated seed.

The complete record for any lot consisting of or containing treated seed shall include records necessary to disclose the name of any substance or substances used in the treatment of such seed, including a label or invoice or other document received from any person establishing the name of any substance or substances used in the treatment to be as stated, and a representative sample of the treated seed.

§ 201.10 [Amended]

4. Section 201.10 is amended as follows:

a. Insert after the heading "Variety" and before the present wording the following:

(a) The following kinds of agricultural seeds are generally labeled as to

variety and shall be labeled to show the variety name or the words "Variety Not Stated."

Alfalfa.	Millet, pearl.
Bahiagrass.	Oat.
Barley.	Pea, field.
Bean, field.	Peanut.
Beet, field.	Rice.
Brome, smooth.	Rye.
Broomcorn.	Safflower.
Clover, crimson.	Sorghum.
Clover, red.	Sorghum-sudangrass hybrid.
Clover, white.	Soybean.
Corn, field.	Sudangrass.
Corn, pop.	Sunflower.
Cotton.	Tobacco.
Cowpea.	Trefoil, birdsfoot.
Fescue, tall.	Wheat, common.
Flax.	Wheat, durum.
Lespedeza, striate.	
Millet, foxtail.	

b. Insert before the present wording the paragraph designation "(b)."

5. Section 201.11a is issued to read as follows:

§ 201.11a Hybrid.

If any kind or variety of seed in excess of 5 percent is hybrid seed, the percentage that is hybrid shall be shown on the label. If two or more kinds or varieties are named on the label, the name of each that is hybrid shall be designated as hybrid. If only one kind or kind and variety is named on the label, the percentage that is hybrid may be shown as "pure seed" and such percentage shall apply only to the hybrid seed.

6. Section 201.12a is issued to read as follows:

§ 201.12a Fine-textured grasses; coarse kinds.

(a) The term "fine-textured grasses" means the following kinds:

Bentgrass, colonial.	Bluegrass, Kentucky.
Bentgrass, creeping.	Bluegrass, rough.
Bentgrass, velvet.	Bluegrass, wood.
Bermudagrass, common.	Fescue, chewings.
Bluegrass, Canada.	Fescue, red.
	Fescue, sheep.

(b) The term "coarse kinds" means all kinds not listed in paragraph (a) of this section.

§ 201.14 [Amended]

7. Section 201.14 is amended by changing the word "proper" to "reasonable" in two instances where it is used in paragraph (c).

8. Section 201.17 is amended to read as follows:

§ 201.17 Noxious-weed seeds in the District of Columbia.

Noxious-weed seeds in the District of Columbia are: Quackgrass (Agropyron repens), Canada thistle (Cirsium arvense), field bindweed (Convolvulus arvensis), common bermudagrass (Cynodon dactylon), giant bermudagrass (Cynodon sp.), and wild garlic or wild onion (Allium canadense or Allium vineale). The name and number per pound of each kind of such noxious-weed seeds present shall be stated on the label.

§ 201.18 [Amended]

9. Section 201.18 is amended by inserting "hybrid," and "hybrids," after the words "kind" and "kinds" respectively.

§ 201.20 [Amended]

10. Section 201.20 is amended by inserting after the word "type" the phrase "or kind and hybrid."

§ 201.22 [Amended]

11. Section 201.22 is amended by changing the period at the end of the second sentence to a comma and adding the following: "except for seed in hermetically sealed containers as provided in § 201.36c in which case no more than 24 calendar months shall have elapsed between the last day of the month in which the germination test was completed prior to packaging and the date of transportation or delivery for transportation in interstate commerce."

12. Section 201.24a is issued to read as follows:

§ 201.24a Inoculated seed.

Seed claimed to be inoculated shall be labeled to show the month and year beyond which the inoculant on the seed is no longer claimed to be effective by a statement such as, "Inoculant not claimed to be effective after _____"
(Month and year)

§ 201.26 [Amended]

13. Section 201.26 is amended by changing the section heading to read "Kind, variety, and hybrid" and adding the following sentence to the end of the paragraph: "Any hybrid component shall be designated as hybrid on the label."

14. Section 201.29 is revised to read as follows:

§ 201.29 Germination of vegetable seed in containers of 1 pound or less.

Vegetable seeds in containers of 1 pound or less which have a germination equal to or better than the standard set forth in § 201.31 need not be labeled to show the percentage of germination and date of test. Each variety of vegetable seed which has a germination percentage less than the standard set forth in § 201.31 shall have the words "Below Standard" clearly shown in a conspicuous place on the label or on the face of the container in type no smaller than 8 points. Each variety which germinates less than the standard shall also be labeled to show the percentage of germination and the percentage of hard seed (if any).

15. Section 201.29a is issued to read as follows:

§ 201.29a Germination of vegetable seed in containers of more than 1 pound.

Each variety of vegetable seeds in containers of more than 1 pound shall be labeled to show the percentage of germination and the percentage of hard seed (if any).

16. Section 201.30 is revised to read as follows:

§ 201.30 Hard seed.

The label shall show the percentage of hard seed, if any is present, for any seed required to be labeled as to the percentage of germination, and the percentage of hard seed shall not be included as part of the germination percentage.

17. Section 201.30a is issued to read as follows:

§ 201.30a Date of test.

When the percentage of germination is required to be shown, the label shall show the month and year in which the germination test was completed. No more than 5 calendar months shall have elapsed between the last day of the month in which the germination test was completed and the date of transportation or delivery for transportation in interstate commerce, except for seed in hermetically sealed containers in which case no more than 24 calendar months shall have elapsed between the last day of the month in which the germination test was completed prior to packaging and the date of transportation or delivery for transportation in interstate commerce.

§ 201.31 [Amended]

18. Section 201.31 is amended as follows:

a. Delete from the list both phrases "Beans, garden" and all varieties and the percentages listed under those two headings and insert in alphabetical order "Bean, garden, 70."

b. Delete from the list "Mustard, 75" and insert "Mustard, India, 75."

§ 201.34 [Amended]

19. Section 201.34 is amended as follows:

a. The section heading is amended to read as follows: "§ 201.34 Kind, variety, and type; treatment substances; designation as hybrid."

b. Paragraph (a) is revised to read as follows:

(a) *Indistinguishable seed and treatment substances.* Reasonable precautions to insure that the kind, variety, or type of indistinguishable agricultural or vegetable seeds and names of any treatment substance are properly stated shall include the maintaining of the records described in § 201.7 or § 201.7a. The examination of the seed and any pertinent facts may be taken into consideration in determining whether reasonable precautions have been taken to insure the kind, variety, or type of seed or any treatment substance on the seed is that which is shown. Reasonable precautions in labeling ryegrass seed as to kind shall include making or obtaining the results of a fluorescence test unless (1) the shortness of the time interval between receipt of the seed lot and the shipment of the seed in interstate commerce, or (2) dormancy of the seeds in the lot, or (3) other circumstances beyond the control of the shipper prevent such action before the shipment is made. Reasonable precautions in labeling ryegrass seed as to kind shall also include keeping separate each lot labeled on the basis of a separate grower's declaration, invoice, or other documents.

c. Paragraph (c) is revised to read as follows:

(c) *Hybrid designation.* Seed shall not be designated in labeling as "hybrid" seed

unless it comes within the definition of "hybrid" in § 201.2(y). If the pollination is not completely controlled, reasonable precautions in labeling the percentage that is claimed to be hybrid seed shall include tests to determine the percentage that is hybrid.

d. In paragraph (e)(1) amend the present heading to read *"Bean, garden"* and insert in alphabetical order in the list of variety names the following:

Astro.	Idelight.
Brilliant.	Orbit.
Bush Blue Lake 274.	Pittsfield.
Comet.	Pompano.
Early Harvest.	Purple Royalty.
Early Gallatin.	Spartan Arrow.
Encore.	Tenderette.
Flash.	Tiny Green.
Harter.	Trugreen.
Harvest King.	Yakima.

e. In paragraph (e)(3) *"Onion, hybrid"* insert in alphabetical order in the list of variety names the following:

Alamo.	Grandee.
Asgrow Y50K.	Granex 33.
Autumn Bronze.	Henry's Special.
Brilliance.	Hickory.
Bronze Perfection.	Nugget.
Chieftain.	Ontario.
Dessex.	Pronto.
Early Gold.	Spartan.
Elba Globe.	Spartan Banner.
El Capitan.	Spartan Era.
Elite.	Spartan Gem.
Empire State.	Sunburst.
Golden Beauty.	White Granite.

f. In paragraph (e)(4) *"Soybean"* insert in alphabetical order in the list of variety names the following:

Altona.	Hawkeye 63.
Amsoy.	Henry.
Bethel.	Kent.
Bossier.	Kino.
Bragg.	Lindarin 63.
Chippewa 64.	Merit.
Clark 63.	Patterson.
Dare.	Pickett.
Davis.	Portage.
Delmar.	Ross.
Hampton 266.	Semmes.
Hardee.	Traverse.
Hark.	Wayne.
Harosoy 63.	

g. In paragraph (e)(6) under the subheading *"Sorghum, hybrid"* delete from the list of variety names "Co-op T-700" and insert in numerical or alphabetical order the following:

375.	Leafmaster 43.
409.	OK 627.
AKS 614.	P.A.G. 275.
Aztec.	P.A.G. 304.
B-32.	P.A.G. 400.
Beefbuilder R.	P.A.G. 428.
Coastal.	P.A.G. 494.
E-57.	Pronto.
F-61.	RS 617.
F-66.	RS 621.
FS-38.	RS 626.
Horizon 64.	RS 671.
Horizon 80.	RS 702.
Horizon F-12.	T-700.
Horizon SF 20.	T-E Silomaker.
KS-651.	

h. In paragraph (e)(6) under subheading *"Sorghum, open pollinated"* insert in alphabetical order in the list of variety names the following:

African Millet 65.	Midak.
Atlas.	Norkota.
Carman.	Rio.
Meloland.	Winner.

i. In paragraph (e)(8) *"Sorghum-sudangrass hybrids"* delete "Hidan 37" and "Hidan 38" and insert in alphabetical order in the list of variety names the following:

Good Grazin.	Horizon SP-110.
Hi-Dan 35.	L Grace 200.
Hi-Dan 37.	Mor-gain.
Hi-Dan 38.	Red "T" Graze.
Horizon P-100.	Sure Graze.

§ 201.36b [Amended]

20. Section 201.36b is revised by changing paragraph (c) and adding paragraph (e) to read, respectively:

(c) Terms descriptive of quality or origin and terms descriptive of the basis for representations made may be associated with the name of the kind or variety: *Provided*, That the terms are clearly identified as being other than part of the name of the kind or variety; for example, Fancy quality redtop, Idaho origin alfalfa, and Grower's affidavit of variety Atlas sorghum.

* * * * *

(e) Brand names and terms taken from trademarks may be associated with the name of the kind or kind and variety of seed as an indication of source: *Provided*, That the terms are clearly identified as being other than a part of the name of the kind or variety; for example, Ox Brand Golden Cross sweet corn. Seed shall not be advertised under a trademark or brand name in any manner that may create the impression that the trademark or brand name is a variety name. If seed advertised under a trademark or brand name is a mixture of varieties and if the variety names are not stated in the advertising, a description similar to a varietal description or a comparison with a named variety shall not be used if it creates the impression that the seed is of a single variety.

21. Section 201.36c is issued to read as follows:

§ 201.36c Hermetically-sealed containers.

The 5-month limitation on the date of test in §§ 201.22 and 201.30a shall not apply when the following conditions have been met:

(a) The seed was packaged within 9 months after harvest;

(b) The container used does not allow water vapor penetration through any wall, including the seals, greater than 0.05 grams of water per 24 hours per 100 square inches of surface at 100° F. with a relative humidity on one side of 90 percent and on the other side of 0 percent. Water vapor penetration or WVP is measured by the standards of the U.S. Bureau of Standards as:

gm. H_2O/24 hr./100 sq. in./100° F./90% RH V.0% RH;

(c) The seed in the container does not exceed the percentage of moisture, on a wet weight basis, as listed below:

Agricultural seeds	*Percent*	*Agricultural seeds*	*Percent*
Beet, field	7.5	Ryegrass, annual	8.0
Beet, sugar	7.5	Ryegrass, perennial	8.0
Bluegrass, Kentucky	6.0	All others	6.0
Clover, crimson	8.0		
Fescue, red	8.0		

Vegetable seeds	*Percent*	*Vegetable seeds*	*Percent*
Bean	7.0	Kohlrabi	5.0
Bean, lima	7.0	Leek	6.5
Beet	7.5	Lettuce	5.5
Broccoli	5.0	Muskmelon	6.0
Brussels sprouts	5.0	Mustard	5.0
Cabbage	5.0	Onion	6.5
Carrot	7.0	Onion, Welsh	6.5
Cauliflower	5.0	Parsley	6.5
Celeriac	7.0	Parsnip	6.0
Celery	7.0	Pea	7.0
Chard, Swiss	7.5	Pepper	4.5
Chinese cabbage	5.0	Pumpkin	6.0
Chives	6.5	Radish	5.0
Collards	5.0	Rutabaga	5.0
Corn, sweet	8.0	Spinach	8.0
Cucumber	6.0	Squash	6.0
Eggplant	6.0	Tomato	5.5
Kale	5.0	Turnip	5.0
		Watermelon	6.5
		All others	6.0

(d) The container is conspicuously labeled in not less than 8 point type to indicate (1) that the container is hermetically sealed, (2) that the seed has been preconditioned as to moisture content, and (3) the calendar month and year in which the germination test was completed.

(e) The percentage of germination of vegetable seed at the time of packaging was equal to or above the standards in § 201.31.

§ 201.46 [Amended]

22. Section 201.46(d), Table 1, is amended as follows:

a. Insert in alphabetical order under "Agricultural Seed" the name "Barrelclover, Medicago tribuloides" and in the columns thereafter "50 300 ----".

b. Under "Agricultural Seed" insert in alphabetical order "Mustard, India-Brassica juncea" and in the columns thereafter "5 50 624".

c. Under "Agricultural Seed" and "Vetch" delete the name "Purple-Vicia atropurpurea" and insert "Purple-Vicia benghalensis."

d. Under "Agricultural Seed" and "Sorghum" delete the words "Grain and sweet."

e. Under "Vegetable Seed" and under "Cress," with respect to "Upland," insert in the fourth column the number "1,160."

f. Under "Vegetable Seed" delete the name "Mustard-Brassica juncea" and insert "Mustard, India-Brassica juncea."

23. Section 201.47(e) is amended to read as follows:

§ 201.47 Separation.

* * * * *

(e) The Uniform Blowing Method as adopted by the Association of Official Seed Analysts, as amended, effective July 1, 1966, shall be used for the separation of pure seed and inert matter in seeds of Kentucky bluegrass and the Pensacola variety of bahiagrass.

§ 201.56-2 [Amended]

24. Section 201.56-2 is amended as follows:

a. After the second sentence in paragraph (a) delete "Necrosis on lettuce cotyledons is manifested by softened, grayish, blackish, or reddish areas on the cotyledons. (This necrosis first appears

on the midrib and lateral veins and should not be confused with the natural pigmentation or insect injury. Seedlings with extensive necrotic areas on the cotyledons are slower in growth and shorter than those without such affected areas.)" and insert "Physiological necrosis is a breakdown of the plant tissue manifested by softened, grayish, reddish, or blackish areas on the cotyledons (first appearing on or adjacent to the midrib and lateral veins) and by slower growth of the seedlings. It must be distinguished from other necrosis or injury caused by fungi, bacteria, insects, mechanical damage, pressure of seed coat veins and other external causes and natural pigmentation."

b. In paragraph (a)(1)(iii) insert after the words "two cotyledons free of" the word "physiological".

c. Before paragraph (a)(1)(iv) delete the word "and" and add at the end of subdivision (iv) the following: "and (v) if necrosis or injury other than physiological necrosis is present, classify as normal if the necrosis or injury covers less than half the total cotyledon area."

d. In paragraph (a)(2)(iv) after the words "either cotyledon showing any degree of" add the word "physiological".

e. Before paragraph (a)(2)(v) delete the word "or" and add at the end of subdivision (v) the following: "and (vi) if necrosis or injury other than physiological necrosis is present, classify as abnormal if the necrosis or injury covers one-half or more of the total cotyledon area."

§ 201.56–6 [Amended]

25. Section 201.56–6 is amended as follows:

a. Delete from the heading in paragraph (a) ", *and asparagusbean*" and insert "*and*" after "*lima.*"

b. Delete from the heading in paragraph (c) the "*and*" before "*soybeans*" and insert ", *and asparagusbeans*" after "*soybeans.*"

§ 201.58 [Amended]

26. Section 201.58 is amended as follows:

a. In paragraph (a)(8) delete the period after the last sentence and add ", except where 15°–25° C. is prescribed as an alternate temperature. In such cases, 15°–25° C. is to be considered the recommended temperature alternation for that kind of seed."

b. In paragraph (c), Table 2, insert in alphabetical order under "Agricultural Seed" the name "Barrelclover-Medicago tribuloides" and in the columns thereafter "B, T 20 4 14 Remove seeds from bur; see par. (b)(11) ".

c. In paragraph (c), Table 2, under "Agricultural Seed," on the same line as "Hardinggrass-Phalaris tuberosa var. stenoptera, in the sixth column, insert "Light" and in the seventh column insert "KNO_3,".

d. In paragraph (c), Table 2, under "Agricultural Seed," delete the name "Mustard-Brassica juncea" and in the columns thereafter "P 20–30 3 7 Light Prechill at 10° C. for 7 days and test for 5 days; KNO_3," and insert "Mustard:" and in alphabetical order thereunder "India-Brassica juncea" and in the columns thereafter "P 20–30 3 7 Light Prechill at 10° C. for 7 days and test for 5 days; KNO_3."

e. In paragraph (c), Table 2, under "Agricultural Seed" and "Vetch" delete the name "Purple-Vicia atropurpurea" and insert the name "Purple-Vicia benghalensis."

f. In paragraph (c), Table 2, under "Vegetable Seed" delete the name "Mustard-Brassica juncea" and insert "Mustard, India-Brassica juncea."

§ 201.58a [Amended]

27. Section 201.58a is amended by adding after the words "or type of seed" in the introductory paragraph a comma and the words "or determination that seed is hybrid,".

28. Section 201.61 is revised to read as follows:

§ 201.61 Fluorescence percentages in ryegrasses.

Tolerances for 400-seed fluorescence tests shall be those set forth in the following table plus one-half the regular pure-seed tolerance determined in accordance with § 201.60. When only 200 seeds of a component in a mixture are tested, an additional 2 percent shall be added to the fluorescence tolerance.

Percent found Fluorescence	*tolerance*	*Percent found Fluorescence*	*tolerance*
100	---	90	3.8
99	1.0	89	4.0
98	1.6	88	4.1
97	2.0	87	4.3
96	2.3	86	4.5
95	2.6	85	4.7
94	2.9	84	4.8
93	3.2	83	4.9
92	3.4	82	5.0
91	3.6	81	5.2
80	5.3	39	6.8
79	5.4	38	6.8
78	5.5	37	6.8
77	5.6	36	6.8
76	5.7	35	6.7
75	5.8	34	6.7
74	5.8	33	6.7
73	5.9	32	6.6
72	6.0	31	6.6
71	6.1	30	6.5
70	6.2	29	6.5
69	6.2	28	6.4
68	6.3	27	6.4
67	6.3	26	6.3
66	6.4	25	6.2
65	6.5	24	6.2
64	6.5	23	6.1
63	6.5	22	6.0
62	6.6	21	5.9
61	6.6	20	5.8
60	6.7	19	5.7
59	6.7	18	5.6
58	6.8	17	5.5
57	6.8	16	5.4
56	6.8	15	5.3
55	6.8	14	5.2
54	6.9	13	5.0
53	6.9	12	4.9
52	6.9	11	4.7
51	6.9	10	4.6
50	6.9	9	4.4
49	6.9	8	4.2
48	6.9	7	4.0
47	6.9	6	3.7
46	6.9	5	3.5
45	6.9	4	3.2
44	6.9	3	2.4
43	6.9	2	2.8
42	6.9	1	1.8
41	6.9	0	1.0
40	6.9		

29. Section 201.62 is amended to read as follows:

§ 201.62 Growing tests for determination of kind, variety, type, or offtype.

Tolerances for growing tests for determination of kind, variety, type, or offtype based on seed, seedling, or plant counts shall be in accordance with Table 4.

TABLE 4.—TOLERANCES FOR PURITY TESTS, KIND AND VARIETY, AND FLUORESCENCE TESTS. THESE TOLERANCES ARE APPROPRIATE WHEN RESULTS ARE BASED ON THE NUMBER OF SEEDS, SEEDLINGS, OR PLANTS USED IN A TEST.

Seed, seedling, or plant count percent	Number of seeds, seedlings, or plants in tests										
	10	20	30	50	75	100	150	200	400	800	1,000
100 or 0	0	0	0	0	0	0	0	0	0	0	0
98 or 2	10.3	7.3	6.0	4.6	3.8	3.3	2.7	2.3	1.6	1.2	1.0
96 or 4	14.4	10.2	8.3	6.4	5.3	4.6	3.7	3.2	2.3	1.7	1.5
94 or 6	17.5	12.4	10.1	7.8	6.4	5.5	4.5	3.9	2.9	2.1	1.9
92 or 8	20.0	14.1	11.5	8.9	7.3	6.3	5.2	4.5	3.4	2.4	2.2
90 or 10	22.1	15.7	12.8	9.9	8.1	7.0	5.7	4.9	3.8	2.8	2.4
88 or 12	24.0	17.0	13.8	10.7	8.7	7.6	6.2	5.4	4.1	3.0	2.7
86 or 14	25.7	18.1	14.7	11.4	9.3	8.1	6.6	5.7	4.5	3.2	2.9
84 or 16	26.9	19.0	15.5	12.1	9.8	8.5	7.0	6.0	4.8	3.4	3.0
82 or 18	28.2	20.0	16.4	12.6	10.3	8.9	7.3	6.3	5.0	3.6	3.2
80 or 20	29.5	20.9	16.9	13.2	10.7	9.3	7.6	6.6	5.3	3.8	3.3
78 or 22	30.5	21.6	17.6	13.6	11.0	9.6	7.9	6.8	5.5	3.9	3.5
76 or 24	31.4	22.3	18.2	14.1	11.5	9.9	8.1	7.0	5.7	4.1	3.6
74 or 26	32.3	22.8	18.6	14.4	11.8	10.2	8.3	7.2	5.8	4.2	3.7
72 or 28	33.0	23.4	19.0	14.8	12.1	10.5	8.5	7.4	6.0	4.3	3.8
70 or 30	33.7	23.8	19.5	15.1	12.3	10.7	8.7	7.5	6.2	4.4	3.9
68 or 32	34.3	24.3	19.9	15.4	12.5	10.8	8.9	7.7	6.3	4.5	4.0
66 or 34	35.0	24.7	20.2	15.7	12.7	11.0	9.0	7.8	6.4	4.6	4.0
64 or 36	35.4	25.0	20.5	15.8	12.9	11.2	9.1	7.9	6.5	4.6	4.1
62 or 38	35.5	25.4	20.6	15.9	13.0	11.3	9.2	8.0	6.6	4.7	4.2
60 or 40	36.1	25.7	20.9	16.1	13.2	11.4	9.3	8.1	6.7	4.8	4.2
58 or 42	36.2	25.7	21.0	16.2	13.3	11.5	9.4	8.1	6.8	4.8	4.2
56 or 44	36.5	25.8	21.0	16.4	13.3	11.5	9.4	8.2	6.8	4.8	4.3
54 or 46	36.8	25.8	21.2	16.4	13.4	11.6	9.5	8.2	6.9	4.9	4.3
52 or 48	36.8	25.9	21.2	16.5	13.4	11.6	9.5	8.2	6.9	4.9	4.3
50	36.8	25.9	21.3	16.5	13.4	11.6	9.5	8.2	6.9	4.9	4.3

§ 201.65 [Amended]

30. Section 201.65 is amended by deleting the second sentence and inserting a new sentence following the existing fourth sentence as follows: "Representations showing the rate of occurrence indicated in Column X will be considered within tolerance if not more than the corresponding number in Column Y are found by analysis in the administration of the Act."

31. Section 201.66 is amended to read as follows:

§ 201.66 Noxious-weed seeds in imported seed.

The tolerance applicable to the prohibition of noxious-weed seeds in imported seed shall be two seeds in the minimum amount required to be examined as shown in Table 1, § 201.46. If more than one test is made, all test results within tolerance of each other shall be averaged, and the result treated as the result found.

§ 201.102 [Amended]

32. Section 201.102 is amended as follows:

a. Insert "(a)" before the words "For the purposes * * *".

b. Insert in alphabetical order in the list of kinds of seeds and percentages "Panicgrass, green, 10."

c. Following the list add a new paragraph to read as follows:

(b) As provided in section 302(a) of the Act, a certain number of samples of seed representing seed lots offered for importation will not be tested to determine whether the purelive seed requirement is being met, in which case, the importer shall be so advised by the Seed Branch, Grain Division, Consumer and Marketing Service, U.S. Department of Agriculture.

§ 201.107 [Amended]

33. Section 201.107(b) is amended by deleting from the list "Mustard-Brassica juncea (L.) Coss." and inserting in alphabetical order "Mustard, India-Brassica juncea (L.) Coss."

It does not appear that further notice of rule-making or other public procedure with respect to this matter would make additional information available to this Department, and therefore pursuant to administrative procedure provisions in 5 U.S.C. 553 it is found upon good cause that further notice of rule-making and other public procedure on the amendments are unnecessary and impracticable.

Effective date. The amendments shall become effective 30 days after publication in the FEDERAL REGISTER except amendments 1c, 1e and 1f regarding the names "India mustard" and "garden bean" which shall become effective July 1, 1968, and amendments 5, 9, 10, 13, 19c, and 27 which shall become effective September 1, 1968.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

AUGUST 28, 1967.

[F.R. Doc. 67-10309; Filed, Sept. 5, 1967; 8:45 a.m.]