

FEDERAL REGISTER

VOLUME 33 • NUMBER 72

Friday, April 12, 1968

Washington, D.C.

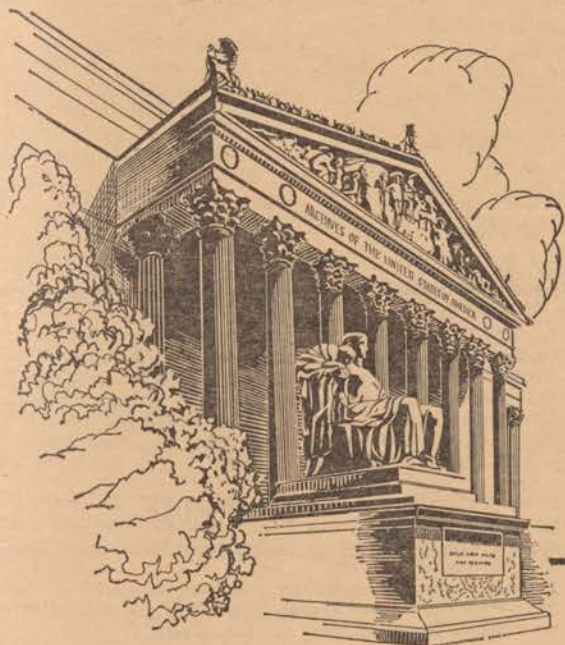
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Just Released

CODE OF FEDERAL REGULATIONS

(As of January 1, 1968)

Title 5—Administrative Personnel (Revised) ----- \$1. 00
Title 21—Food and Drugs (Parts 120-129) (Revised) -- 1. 00
Title 26—Internal Revenue (Parts 300-499) (Revised) -- 1. 00

[A cumulative checklist of CFR issuances for 1968 appears in the first issue of the Federal Register each month under Title 1]

Order from Superintendent of Documents,
United States Government Printing Office,
Washington, D.C. 20402



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Title 7—AGRICULTURE

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

PART 950—IRISH POTATOES GROWN IN MAINE

Expenses and Rate of Assessment

Notice of rule making regarding the proposed expenses and rate of assessment to be effective under Marketing Agreement No. 122, as amended, and Order No. 950, as amended (7 CFR Part 950), regulating the handling of Irish potatoes grown in the State of Maine, was published in the March 6, 1968, *FEDERAL REGISTER* (33 F.R. 4188). 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 10 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 Maine Potato Marketing Committee, established pursuant to the said marketing agreement and order, it is hereby found and determined that:

Section 950.212 *Expenses* (33 F.R. 359), is hereby amended to read as follows:

§ 950.212 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the Maine Potato Marketing Committee, established pursuant to Marketing Agreement No. 122 and Order No. 950, both as amended, to enable such committee to perform its functions under provisions of the amended marketing agreement and order during the fiscal period ending August 31, 1968, will amount to \$22,000.

(b) The rate of assessment to be paid by each handler in accordance with the Marketing Agreement and this part shall be \$1 per railroad car or truckload of 25,000 pounds or over, and \$0.50 (fifty cents) per truckload of less than 25,000 pounds or the respective equivalent quantities of potatoes handled by him as the first handler thereof and which were regulated under this part during said fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period ending August 31, 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 order.

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 rate of assessment fixed for a particular fiscal period shall be applicable to all assessable potatoes from the beginning of such period, and (2) the current fiscal period began September 1, 1967, and the rate of assessment herein fixed will automatically apply to all assessable potatoes beginning with such sale.

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

Dated: April 9, 1968.

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

[F.R. Doc. 68-4356; Filed, Apr. 11, 1968; 8:46 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., Rev. 1, Amdt. 6]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—General Regulations Governing Price Support for the 1964 and Subsequent Crops

TENDER BY ASSOCIATIONS PROHIBITED IF INDEBTEDNESS EXISTS

Paragraph (g) of § 1421.52 of the regulations issued by Commodity Credit Corporation published in 31 F.R. 5941, 32 F.R. 7843, 9301, and 13376, and 33 F.R. 222, 299 and 2564 containing the General Regulations Governing Price Support for the 1964 and Subsequent Crops of Grains and Similarly Handled Commodities are hereby amended to provide additionally that an association is not eligible to obtain price support on commodities produced by persons who are indebted to CCC or other agencies of the United States. The amended paragraph (g) reads as follows:

§ 1421.52 Eligible producers.

(g) *Approved association.* A cooperative marketing association which is approved by the Executive Vice President, CCC, pursuant to Part 1425 of this chapter, to obtain price support on a crop of dry edible beans, rice, soybeans or tung oil, may obtain price support on eligible production of such crop of the commodity on behalf of its members. An

association is not eligible to obtain price support on any quantity of a commodity produced by a person (1) whose name is entered on a claim control record (indicating the indebtedness of such person) maintained by a county office, or (2) who owes an installment on a storage facility or drying equipment loan which is due, until the debt then due is paid or the association receives information from the applicable State or county office showing that such debt has been paid. Before tendering any quantity of a commodity to CCC for price support, the association shall obtain from State or county offices lists containing the names and the identifying numbers of such persons. For the information of the association, these lists will also contain, (3) names of persons having storage facility and drying equipment loan installments which will become due during the period of loan availability, and (4) the dates such installments will become due. The term "producer" as used in this subpart and on applicable price support forms shall refer both to an eligible producer as defined in paragraphs (a), (b), and (c) of this section and to such an approved cooperative marketing association.

(Secs. 4, 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)

Effective date. This amendment shall become effective upon filing with the Office of the Federal Register for publication.

Signed at Washington, D.C., on April 8, 1968.

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

[F.R. Doc. 68-4393; Filed, Apr. 11, 1968; 8:48 a.m.]

[CCC Honey Price Support Regs. for 1968 and Subsequent Crops, Amdt. 1]

PART 1434—HONEY

Subpart—Honey Price Support Regulations for 1968 and Subsequent Crops

TENDER BY ASSOCIATIONS PROHIBITED IF INDEBTEDNESS EXISTS

Paragraph (d) of § 1434.3 of the regulations issued by the Commodity Credit Corporation published in 33 F.R. 5203 containing the Honey Price Support Regulations for 1968 and Subsequent Crops are hereby amended to provide that an association is not eligible to obtain price support on honey produced by persons who are indebted to CCC or other agencies of the United States. The amended paragraph (d) reads as follows:

§ 1434.3 Eligible producers.

(d) *Approved association.* A cooperative marketing association which is approved by the Executive Vice President, CCC, pursuant to Part 1425 of this chapter, to obtain price support on a crop of extracted honey, may obtain price support on eligible production of such crop of the commodity on behalf of its members. An association is not eligible to obtain price support on any quantity of honey produced by a person (1) whose name is entered on a claim control record (indicating the indebtedness of such person) maintained by a county office, or (2) who owes an installment on a storage facility or drying equipment loan which is due, until the debt then due is paid or the association receives information from the applicable State or county office showing that such debt has been paid. Before tendering any quantity of honey to CCC for price support, the association shall obtain from State or county offices lists containing the names and the identifying numbers of such persons. For the information of the association, these lists will also contain (3) names of persons having storage facility and drying equipment loan installments which will become due during the period of loan availability, and (4) the dates such installments will become due. The term "producer" as used in this subpart and on applicable price support forms shall refer both to an eligible producer as defined in paragraphs (a), (b), and (c) of this section and to such an approved cooperative marketing association.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714 b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 201, 401, 63 Stat. 1052, 1054; 15 U.S.C. 714 c, 7 U.S.C. 1446, 1421)

Effective date. This amendment shall become effective upon filing with the Office of the Federal Register for publication.

Signed at Washington, D.C., on April 8, 1968.

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

[F.R. Doc. 68-4394; Filed, Apr. 11, 1968; 8:49 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

PART 106—LEASE GUARANTEE

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of Small Business for Lease Guarantee Assistance

Section 121.3-14 of Part 121 of Chapter I of Title 13 of the Code of Federal

Regulations is redesignated as § 121.3-15 of Part 121 and § 106.3(c) of Part 106 of Chapter I of Title 13 of the Code of Federal Regulations is redesignated as new § 121.3-14 of Part 121 and, as redesignated, is rephrased to read as follows:

§ 121.3-14 Definition of small business for the purpose of lease guarantee.

A small business concern for the purpose of lease guarantee is a concern that qualifies as a small business under § 121.3-11.

Effective date: April 4, 1968.

ROBERT C. MOOT,
Administrator.

[F.R. Doc. 68-4369; Filed, Apr. 11, 1968; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

No Foreign Origin Disclosure Required of Imported Shower Head Components

§ 15.212 No foreign origin disclosure required of imported shower head components.

(a) The Commission rendered an advisory opinion concerning the proper labeling as to the origin of shower head components to be imported from a foreign country. Under the terms of the proposal the imported components will represent approximately 40 percent of the total cost of the completed unit, with American labor and material representing the remaining 60 percent.

(b) In the absence of any affirmative representation that the product is made in the United States, or any other representation that might mislead the public as to the country of origin, the Commission expressed the opinion that, under the facts as presented, the failure to mark the origin of these goods will not be regarded by the Commission as deceptive. Accordingly, the Commission ruled that no marking is required on the imported shower head components beyond what is imposed by the Bureau of Customs.

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

Issued: April 4, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-4308; Filed, Apr. 11, 1968; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Country of Origin Disclosure on Bicycles Assembled With Some Imported Parts

§ 15.213 Country of origin disclosure on bicycles assembled with some imported parts.

(a) The Commission was requested to render an advisory opinion concerning the proper labeling as to origin of bicycles which were to be produced in the Virgin Islands using parts to be imported from a foreign country together with other parts from the United States. The value of the imported parts in relation to the total value of the finished bicycle will be around 35 percent.

(b) The opinion advised that in the absence of any affirmative representation that the product is made in the United States, or any other representation that might mislead the public as to the country of origin, the Commission is of the opinion that, under the facts as presented, the failure to mark the origin of these bicycles will not be regarded by the Commission as deceptive.

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

Issued: April 4, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-4309; Filed, Apr. 11, 1968; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Country of Origin Labeling on Lamp Containing an Imported Wooden Base

§ 15.214 Country of origin labeling on lamp containing an imported wooden base.

(a) The Commission rendered an advisory opinion concerning the proper labeling as to the origin of lamps containing a wooden base imported from Japan, which represents approximately 20 percent of the total cost of the completed unit. The remaining components will be of American origin and the lamps will be assembled here in the United States.

(b) Two questions were ruled upon by the Commission in the advisory opinion. First, would it be proper to label the lamps as "Made in U.S.A."? Second, if not, must the wooden base be labeled as "Made in Japan"?

(c) In response to the first question, the Commission said that the claim, "Made in U.S.A.," would constitute an affirmative representation that the entire lamp was of domestic origin. Since a substantial portion of the lamp would be of foreign origin, the Commission ruled it would be improper to label the lamps as "Made in U.S.A." without a

clear and conspicuous disclosure in the label that the wooden base is made in Japan.

(d) In regard to the second question the Commission said that, if the lamps are not labeled as "Made in U.S.A." and no other representation is used which might mislead the public as to the country of origin, and in the absence of other facts indicating actual deception, under the facts as presented the failure to mark the origin of the goods will not be regarded by the Commission as deceptive. Accordingly, the Commission said that no marking is required on the imported wooden base with reference to the country of origin.

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

Issued: April 4, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-4310; Filed, Apr. 11, 1968;
8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Misrepresenting Hoist as "Made in U.S.A."

§ 15.215 Misrepresenting hoist as "Made in U.S.A."

(a) The Commission rendered an advisory opinion in response to a question involving the origin of a hoist which is to be made in part of both domestic and foreign made components.

(b) Specifically presented to the Commission was the question of the percentage of domestic material which must be present in the finished product in order for it to be properly described as "Made in U.S.A."

(c) In response to the foregoing question, the Commission said: " * * * a 'Made in U.S.A.' mark would constitute an affirmative representation that the product was made in its entirety in the United States. If the product was made of foreign components and assembled in the United States, it would be improper to describe the finished product as 'Made in U.S.A.' although a legend 'Assembled in U.S.A. of [name of country] components' would be proper."

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

Issued: April 4, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-4311; Filed, Apr. 11, 1968;
8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Affirmative Misrepresentation as to Origin of Photographic Accessories

§ 15.216 Affirmative misrepresentation as to origin of photographic accessories.

(a) The Commission rendered an advisory opinion in regard to the proper

labeling of the origin of photographic accessories which are imported in whole or in part from a foreign country.

(b) In the opinion the Commission ruled upon the following three questions which were presented to it. First, what percentage of foreign made components can a product contain and still be properly labeled as "Made in U.S.A."? Second, in the absence of a "Made in U.S.A." claim, when is it necessary to disclose the foreign country of origin of an imported product? Third, does the Commission have any specific regulations as to size, material, and location whenever it is necessary to disclose the origin of an imported product?

(c) In response to the first question, the Commission said: " * * * the 'Made in U.S.A.' mark would constitute an affirmative representation that the product was made in its entirety in the United States. If the product did in fact contain foreign made components of a substantial nature, it would be improper to label the finished product as 'Made in U.S.A.' without a clear and conspicuous disclosure indicating the identity of the imported components and the foreign country of origin thereof."

(d) With respect to the second question, the Commission stated that it is somewhat hypothetical in that it does not involve a specific proposed course of action, and therefore it is not the proper subject for an advisory opinion.

(e) In regard to the third and final question, the Commission stated that it had no specific regulations as to the exact size, etc., of the disclosure. The Commission said that it would have to state the rule in general terms because the facts of each case may be different. The basic requirement, the Commission said, is that the disclosure must be of such conspicuousness as to be likely observed by prospective purchasers making casual inspection of the merchandise and of such degree of permanency so as to remain thereon until consummation of the consumer sale thereof.

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

Issued: April 4, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-4312; Filed, Apr. 11, 1968;
8:45 a.m.]

PART 237—GUIDES AGAINST DEBT COLLECTION DECEPTION

Revision of Guides

1. The note to § 237.1 of this part has been revised by placing the words "among others" in italics. So amended, the note reads as follows:

§ 237.1 Deception (general).

* * *

NOTE: The Commission has found that in the collection of debts some industry members either disguise the purpose for which information is desired or hold out an inducement to debtors to furnish information which is not in their interest to supply and which they normally would not voluntarily furnish. In connection with the collection or attempted collection of debts or the seeking of information concerning debtors, the Commission has prohibited, among others, the following misrepresentations:

2. Paragraphs (a) and (b) of § 237.2 of this part have been revised by deleting in each paragraph the phrase "when the communication suggests that its objective is other than to collect a debt or to obtain information concerning a debtor." So amended, § 237.2 reads as follows:

§ 237.2 Disclosure of purpose.

(a) An industry member shall not use or cause to be used in his behalf in connection with the collection of or the attempt to collect a debt or in connection with obtaining or attempting to obtain information concerning a debtor, any forms, letters, questionnaires, or other material printed or written which do not clearly and conspicuously disclose that such are used for the purpose of collecting or attempting to collect a debt or to obtain or attempt to obtain information concerning a debtor. (This affirmative disclosure also applies to all forms of communication, oral or otherwise.)

(b) An industry member shall not, through sale or otherwise, place in the hands of others for use in connection with the collection of or attempt to collect a debt or in connection with obtaining or attempting to obtain information concerning a debtor, any forms, letters, questionnaires, or other material printed or written which do not clearly and conspicuously reveal thereon that such are used for the purpose of collecting or attempting to collect a debt or to obtain or attempt to obtain information concerning a debtor.

[Guide 2]

3. Section 237.4 of this part has been revised as follows:

§ 237.4 Organizational titles.

An industry member which is not in fact a "Credit Bureau" as defined in this part shall not use the term "Credit Bureau" in its corporate or trade name; nor shall it use any other term of similar import or meaning in its corporate or trade name, or in any other manner, as to create the false impression that such industry member is a credit bureau.

[Guide 4]

(Secs. 5, 6, 38 Stat. 719, as amended, 721; 15 U.S.C. 45, 46)

Effective: June 14, 1968.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 68-4313; Filed, Apr. 11, 1968;
8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8789; Amdt. 590]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

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

1. By amending § 97.11 of Subpart B to amend low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 2-engine, more than 65 knots	More than 2-engine, more than 65 knots
Bowie Int.	BAL VOR	Direct	2000	T-dn	300-1	300-1	200-1/4
Bodkin Int.	5-mile Radar Fix (final)	Direct	1900	C-dn	500-1	500-1	500-1/4
				S-dn-28*	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar required.

Procedure turn N side of crs, 096° Outbnd, 276° Inbnd, 1900' within 10 miles of BAL VOR.

Minimum altitude over 5-mile Radar Fix on final approach crs 1900'.

Crs and distance, breakoff point to approach end of runway, 284°—0.9 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing BAL VOR, climb to 2000' proceed direct to BA LOM, Hold W, 102° Inbnd, 1-minute right turns.

CAUTION: Procedure turn not authorized when Restricted Area R-4001 in use.

*400-1/4 authorized with operative hi-intensity runway lights except for 4-engine turbojet aircraft.

MSA within 25 miles of facility: 000°—090°—2400'; 090°—180°—1900'; 180°—270°—2100'; 270°—360°—2400'.

City, Baltimore; State, Md.; Airport name, Friendship International; Elev., 146'; Fac. Class., L-BVORTAC; Ident., BAL; Procedure No. VOR Runway 28, Amdt 11; Eff. date, 2 May 68; Sup. Amdt. No. Ter VOR-28, Amdt. 10; Dated, 5 Nov. 66

2. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Binghamton, N.Y.—Broome County, ADF 1, Amdt. 7, 23 May 1964 (established under Subpart C).

Hawthorne, Calif.—Hawthorne Municipal, ADF 1, Amdt. 1, 26 Jan. 1963 (established under Subpart C).

Los Angeles, Calif.—Los Angeles International, NDB (ADF) Runways 25L/R, Amdt. 27, 2 Dec. 1967 (established under Subpart C).

Rochester, Minn.—Rochester Municipal, ADF 1, Amdt. 7, 19 Nov. 1966 (established under Subpart C).

Tampa, Fla.—Peter O. Knight, ADF 1, Amdt. 2, 7 Jan. 1967 (established under Subpart C).

Binghamton, N.Y.—Broome County, VOR 1, Orig., 26 Nov. 1966 (established under Subpart C).

Dunkirk, N.Y.—Dunkirk Municipal, VOR Runway 24, Amdt. 1, 3 June 1967 (established under Subpart C).

East Hampton, N.Y.—East Hampton, VOR 1, Amdt. 2, 4 July 1964 (established under Subpart C).

Hawthorne, Calif.—Hawthorne Municipal, VOR 2, Amdt. 1, 20 Aug. 1966 (established under Subpart C).

Hawthorne, Calif.—Hawthorne Municipal, VOR 1, Amdt. 3, 20 Aug. 1966 (established under Subpart C).

Ponce, P.R.—Mercedita, VOR 1, Amdt. 1, 18 Sept. 1965 (established under Subpart C).

Rochester, Minn.—Rochester Municipal, VOR 1, Amdt. 4, 9 July 1966 (established under Subpart C).

3. By amending § 97.11 of Subpart B to cancel low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Los Angeles, Calif.—Los Angeles International, NDB (ADF) Runways 7R/L, Amdt. 7, 7 Oct. 1967. Canceled 2 May 1968.

Los Angeles, Calif.—Los Angeles International, VOR Runway 7L, Amdt. 4, 7 Oct. 1967. Canceled 2 May 1968.

Los Angeles, Calif.—Los Angeles International, VOR Runway 7R, Amdt. 4, 7 Oct. 1967. Canceled 2 May 1968.

Los Angeles, Calif.—Los Angeles International, VOR Runway 25L, Amdt. 6, 7 Oct. 1967. Canceled 2 May 1968.

Los Angeles, Calif.—Los Angeles International, VOR Runway 25R, Amdt. 5, 7 Oct. 1967. Canceled 2 May 1968.

4. By amending § 97.15 of Subpart B to delete very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

Binghamton, N.Y.—Broome County, VOR/DME No. 2, Amdt. 5, 1 Oct. 1966 (established under Subpart C).

Rochester, Minn.—Rochester Municipal, VOR/DME No. 2, Amdt. 3, 9 July 1966 (established under Subpart C).

5. By amending § 97.17 of Subpart B to amend instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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

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

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less 65 knots or less	More than 2-engine, more than 65 knots	More than 2-engine, more than 65 knots
Atlantic City VOR	LOM	Direct	1500	T-dn	300-1	300-1	200-1½
Millville VOR	NW crs ILS (final)	101°-9.7 miles	1700	C-dn	500-1	500-1	500-1½
Gretna Int.	LOM	Direct	1500	S-dn-13	200-½	200-½	200-½
Nesco Int.	LOM	Direct	1500	A-dn	600-2	600-2	600-2
					Minimums with glide slope inoperative:		
					S-dn-13*	300-½	300-½

Radar available.

Procedure turn S side of crs, 308° Outbnd, 128° Inbnd, 1500' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1400'.

Altitude of glide slope and distance to approach end of runway at OM, 1310'—4.3 miles; at MM, 272'—0.5 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles after passing OM, climb straight ahead to 600' then make left-climbing turn to 1500', proceed via CYN VOR, R 200° to Gretna Int. Hold E, 1-minute left turns, Inbnd crs, 275°.

Note: Back crs unusable.

CAUTION: Radar tower 226', 0.7 mile SW approach end Runway 4.

*300-½ for 4-engine turbojets.

MSA within 25 miles of LOM: 000°-090°—1600'; 090°-180°—1400'; 180°-270°—1600'; 270°-360°—2100'.

City, Atlantic City; State, N.J.; Airport name, NAFEC Atlantic City (Pomona); Elev., 76'; Fac. Class., ILS; Ident., I-Acy; Procedure No. ILS Runway 13, Amdt. 9; Eff. date, 2 May 68; Sup. Amdt. No. 8; Dated, 23 Sept. 67

6. By amending § 97.17 of Subpart B to delete instrument landing system (ILS) procedures as follows:

Binghamton, N.Y.—Broome County, ILS-34, Amdt. 9, 13 Nov. 1965 (established under Subpart C).

Los Angeles, Calif.—Los Angeles International, ILS Runway 25L, Amdt. 30, 7 Oct. 1967 (established under Subpart C).

Los Angeles, Calif.—Los Angeles International, ILS Runway 25R, Amdt. 7, 7 Oct. 1967 (established under Subpart C).

Rochester, Minn.—Rochester Municipal, ILS-13 (back crs.), Amdt. 2, 23 Oct. 1965 (established under Subpart C).

Rochester, Minn.—Rochester Municipal, ILS-31, Amdt. 5, 10 Dec. 1966 (established under Subpart C).

7. By amending § 97.17 of Subpart B to cancel instrument landing system (ILS) procedures as follows:

Los Angeles, Calif.—Los Angeles International, LOC (BC), Runways 7R/L, Amdt. 4, 7 Oct. 1967. Canceled 2 May 1968.

Los Angeles, Calif.—Los Angeles International, LOC Runway 24, Amdt. 1, 7 Oct. 1967. Canceled 2 May 1968.

8. By amending § 97.19 of Subpart B to amend radar procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

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

Transition		Ceiling and visibility minimums					
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Surveillance approach							
050° All sectors	030°	Within:		T-dn	300-1	300-1	200-1½
		20 miles	1700	C-dn	500-1	500-1	500-1½
		10 miles	1500	S-dn* # 4	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2
				Precision approach			
				S-dn-13	200-1½	200-1½	200-1½
				S-dn-4, 31	300-¾	300-¾	300-¾
				A-dn-13, 4, 31	600-2	600-2	600-2

Radar terminal area transition altitudes—All bearings from the radar site with sector azimuths progressing clockwise.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runways 4, 8, 13, and 17—Make a left-climbing turn to 1500' on CYN VOR, R 213° to Nesco Int, hold E, 1-minute left turns, Inbnd crs, 284°. Runways 31, 26, 35, and 22—Make right-climbing turn to 1500' on CYN VOR, R 213° to Nesco Int, hold E, 1-minute left turns, Inbnd crs, 284°.

CAUTION: Radar tower 226', 0.7 mile SW Runway 4.

*400-1 authorized for Runways 13, 26, and 31.

#400-½ authorized, except for 4-engine turbojet aircraft, with operative high-intensity runway lights for Runways 13 and 31.

400-½ authorized, except for 4-engine turbojet aircraft, with operative ALS Runway 13.

\$Runway 35 only—Maintain 700' until passing the 3-mile Radar Fix.

City, Atlantic City; State, N.J.; Airport name, NAFEC Atlantic City (Pomona); Elev., 76'; Fac. Class. and Ident., Atlantic City Radar; Procedure No. Radar-1, Amdt. 7; Eff. date, 2 May 68; Sup. Amdt. No. 1, Amdt. 6; Dated, 18 June 66

9. By amending § 97.19 of Subpart B to delete radar procedures as follows:

Binghamton, N.Y.—Broome County, Radar-1, Amdt. 2, 2 Oct. 1965 (established under Subpart C).

Los Angeles, Calif.—Los Angeles International, Radar-1, Amdt. 20, 12 Mar. 1966 (established under Subpart C).

10. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 7 miles after passing BGM VOR.
				Climbing left turn to 3300' direct to BGM VOR and hold. Supplementary charting information: Hold W., 1-minute right turns, 076° Inbnd, 2549' tower 8.7 miles SE Broome County Airport. TDZ elevation, 1591'.

Procedure turn S side of crs, 256° Outbnd, 076° Inbnd, 3300' within 10 miles of BGM VOR.

FAF, BGM VOR. Final approach crs, 076°. Distance FAF to MAP, 7 miles.

Minimum altitude over BGM VOR, 2700'.

MSA: 000°-090°-3300'; 090°-180°-3600'; 180°-270°-3000'; 270°-360°-3300'.

NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-10	2000	1	409	2000	1	409	2000	1	409	2000	1	409
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2000	1	371	2080	1	451	2080	1½	451	2180	2	551
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Binghamton; State, N.Y.; Airport name, Broome County; Elev., 1629'; Facility, BGM; Procedure No. VOR Runway 10, Amdt. 1; Eff. date, 2 May 68; Sup. Amdt. No. 1, Orig.; Dated, 26 Nov. 66

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: DKK VOR.
				Climbing right turn to 2800' direct to DKK VOR and hold. Supplementary charting information: Hold NE, 1-minute right turns, 233° Inbnd.

Procedure turn N side of crs, 053° Outbnd, 233° Inbnd, 2300' within 10 miles of DKK VOR.

Final approach crs, 233°.

Minimum altitude over DKK VOR, 1300'.

MSA: 070°-160°-3500'; 160°-250°-3400'; 250°-340°-1700'; 340°-070°-3000'.

NOTE: Use Buffalo, N.Y. altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS		
S-24	1300	1	608	1300	1	608	1300	1	608	NA		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1300	1	608	1300	1	608	1400	1½	708	NA		
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng—1 mile., Runways 15, 33, 6, 24.					

City, Dunkirk; State, N.Y.; Airport name, Dunkirk Municipal; Elev., 692'; Facility, DKK; Procedure No. VOR Runway 24, Amdt. 2; Eff. date, 2 May 68; Sup. Amdt. No. 1; Dated, 3 June 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.6 miles after passing HTO VOR.
				Make and immediate right-climbing turn to 3000', direct to HTO VOR and hold. Supplementary charting information: Hold E on HTO VOR, R 096°, 1-minute left turns, 276° Inbnd.

Procedure turn S side of crs, 244° Outbnd, 064° Inbnd, 1700' within 10 miles of HTO VOR.
FAF, HTO VOR. Final approach crs, 064°. Distance FAF to MAP, 3.6 miles.
Minimum altitude over HTO VOR, 1100'.
MSA: 000°-090°-1600'; 090°-180°-1600'; 180°-270°-1600'; 270°-360°-1600'.
NOTES: (1) Use Suffolk County AFB altimeter setting. (2) Night operations authorized on Runways 10-28 only.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C.....	540	1	485	540	1	485	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Not authorized.	

City, East Hampton; State, N.Y.; Airport name, East Hampton; Elev., 55'; Facility, HTO; Procedure No. VOR-1, Amdt. 3; Eff. date, 2 May 68; Sup. Amdt. No. 1, Amdt. 2; Dated 4 July 64

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.5 miles after passing LAX VOR.
				Make climbing left turn to intercept LAX, R 076°, then via LAX, R 076° to La Habra Int at 3000'. Supplementary charting information: TDZ elevation, 60'. Chart 325' church steeple located 33°55'49.5" N., 118°18'04.8" W.

Procedure turn S side of crs, 254° Outbnd, 074° Inbnd, 2000' within 10 miles of LAX VOR.
FAF, LAX VOR. Final approach crs, LAX, R 083°. Distance FAF to MAP, 4.5 miles.
Minimum altitude over LAX VOR, 1000'; over LAX, R 083°, 2.5-mile DME Fix 600'.
MSA: 345°-075°-7200'; 075°-165°-2500'; 165°-255°-2500'; 255°-345°-5100'.
NOTE: Radar vectoring.
% IFR departure procedures: Runway 25 requires 340'/mile climb rate to 300'. Runway 7 requires 315'/mile climb rate to 300'.
* All circling S of airport due to traffic restrictions N.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS		
8-7-----	600	1	540	600	1	540	600	1	540	NA		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C*-----	600	1	537	640	1	577	660	1½	597	NA		
	VOR/DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-7-----	480	1	420	480	1	420	480	1	420	NA		

City, Hawthorne; State, Calif.; Airport name, Hawthorne Municipal; Elev., 63'; Facility, LAX; Procedure No. VOR Runway 7, Amdt. 2; Eff. date, 2 May 68; Sup. Amdt. No. VOR 2, Amdt. 1; Dated, 20 Aug. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.5 miles after passing Bell Int (5.2 DME, R 081°).
La Habra Int.	Norwalk Int.	DR 196°/2.4 miles and R 081°	3000	Climbing left turn to 3000' via 200° heading and LAX, R 170° to Ling Int. If not at 3000' at Ling Int, climb in holding pattern to 3000' or as directed by ATC. Alternate missed approach: 5.5 miles after passing Bell Int (5.2 DME), climb to 2000' direct to LAX VOR, then via LAX R 170°; within 10 miles. Supplementary charting information: Chart 325' church steeple located 33°55' 49.5" N., 118°18'04.8" W. TDZ elevation, 60'.
R 342°, LAX VOR clockwise	R 046°, LAX VOR	16-mile arc	4300	
R 046°, LAX VOR clockwise	Norwalk Int.	16-mile arc, R 073° lead radial	2000	
R 170°, LAX VOR counterclockwise	Norwalk Int.	16-mile arc, R 089° lead radial	2500	
Norwalk Int.	Bell Int.	Direct	2000	

Procedure turn not authorized. Approach crs (profile) starts at Bell Int. FAF, Bell Int. Final approach crs, 261°. Distance FAF to MAP, 5.5 miles. Minimum altitude over Bell Int., 2000'.

MSA: 345°-075°-7200'; 075°-165°-2500'; 165°-255°-2500'; 255°-345°-5100'.

NOTES: (1) Radar vectoring. (2) During simultaneous approaches (HHR Runway 25 and LAX Runway 24) aircraft must be radar vectored to final approach fix (Bell Int). %IFR departure procedures: Runway 7 requires 315'/mile climb rate to 300'. Runway 25 requires 340'/mile climb rate to 300'.

*All circling S of airport due to traffic restrictions N.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS	
S-25	580	1	520	580	1	520	580	1	520	NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C*	600	1	537	640	1	577	660	1½	597	NA	
A	Standard.			T 2-eng. or less—Standard. %			T over 2-eng—Standard. %				

City, Hawthorne; State, Calif.; Airport name, Hawthorne Municipal; Elev., 63'; Facility, LAX; Procedure No. VOR Runway 25, Amdt. 4; Eff. date, 2 May 68; Sup. Amdt. No. VOR 1, Amdt. 3; Dated, 20 Aug. 66

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing Del Rey Int.
R 170°, LAX VOR clockwise	R 251°, LAX VOR (NOPT)	10-mile arc LAX, R 239° lead radial	2000	Climb to 2000' via LAX R 068°, to Firestone Int. Supplementary charting information: LAX VOR 4000' W of runways. TDZ elevation, 125'. Bearing and distance from LAX VOR to Runway 7L, 061°-0.66 mile; Runway 7R, 071°-0.66 mile.
R 046°, LAX VOR counterclockwise	R 292°, LAX VOR (NOPT)	10-mile arc	4200	
R 292°, LAX VOR, counterclockwise	R 251°, LAX VOR	10-mile arc LAX, R 263° lead radial	2000	
LAX R 251°/10 DME Fix	Del Rey VHF/DME Fix (NOPT)	Direct	1300	
LAX VOR	Del Rey VHF/DME Fix	Direct	2000	

Procedure turn S side of crs, 251° Outbnd, 071° Inbnd, 2000' within 10 miles of Del Rey Int.

FAF, Del Rey Int. Final approach crs, 071°. Distance FAF to MAP, 5 miles.

Minimum altitude over Del Rey VHF/DME Fix, 1300'.

MSA: 345°-075°-7200'; 075°-165°-2500'; 165°-255°-2500'; 255°-345°-5100'.

NOTES: (1) ASR/PAR. (2) Sliding scale not authorized.

%IFR departure procedures: Northbound (280° clockwise through 060°) unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure requires 460'/mile minimum climb rate to 200'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-7 L/R	500	RVR 40	435	500	RVR 40	435	500	RVR 40	435	500	RVR 50	435
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	514	640	1	514	640	1½	514	680	2	554
A	Standard.			T 2-eng. or less—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 50. %			T over 2-eng.—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 24. %					

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Facility, LAX; Procedure No. VOR Runways 7 L/R, Amdt. Orig.; Eff. date, 2 May 68

RULES AND REGULATIONS

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STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: Runways 25L and 25R, 5 miles after passing Freeway Int (2.5 DME, R 068°).
Long Beach VOR	Firestone Int.	Direct	3000	Climb to 2000' direct to LAX VOR, then via LAX, R 246° within 15 miles. Supplementary charting information: TDZ elevation, 100'. Chart Downey NDB though not used in procedure. Final approach crs 350° right of runway 25L centerline and 350° left of runway 25R centerline at 3000'.
Santa Ana VOR	Firestone Int.	Direct	3000	
R 323°, LAX VOR clockwise	R 046°, LAX VOR (NOPT)	15-mile arc	4300	
R 046°, LAX VOR clockwise	Firestone Int.	15-mile arc LAX, R 080°, lead radial.	2000	
R 123°, LAX VOR counterclockwise	Firestone Int (NOPT)	15-mile arc LAX, R 077°, lead radial.	2000	
Firestone Int.	Freeway Int (NOPT)	Direct	2000	
Bassett Int.	Firestone Int.	Direct	2500	

Procedure turn S side of crs, 068° Outbnd, 248° Inbnd, 2500' within 10 miles of Freeway Int. FAF, Freeway Int. Final approach crs, 248°. Distance FAF to MAP, 5 miles. Minimum altitude over Freeway Int, 2000'; over Noel Int, *620'. MSA: 345°-075°-7200'; 075°-165°-2560'; 165°-255°-2500'; 255°-345°-5100'.

Note: ASR/PAR.
*Recommended altitude at Noel Int, 680'.
%IFR departure procedures: Northbound (280° clockwise through 060°) unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure requires 400'/mile minimum climb rate to 200'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25 L/R	620	RVR 24	520	620	RVR 24	520	620	RVR 24	520	620	RVR 50	520
Dual VOR or VOR/DME Minimums:												
S-25 L/R	520	RVR 24	420	520	RVR 24	420	520	RVR 24	420	520	RVR 50	420
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	514	640	1	514	640	1½	514	680	2	554
A	Standard.			T 2-eng. or less—Runways 16/34, 6/24 standard. Runway 7 L/R, 25 L/R, RVR 50.0%.			T over 2-eng.—Runways 16/34, 6/24, standard. Runway 7 L/R, 25 L/R, RVR 24.0%.					

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Facility, LAX; Procedure No. VOR Runways 25 L/R, Amdt. Orig.; Eff. date, 2 May 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 1.8 miles after passing PSE VOR.
				Climbing left turn to 2100' and return to PSE VOR, then Outbnd R 118° within 10 miles. Supplementary charting information: Lighted antenna on building 569', 3 miles from end of Runway 11.

*Procedure turn S side of crs, 118° Outbnd, 298° Inbnd, 2100' within 10 miles of PSE VOR. FAF, PSE VOR. Final approach crs, 298°. Distance FAF to MAP, 1.8 miles. Minimum altitude over PSE VOR, 800'. MSA: 090°-180°-4000'; 180°-270°-2200'; 270°-090°-5400'. Notes: (1) Use San Juan altimeter when control zone not effective. (2) Air carrier reduction not authorized. (3) Missed approach begins 0.5 mile prior to reaching approach end of runway due high terrain W of airport. CAUTION: Lighted antenna on building 569', 3 miles from end of Runway 11. *Procedure turn not authorized for category B and C aircraft when warning area W-370 or restricted area R-7103 active. Category A aircraft procedure turn restricted to 7 miles when above areas active. ##Circling and straight-in MDA increased 180' when control zone not effective and alternate minimums not authorized except operators with approved weather reporting service. %Aircraft departing northbound on Route 9 will cross PSE VOR at 2000' before proceeding on crs.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS		
S-29##	460	1	435	460	1	435	460	1	435	NA		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C##	740	1	712	780	1	752	780	1½	752	NA		
A	Standard##.			T 2-eng. or less—Runway 29, 500-2, Runway 11, standard. % T over 2 eng.—Runway 29, 500-2, Runway 11, standard. %								

City, Ponce; State, P.R.; Airport name, Mercedita; Elev., 28'; Facility, PSE; Procedure No. VOR Runway 29, Amdt. 2; Eff. date, 2 May 68; Sup. Amdt. No. VOR 1, Amdt. 1; Dated, 18 Sept. 65

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 8.1 miles after passing RST VOR.
R 286°, RST VOR counterclockwise.....	R 205°, RST VOR.....	7-mile arc.....	3000	Climb to 3000' on R 025° within 10 miles, return to VOR. When directed by ATC, climbing right turn to 3000' direct to VOR. Supplementary charting information: TDZ elevation, 1310'.
R 076°, RST VOR clockwise.....	R 205°, RST VOR.....	7-mile arc.....	3000	
7-mile DME Fix, R 205°.....	RST VOR (NOPT).....	Direct.....	3000	

Procedure turn E side of crs, 205° Outbnd, 025° Inbnd, 3000' within 10 miles of RST VOR.
FAF, RST VOR. Final approach crs, 025°. Distance FAF to MAP, 8.1 miles.
Minimum altitude over RST VOR, 3000'; over 5-mile DME Fix, 1800'.
MSA: 000°-090°-2900'; 090°-180°-3700'; 180°-270°-3800'; 270°-360°-2900'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-2.....	1800	1	490	1800	1	490	1800	1	490	1800	1	490
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1800	1	484	1800	1	484	1800	1½	484	1880	2	564
	VOR/DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-2.....	1640	1	330	1640	1	330	1640	1	330	1640	1	330
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1700	1	384	1780	1	464	1780	1½	464	1880	2	564
A.....	Standard. T 2-eng. or less—RVR 24, Runway 31. Standard all others. T over 2-eng.—RVR 24, Runway 31. Standard all others											

City, Rochester; State, Minn.; Airport name, Rochester Municipal; Elev., 1316'; Facility, RST; Procedure No. VOR Runway 2, Amdt. 5; Eff. date, 2 May 68; Sup. Amdt. No. 1 Amdt. 4; Dated, 9 July 66

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 8-mile DME Fix R 079°.
				Climb to 3300' direct BMG VORTAC and hold. Supplementary charting information: Hold W, 1-minute right turns, 095° Inbnd, 2549' tower 8.7 miles SE Broome County Airport. TDZ elevation, 1886'.

Procedure turn not authorized. Approach crs starts at 18-mile DME Fix.
Final approach crs, 259°.
Minimum altitude over BGM, R. 079°, 18-mile DME, 3200'; over 13-mile DME, 3200'; over 8-mile DME, 1920'.
MSA: 000°-090°-3300'; 090°-180°-3600'; 180°-270°-3000'; 270°-360°-3300'.
NOTES: (1) Radar required. (2) ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-28.....	1920	1	334	1920	1	334	1920	1	334	1920	1	334
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	2000	1	371	2080	1	451	2080	1½	451	2180	2	551
A.....	Standard. T 2-eng. or less—Standard. T over 2-eng.—Standard.											

City, Binghamton; State, N. Y.; Airport name, Broome County; Elev., 1629'; Facility, BGM; Procedure No. VOR/DME Runway 28, Amdt. 6; Eff. date, 2 May 68; Sup. Amdt. No. VOR/DME No. 2, Amdt. 5; Dated, 1 Oct. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 9 mile DME Fix, R 024°.	
R 286° RST VOR clockwise.....	R 024° RST VOR (NOPT).....	19-mile arc.....	2800	Climb to 3000' direct to RST VOR. Supplementary charting information: TDZ elevation, 1300'. Tower 1435' at 43°59'00"/92°27'00".	
R 099° RST VOR counterclockwise.....	R 024° RST VOR (NOPT).....	19-mile arc.....	2900		
RST VOR.....	13-mile DME Fix, R 024°.....	Direct.....	2800		

Procedure turn W side of crs, 024° Outbnd, 204° Inbnd, 2800' within 10 miles of 13-mile DME Fix.
Final approach crs, 204°.
Minimum altitude over 13-mile DME Fix, R 024°, 2500'.
MSA: 000°-090°-2900'; 090°-180°-3700'; 180°-270°-3800'; 270°-360°-2900'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-20	1600	1	300	1600	1	300	1600	1	300	1600	1	300
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1700	1	384	1780	1	464	1780	1½	464	1880	2	564
A	Standard.			T 2-eng. or less—RVR 24, Runway 31. Standard all others. T over 2-eng.—RVR 24, Runway 31. Standard all others.								

City, Rochester; State, Minn.; Airport name, Rochester Municipal; Elev., 1316'; Facility RST; Procedure No. VOR/DME Runway 20, Amdt. 4; Eff. date, 2 May 68; Sup. Amdt. No. VOR/DME No. 2, Amdt. 3; Dated, 9 July 66

11. By amending § 97.25 of Subpart C to establish localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

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

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.7 miles after passing Trout Int.	
Pike Int.	Trout Int (NOPT)	Direct	1500	Climb to 2000' on E crs of LAX ILS to Downey FM. Supplementary charting information: TDZ	
Lima LOM (LA)	Trout Int.	Direct	2000		
LAX VOR	Trout Int.	Direct	2000		

Procedure turn S side of crs, 248° Outbnd, 068° Inbnd, 2000' within 10 miles of Trout Int.
FAF, Trout Int. Final approach crs, 068°, Distance FAF to MAP, 4.7 miles.
Minimum altitude over Trout Int, 1500'.

NOTES: (1) ASR/PAR. (2) Sliding scale not authorized.
%IFR departure procedures: Northbound (280° clockwise through 060°) unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure requires 460'/mile minimum climb rate to 200'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-7L	460	RVR 40	335	460	RVR 40	335	460	RVR 40	335	460	RVR 50	335
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	514	640	1	514	640	1½	514	680	2	554
A	Standard.			T 2-eng. or less—Runways 16/34, 6/24, Standard. Runways 7 L/R, 25 L/R, RVR 50. % T over 2-eng.—Runways 16/34, 6/24, Standard. Runways 7 L/R, 25 L/R, RVR 24. %								

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Facility I-LAX; Procedure No. LOC (BC) Runway 7L, Amdt. Orig.; Eff. date, 2 May 6

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC—Continued

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.7 miles after passing Trout Int.
Pike Int.	Trout Int (NOPT)	Direct	1500	Climb to 2000' on E crs of LAX ILS to
LAX VOR	Trout Int.	Direct	2000	Downey FM.
Lima LOM (LA)	Trout Int.	Direct	2000	Supplementary charting information: TDZ elevation, 124'.

Procedure turn S side of crs, 248° Outbnd, 068° Inbnd, 2000' within 10 miles of Trout Int.
FAF, Trout Int. Final approach crs, 068°. Distance FAF to MAP, 4.7 miles.
Minimum altitude over Trout Int, 1500'.

NOTES: (1) ASR/PAR. (2) Sliding scale not authorized.

%IFR departure procedures: Northbound (280° clockwise through 060°) unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure requires 400'/mile minimum climb rate to 200'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-7R	500	RVR 40	376	500	RVR 40	376	500	RVR 40	376	500	RVR 50	376
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	514	640	1	514	640	1½	514	680	2	534
A	Standard.	T 2-eng. or less.—Runway 16/34, 6/24, standard. Runway 7 L/R, 25 L/R, RVR 50.0%						T over 2-eng.—Runway 16/34, 6/24, standard. Runway 7 L/R, 25 L/R, RVR 24.0%				

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Facility, I-LAX; Procedure No. LOC (BC) Runway 7R, Amdt. Orig.; Eff. date, 2 May 66

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.1 miles after passing Ellie Int.
RST VOR	Ellie Int.	Direct	2800	Climb to 2600' direct to RS LOM. When
Bell Int.	Ellie Int.	Direct	2800	directed by ATC, climbing right turn to
RS LOM	Ellie Int.	Direct	2800	3000' direct to RST VOR.
Concord DME Fix	Byron Int.	LOC Crs	2800	Supplementary charting information: TDZ
Byron Int.	Ellie Int (NOPT)	Direct	2500	elevation, 1292'.

Procedure turn S side of crs, 307° Outbnd, 127° Inbnd, 2800' within 10 miles of Ellie Int.
FAF, Ellie Int. Final approach crs, 127°. Distance FAF to MAP, 4.1 miles.
Minimum altitude over Ellie Int, 2500'.
NOTE: Dual VOR receivers required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13	1600	¾	308	1600	¾	308	1600	¾	308	1600	1	308
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1700	1	384	1780	1	464	1780	1½	464	1880	2	564
A	Standard.	T 2-eng. or less.—RVR 24, Runway 31. Standard all others.						T over 2-eng.—RVR 24, Runway 31. Standard all others.				

City, Rochester; State, Minn.; Airport name, Rochester Municipal; Elev., 1316'; Facility, I-RST; Procedure No. LOC (BC) Runway 13, Amdt. 3; Eff. date, 2 May 66; Sup. Amdt. No. ILS-13 (Back crs), Amdt. 2; Dated, 23 Oct. 65

12. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

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

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

Terminal routes		Via	Minimum altitudes (feet)	Missed approach MAP: 6.9 miles after passing BGM NDB.
From—	To—			
BGM VORTAC.....	BGM NDB.....	Direct.....	3600	Climb to 3600' on crs, 338° left turn, direct BGM NDB and hold. Supplementary charting information: Hold, SE, 1-minute right turns, 338° Inbnd. 2549' tower 3.9 miles SW BGM NDB. 1949' tower 2.1 miles NE BGM NDB. TDZ elevation, 1602'.
Greene Int.....	BGM NDB.....	Direct.....	3600	
Tyler Int.....	BGM NDB.....	Direct.....	3600	

Procedure turn E side of crs, 158° Outbnd, 338° Inbnd, 3600' within 10 miles of BGM NDB.

FAF, BGM NDB. Final approach crs, 338°. Distance FAF to MAP, 6.9 miles.

Minimum altitude over BGM NDB, 3600'; over GM LMM, 2040'.

MSA: 000°-090°-3600'; 090°-180°-3800'; 180°-360°-3600'.

Note: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-34.....	2040	1	438	2040	1	438	2040	1	438	2040	1	43
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	2040	1	411	2080	1	451	2080	1½	451	2180	2	551

LMM Minimums

	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-34.....	1960	1	358	1960	1	358	1960	1	358	1960	1	358
A.....	Standard.		T 2-eng. or less—Standard.						T over 2-eng.—Standard.			

City, Binghamton: State, N.Y.; Airport name, Broome County; Elev., 1629'; Facility, BGM; Procedure No. NDB (ADF) Runway 24, Amdt. 8; Eff. date, 2 May 68; Sup. Amdt. No. 1, Amdt. 7; Dated, 23 May 64

Terminal routes		Via	Minimum altitudes (feet)	Missed approach MAP: 3 miles after passing Lima LOM (LA).
From—	To—			
Downey FM/NDB.....	Lima LOM (LA).....	Direct.....	1500	Climb to 2000' on crs 225° from Lima LOM within 15 miles. Supplementary charting information: Chart 325' church steeple located 33°55' 49.5' N. 118°18'04.8' W.

Procedure turn not authorized. Approach crs (profile) starts at Lima LOM (LA).

FAF, Lima LOM (LA). Final approach crs, 225°. Distance FAF to MAP, 3 miles.

Minimum altitude over Lima LOM (LA), 1500'.

MSA: 045°-135°-4800'; 135°-225°-2500'; 225°-315°-4800'; 315°-045°-9100'.

Note: Radar required.

% IFR departure procedures: Runway 25 requires 340'/mile climb rate to 300'. Runway 7 requires 315'/mile climb rate to 300'.

*All circling S of airport due to traffic restrictions N.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS	
*C.....	660	1	597	660	1	597	660	1½	597	NA	
A.....	Standard.		T 2-eng. or less—Standard. %						T over 2-eng.—Standard. %		

City, Hawthorne; State, Calif.; Airport name, Hawthorne Municipal; Elev., 63'; Facility LA; Procedure No. NDB (ADF)-1, Amdt. 2; Eff. date, 2 May 68; Sup. Amdt. No. 2 ADF 1, Amdt. 1; Dated, 26 Jan. 63

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: Runways 25L and 25R: 5.4 miles after passing Lima LOM.
LAX VOR	Lima LOM (LA)	Direct	3000	Climb to 2000' on crs 248° within 15 miles of Lima LOM.
Downey FM/NDB	Lima LOM (LA) (NOPT)	Direct	2000	
LGB VOR	Downey FM/NDB	Direct	3000	Supplementary charting information: TDZ elevation, 100'. Final approach crs, 350° right of Runway 25L centerline and 350° left of Runway 25R centerline at 3000'.
La Habra Int.	Downey FM/NDB	Direct	3000	
Tower Int.	Lima LOM (LA)	Direct	4000	

Procedure turn S side of crs, 073° Outbnd, 253° Inbnd, 2400' within 10 miles of Lima LOM (LA).

FAF, Lima LOM (LA). Final approach crs, 248°. Distance FAF to MAP, 5.4 miles.

Minimum altitude over Lima LOM (LA), 2000'.

MSA: 045°-135°-4800'; 135°-225°-2500'; 225°-315°-4800'; 315°-045°-0100'.

Note: ASR/FAF.

%IFR departure procedures: Northbound (280° clockwise through 060°): Unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure requires 400'/mile minimum climb rate to 200'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25 L/R	660	RVR 40	500	660	RVR 40	500	660	RVR 40	500	660	RVR 50	500
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HA
C	660	1	534	660	1	534	660	1½	534	680	2	554
A	Standard.	T 2-eng. or less—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 50%.						T over 2-eng.—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 24%.				

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 120'; Facility, LA; Procedure No NDB (ADF) Runway 25L/R, A mdt. 28; Eff. date, 2 May 68; Sup. Amdt. No. 27; Dated, 2 Dec. 67

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.2 miles after passing RS LOM.
Granger Int.	RS LOM	Direct	2900	Climb to 2800' on 307° bearing from RS LOM within 10 miles, return to LOM.
Preston Int.	RS LOM	Direct	2900	
RST VOR	RS LOM	Direct	2900	When directed by ATC, climbing left turn to 3000' direct to RST VOR.
Byron Int.	RS LOM	Direct	2800	Supplementary charting information: TDZ elevation, 1304'.
Concord DME Fix	RS LOM	Direct	2800	
Bell Int.	RS LOM (NOPT)	Direct	2500	

Procedure turn E side of crs, 127° Outbnd, 307° Inbnd, 2600' within 10 miles of RS LOM.

FAF, RS LOM. Final approach crs, 307°. Distance FAF to MAP, 4.2 miles.

Minimum altitude over RS LOM, 2500'.

MSA: 000°-090°-2700'; 090°-270°-3700'; 270°-360°-2000'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31	1660	RVR 40	356	1660	RVR 40	356	1660	RVR 40	356	1660	RVR 50	356
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1700	1	384	1780	1	464	1780	1½	464	1880	2	564
A	Standard.	T 2-eng. or less—RVR 24, Runway 31. Standard all others.						T over 2-eng.—RVR 24, Runway 31. Standard all others.				

City, Rochester; State, Minn.; Airport name, Rochester Municipal; Elev., 1316'; Facility, RS; Procedure No. NDB (ADF) Runway 31, Amdt. 8; Eff. date, 2 May 68; Sup. Amdt. No. 1, Amdt. 7; Dated, 19 Nov. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.7 miles after passing AMP NDB.
PIE VORTAC.....	AMP NDB.....	Direct.....	1600	Climb to 1600' on bearing 058°. Supplementary charting information: TDZ elevation, 8'.

Procedure turn S side of crs, 238° Outbnd, 058° Inbnd, 1600' within 10 miles of AMP NDB.
 FAF, AMP NDB. Final approach crs, 058°. Distance FAF to MAP, 5.7 miles.
 Minimum altitude over AMP NDB, 1000'.
 MSA: 000°-180°-2600'; 180°-360°-1000'.
 NOTES: (1) ASR. (2) Use Tampa altimeter setting. (3) Weather and communications not available at this airport.
 % Takeoff Runways 3 and 35, 600' ceiling required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-3.....	500	1	492	500	1	492	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C.....	760	1	752	760	1 1/4	752	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard Runways 17, 21. %			T over 2-eng.—Standard Runways 17, 21. %	

City, Tampa; State, Fla.; Airport name, Peter O. Knight; Elev., 8'; Facility, AMP; Procedure No. NDB (ADF) Runway 3, Amdt. 3; Eff. date, 2 May 68; Sup. Amdt. No. 1, Amdt. 2; Dated, 7 Jan. 67

13. By amending § 97.29 of Subpart C to establish instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

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

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 1902'. LOC 6.9 miles after passing BGM NDB.
BGM VORTAC.....	BGM NDB/River Int.....	Direct.....	3600	Climb to 3600' left turn direct BGM
Greene Int.....	BGM NDB.....	Direct.....	3600	VORTAC and hold.
Tyler Int.....	BGM NDB.....	Direct.....	3600	Supplementary charting information: Hold W, 1-minute right turns, 095° Inbnd, 2549' tower 3.9 miles SW BGM NDB, 1949' tower 2.1 miles NE BGM NDB. TDZ elevation, 1602'.

Procedure turn E side of crs, 158° Outbnd, 338° Inbnd, 3600' within 10 miles of BGM NDB.
 FAF, BGM NDB/River Int. Final approach crs, 338°. Distance FAF to MAP, 6.9 miles.
 Glide slope altitude at NDB, 3552'.
 Minimum glide slope interception altitude, 3600'. Glide slope altitude at OM, 2708'; at MM, 1819'.
 Distance to runway threshold at OM, 3.9 miles; at MM, 0.6 mile.
 MSA within 25 miles of BGM NDB: 000°-090°-3600'; 090°-180°-3800'; 180°-360°-3600'.
 NOTES: (1) ASR. (2) Back crs unusable.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-34.....	1902	3/4	300	1902	3/4	300	1902	3/4	300	1902	3/4	300
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-34.....	1920	1	318	1920	1	318	1920	1	318	1920	1	318
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	2040	1	411	2080	1	451	2080	1 1/2	451	2180	2	551
A.....	Standard:			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Binghamton; State, N.Y.; Airport name, Broome County; Elev., 1629'; Facility, I-BGM; Procedure No. ILS Runway 34, Amdt. 10; Eff. date, 2 May 68; Sup. Amdt. No. ILS-34, Amdt. 9; Dated, 13 Nov. 65

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Cellings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

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

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 370'. LOC 6.3 miles after passing Romeo LOM (OS).
LGB VOR	Commerce Int.	Direct	3000	Initiate immediate climb on localizer crs to 500', turn right, continue climb to 400' via 265° heading and LAX, R 276° to Topanga Int. Supplementary charting information: TDZ elevation, 120'.
Royal Int.	Goodyear Int.	Direct	3000	
El Monte Int.	Commerce Int.	Direct	3000	
Commerce Int.	Goodyear Int.	Direct	3000	
Goodyear Int.	Romeo LOM (OS) (NOPT)	Direct	2200	
SMO VOR	Goodyear Int.	Direct	3000	

Procedure turn S side of crs, 068° Outbnd, 248° Inbnd, 3000' within 10 miles of Goodyear Int.

FAF, Romeo LOM (OS). Final approach crs, 248°. Distance FAF to MAP, 6.3 miles.

Minimum altitude over Goodyear Int, 3000'; over Romeo LOM (OS), 2200'; over Arbor Int, 640'.

Minimum glide slope interception altitude, 3000'. Glide slope altitude at OM, 2190'; at MM, 317'.

Distance to runway threshold at OM, 6.3 miles; at MM, 0.5 mile.

MSA: 045°-135°-4800'; 135°-225°-2500'; 225°-315°-4800'; 315°-045°-9100'.

NOTES: (1) ASR/PAR. (2) Components inoperative table does not apply to HIRLs Runway 24. (3) During simultaneous approaches (LAX Runway 24 and HHR Runway 25), aircraft must be radar vectored to FAF (Romeo LOM). (4) Back crs unusable.

% IFR departure procedures: Northbound (280° clockwise through 060°) unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure required 460'/mile minimum climb rate to 200'.

**2200' when authorized by ATC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-24	370	¾	250	370	¾	250	370	¾	250	370	¾	250
LOC	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-24	640	1	520	640	1	520	640	1	520	640	1¼	520
LOC/VOR Minimums:												
S-24	500	1	380	500	1	380	500	1	380	500	1	380
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	514	640	1	514	640	1½	514	680	2	554
A	Standard.			T 2-eng. or less—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 60%.			T over 2-eng.—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 24%.					

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Facility, I-OSS; Procedure No. ILS Runway 24, Amdt. Orig.; Eff. date, 2 May 68

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 300'. LOC 5.4 miles after passing Lima LOM (LA).
Walnut Int.	Bassett Int.	Direct	3500	Initiate immediate climb on localizer crs to 500', turn left, continue climb to 3000' via 220° heading and LAX, R 192° to Kingfish Int.
Bassett Int.	Downey FM/Int.	Direct	3000	
La Habra Int.	Downey FM/Int.	DR 293°/5.0 miles and E crs LOC.	3000	
LGB VOR	Downey FM/Int.	Direct	3000	Supplementary charting information: TDZ elevation, 100'. Chart Downey NDB though not used in procedure.
Tower Int.	Lima LOM (LA)	Direct	4000	
Downey FM/Int.	Lima LOM (LA) (NOPT)	Direct	2000	

Procedure turn S side of crs, 068° Outbnd, 248° Inbnd, 2400' within 10 miles of Lima LOM (LA).

FAF, Lima LOM (LA). Final approach crs, 248°. Distance FAF to MAP, 5.4 miles.

Minimum altitude over Lima LOM (LA), 1900'; over Whelan Int, 620'.

Minimum glide slope interception altitude, 1900'. Glide slope altitude at OM, 1886'; at MM, 324'.

Distance to runway threshold at OM, 5.4 miles; at MM, 0.5 mile.

MSA: 045°-135°-4800'; 135°-225°-2500'; 225°-315°-4800'; 315°-045°-9100'.

NOTE: ASR/PAR.

% IFR departure procedures: Northbound (280° clockwise through 060°) unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure requires 460'/mile minimum climb rate to 200'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-25L	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200
LOC	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25L	620	RVR 24	520	620	RVR 24	520	620	RVR 24	520	620	RVR 50	520
LOC/VOR Minimums:												
S-25L	460	RVR 24	360	460	RVR 24	360	460	RVR 24	360	460	RVR 40	360
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	514	640	1	514	640	1½	514	680	2	554
A	Standard.			T 2-eng. or less—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 60%.			T over 2-eng.—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 24%.					

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Facility, I-LAX; Procedure No. ILS Runway 25L, Amdt. 31; Eff. date, 2 May 68; Sup. Amdt. No. 30; Dated, 7 Oct. 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 300'. LOC 5.4 miles after passing Lima LOM (LA).
Walnut Int.	Bassett Int.	Direct	3500	Initiate immediate climb on localizer crs to 500', turn left, continue climb to 3000' via 220° heading and LAX, R 192° to Kingfish Int.
Bassett Int.	Downey FM/Int.	Direct	3000	
La Habra Int.	Downey FM/Int.	DR 298°/5 miles and E crs LOC.	3000	
LGB VOR	Downey FM/Int.	Direct	3000	
Downey FM/Int.	Lima LOM (LA) (NOPT)	Direct	2000	Supplementary charting information: TDZ elevation, 100'. Chart DOW NDB though not used in procedure.
Tower Int.	Lima LOM (LA)	Direct	4000	

Procedure turn S side of crs, 068° Outbnd, 248° Inbnd, 2400' within 10 miles of Lima LOM (LA).

FAF, Lima LOM (LA). Final approach crs, 248°. Distance FAF to MAP, 5.4 miles.

Minimum altitude over Lima LOM (LA), 1900'; over Lake Int, 620'.

Minimum glide slope interception altitude, 1900'. Glide slope altitude at OM, 1880'; at MM, 324'.

Distance to runway threshold at OM, 5.4 miles; at MM, 0.5 mile.

MSA: 045°-135°-4800'; 135°-225°-2500'; 225°-315°-4800'; 315°-045°-9100'.

NOTE: ASR/PAR.

%IFR departure procedures: Northbound (280° clockwise through 060°) unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure requires 400'/mile minimum climb rate to 200'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-25R	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200
LOC	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25R	620	RVR 24	520	620	RVR 24	520	620	RVR 24	520	620	RVR 50	520
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	514	640	1	514	640	1½	514	680	2	554
LOC/VOR Minimums:												
MDA	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25R	460	RVR 24	360	460	RVR 24	360	460	RVR 24	360	460	RVR 40	360
A	Standard.			T 2-eng. or less.—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 60.0%.			T over 2-eng.—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 24.0%.					

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 128'; Facility, I-LAX; Procedure No. ILS Runway 25R, Amdt. 8; Eff. date, 2 May 68; Sup. Amdt. No. 7; Dated, 7 Oct. 67.

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 370'. LOC 6.3 miles after passing Romeo LOM (OS).
Runway 24: Goodyear Int.	Romeo LOM (OS)	Direct	2200	Initiate immediate climb on localizer crs to 500'; turn right, continue climb to 4000' via 265° heading and LAX, R 276° to Topanga Int. Supplementary charting information: TDZ elevation, 120'. MAP: ILS DH 300'. LOC 5.4 miles after passing Lima LOM (LA). Initiate immediate climb on localizer crs to 500', turn left, continue climb to 3000' via 220° heading and LAX, R 192° to Kingfish Int. Supplementary charting information: TDZ elevation, 100'.
Runway 25L				

RUNWAY 24:

Procedure turn not authorized. Approach crs (profile) starts at Goodyear Int.

FAF, Romeo LOM (OS). Final approach crs, 248°. Distance FAF to MAP, 6.3 miles.

Minimum altitude over Goodyear Int, 3000'; over Romeo LOM (OS), 2200'; over Arbor Int, *640'.

Minimum glide slope interception altitude, 3000'*. Glide slope altitude at OM, 2196'; at MM, 317'.

Distance to runway threshold at OM, 6.3 miles; at MM, 0.5 mile.

*Recommended altitude at Arbor Int, 780'.

*2200' when authorized by ATC.

RUNWAY 25L:

Procedure turn not authorized. Approach crs (profile) starts at Lima LOM (LA).

FAF, Lima LOM (LA). Final approach crs, 248°. Distance FAF to MAP, 5.4 miles.

Minimum altitude over Lima LOM (LA), 1900'; over Whelan Int, 620'.

Minimum glide slope interception altitude, 1900'. Glide slope altitude at OM, 1880'; at MM, 324'.

Distance to runway threshold at OM, 5.4 miles; at MM, 0.5 mile.

*Recommended altitude at Whelan Int, 820'.

NOTES:

(1) ASR/PAR.

(2) Radar vectoring to final approach crs required.

(3) Use of this procedure is mandatory when conducting a parallel ILS approach and is authorized only when airborne 75MC or ADF and localizer receivers are operating simultaneously.

(4) When any required airborne receivers in note (3) are malfunctioning or a parallel approach is not desired, immediate notification of Los Angeles approach control is mandatory.

(5) When advised that parallel operations are in progress, the pilot will be prepared to accept or reject an approach to either Runway 25L or Runway 24.

(6) Components inoperative table does not apply to HIRL Runway 24.

%IFR departure procedures: Northbound (280° clockwise through 060°) unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure requires 400'/mile minimum climb rate to 200'.

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

DAY AND NIGHT MINIMUMS
RUNWAY 24

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-24.....	370	¾	250	370	¾	250	370	¾	250	370	¾	250
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-24e.....	640	1	520	640	1	520	640	1	520	640	1¼	500
LOC/VOR Minimums:												
S-24.....	500	1	380	500	1	380	500	1	380	500	1	380

RUNWAY 25L

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-25L.....	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-25L.....	620	RVR 24	520	620	RVR 24	520	620	RVR 24	520	620	RVR 50	500
LOC/VOR Minimums:												
S-25L.....	460	RVR 24	360	460	RVR 24	360	460	RVR 24	360	460	RVR 40	360
A.....	Standard.			T 2-eng. or less—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 60%.				T over 2 eng.—Runways 16/34, 6/24, standard. Runways 7 L/R, 25 L/R, RVR 24%.				

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Facility, Runway 24, I-OSS, Runway 25L, I-LAX; Procedure No. Parallel/ILS Runways 25L/24, Amdt. Orig.; Eff. date, 2 May 68

Terminal routes

Missed approach

From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH 1504'. LOC 4.2 miles after passing RS LOM.
RST VOR.....	RS LOM.....	Direct.....	2900	Climb to 2500' on NW crs, ILS within 10 miles, return to RS LOM. When directed by ATC, climbing left turn direct to RST VOR at 3000'.
Byron Int.....	RS LOM.....	Direct.....	2800	
Granger Int.....	RS LOM.....	Direct.....	2900	
Preston Int.....	RS LOM.....	Direct.....	2900	
Concord DME Fix.....	RS LOM.....	Direct.....	2800	Supplementary charting information; TDZ elevation, 1304'.
Bell Int.....	RS LOM (NOPT).....	Direct.....	2600	

Procedure turn E side of crs, 127° Outbnd, 307° Inbnd, 2600' within 10 miles of RS LOM.
FAF, RS LOM. Final approach crs, 307°. Distance FAF to MAP, 4.2 miles.
Minimum glide slope interception altitude, 2600'. Glide slope altitude at OM, 2590'; at MM, 1502'.
Distance to runway threshold at OM, 4.2 miles; at MM, 0.5 mile.
MSA: 000°-090°-2700'; 090°-180°-3700'; 180°-270°-3700'; 270°-360°-2900'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-31.....	1504	RVR 24	200	1504	RVR 24	200	1504	RVR 24	200	1504	RVR 24	200
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31.....	1600	RVR 24	296	1600	RVR 24	296	1600	RVR 24	296	1600	RVR 40	296
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1700	1	384	1780	1	464	1780	1¼	464	1880	2	564
A.....	Standard.			T 2-eng. or less—RVR 24, Runway 31. Standard all others.				T over 2-eng.—RVR 24, Runway 31. Standard all others.				

City, Rochester; State, Minn.; Airport name, Rochester Municipal; Elev., 1316'; Facility, I-RST; Procedure No. ILS Runway 31, Amdt. 6; Eff. date, 2 May 68; Sup. Amdt. No. ILS-31, Amdt. 5; Dated, 10 Dec. 66

14. By amending § 97.31 of Subpart C to establish precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

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

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)												Notes	
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude		
320°	025°	20	6000	15	4400	10	3300						
025°	320°	20	4000	15	3100								
												Supplementary charting information: Hold W, 1-minute right turns, 076° Inbnd. TDZ elevation Runway 10, 1591'; Runway 16, 1629'; Runway 28, 1588'; Runway 34, 1602'. 2549' tower 8.7 miles SW Broome County Airport. 1949' tower 7 miles SE Broome County Airport.	

Missed approach: All runways—Climb on runway heading to 3500'. Proceed direct BGM VORTAC and hold.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
ASR:												
8-10.....	1940	1	349	1940	1	349	1940	1	349	1940	1	349
8-16.....	1920	¾	291	1920	¾	291	1920	¾	291	1920	1	291
8-28.....	1880	1	294	1880	1	294	1880	1	294	1880	1	294
8-34.....	1940	¾	338	1940	¾	338	1940	¾	338	1940	1	338
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	2000	1	371	2080	1	451	2080	1½	451	2180	2	551
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Binghamton; State, N.Y.; Airport name, Broome County; Elev., 1629'; Facility, Binghamton Radar; Procedure No. Radar-1, Amdt. 3; Eff. date, 2 May 68; Sup. Amdt. No. 1, Amdt. 2; Dated, 2 Oct. 65

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)												Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
												1. Descend aircraft after passing FAF. 2. Runway 24—FAF 6.3 miles from threshold. Minimum altitude over 2-mile Radar Fix, 760'. TDZ elevation, 120'. 3. Runway 25L—FAF 5.4 miles from threshold. Minimum altitude over 1.9-mile Radar Fix 620'. TDZ elevation 100'. 4. Runway 7R—FAF 6 miles from threshold. TDZ elevation, 124'. 5. Runway 6—FAF 6 miles from threshold. TDZ elevation, 110'.

As established by Los Angeles ASR minimum altitude vectoring charts.

MISSSED APPROACH:

Runway 24—Climb on heading 250° to intercept LAX, R 276° to 2000' within 15 miles.
Runway 25L—Climb to 2000' direct to LAX VOR then via R 248° within 15 miles.
Runway 7R—Climb to 2000' direct to Downey NDB. Alternate missed approach: Climb to 2000' via LAX, R 069° to Firestone Int.
Runway 6—Climb to 2000' direct to Downey NDB. Alternate missed approach: Climb to 2000' via LAX, R 069° to Firestone Int.

NOTE: Components inoperative table does not apply to HIRLS Runway 24.
*PAR unusable W of ILS LMM (DH 324) for aircraft below 12,500 lbs gross weight.

%IFR departure procedures: Northbound (280° clockwise through 060°) unless otherwise directed by ATC, published SIDs must be used. Runway 24 departure requires 400'/mile minimum climb rate to 200'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
PAR:												
8-25L*	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200	300	RVR 24	200
ASR:												
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-25L.....	520	RVR 40	420	520	RVR 40	420	520	RVR 40	420	520	RVR 40	420
8-24.....	560	1	440	560	1	440	560	1	440	560	1	440
8-7R.....	600	RVR 40	476	600	RVR 40	476	600	RVR 40	476	600	RVR 40	476
8-6.....	560	1	450	560	1	450	560	1	450	560	1	450
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	640	1	514	640	1	514	640	1½	514	680	2	554
A.....	Standard.			T 2-eng. or less—Runway 16/34, 6/24, standard. Runway 7 L/R, 25 L/R, RVR 50.0%.			T over 2-eng.—Runway 16/34, 6/24, standard. Runway 7 L/R, 25 L/R, RVR 24.0%.					

City, Los Angeles; State, Calif.; Airport name, Los Angeles International; Elev., 126'; Facility, LAX Radar; Procedure No. Radar-1, Amdt. 21; Eff. date, 2 May 68; Sup. Amdt. No. 20; Dated, 12 Mar. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR—Continued

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Tampa ASR minimum altitude vectoring chart. Missed approach: Climb to 1600' on 360° heading. %Takeoff Runways 3 and 35, 600' ceiling required.										1. Radar antenna site at Tampa International airport. 2. Final approach 340° to airport reference point. FAF 5 miles from reference point. 3. Radar will provide 1000' vertical separation within 3-mile radius of radio towers 1135', 15.7 miles SE, and 1549', 17.7 miles SE.
DAY AND NIGHT MINIMUMS										
Cond.	A			B			C		D	
	MDA	VIS	HAA	MDA	VIS	HAA	VIS		VIS	
C	800	1	792	800	1¼	792	NA		NA	
A	Not authorized.			T 2-eng. or less—Standard Runways 17, 21.1%			T over 2-eng.—Standard Runways 17, 21.1%			

City, Tampa; State, Fla.; Airport name, Peter O. Knight; Elev., 8'; Facility, Tampa Radar; Procedure No. Radar-1, Amdt. Orig.; Eff. date, 2 May 68

These procedures shall become effective on the dates specified therein.

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

Issued in Washington, D.C., on March 27, 1968.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 68-4038; Filed, Apr. 11, 1968; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS

Interstate Movement

Pursuant to the provisions of sections 4, 5, and 13 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), that portion of § 78.12(c) of the regulations relating to brucellosis (9 CFR Part 78) preceding the first colon is amended to read as follows:

§ 78.12 Movement of cattle not known to be affected with brucellosis.

(c) Movement of cattle to public stockyards or specifically approved stockyards. Cattle, from herds not known to be affected with brucellosis, may be moved interstate direct to a public stockyard or specifically approved stockyard without compliance with the other provisions of this section except the provisions of paragraph (f) of this section, if accompanied by a waybill or similar document, or a certificate signed by the owner or shipper of the cattle, stating:

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 2, 65 Stat. 693; 21 U.S.C. 111-113, 114a-1, 120, 121, 125; 29 F.R. 16210, as amended, 30 F.R. 5799, as amended; 9 CFR 78.16)

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

The purpose of the foregoing amendment is to prevent the possible spread of disease by the interstate movement of individual animals classed as not known to be affected with brucellosis which originate in infected herds.

The protection of the livestock industry of the United States requires that this amendment be made effective as soon as possible. Accordingly, pursuant to the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure concerning the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 9th day of April 1968.

GEORGE W. IRVING, Jr.,
Administrator,
Agricultural Research Service.

[F.R. Doc. 68-4391; Filed, Apr. 11, 1968; 8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

Canned Pineapple Juice; Order Amending Standard Regarding Vitamin C

In the matter of amending the definition and standard of identity for canned pineapple juice (21 CFR 27.54) to provide for the optional addition of vitamin C to the food:

A notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of February 6, 1968 (33 F.R. 2610), based on a petition of the National Canners Association, 1133 20th Street NW., Washington, D.C. 20036. Seven comments, all favorable, were received in response to the proposal.

On the basis of the information furnished by the petitioner, the comments received, and other relevant information, it is concluded that it will promote honesty and fair dealing in the interest of consumers to amend the standard 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 to the Commissioner of Food and Drugs (21 CFR 2.210): *It is ordered*, That § 27.54 be amended by revising paragraphs (a), (c), and (d). As amended, the section reads as follows:

§ 27.54 Canned pineapple juice; identity; label statement of optional ingredients.

(a) Canned pineapple juice is the un-concentrated juice from the flesh or parts thereof, or from the cores, or from both such flesh and cores, of mature pineapples. Canned pineapple juice may be extracted cold, or heat may be used in the extraction, but in neither case is water added. Canned pineapple juice contains finely divided insoluble solids, but it does not contain pieces of shell, seeds, or other coarse or hard substances. It may be sweetened with sugar. It may contain added vitamin C in a quantity such that the total vitamin C in each 4 fluid ounces of the finished food amounts to not less than 30 milligrams and not more than 60 milligrams. Before or after sealing in the container, canned pineapple juice is so processed by heat as to prevent spoilage.

(b) The name of the food is "pineapple juice." If no sugar is added, the word "unsweetened" may immediately precede or follow the words "pineapple juice."

(c) (1) If the optional sweetening ingredient sugar is used, the label shall bear the statement "sugar added."

(2) When vitamin C is added as provided in paragraph (a) of this section, it shall be designated on the label as "added vitamin C" or "with added vitamin C" or "fortified with vitamin C." The pineapple juice containing added vitamin C is subject to the regulations for foods for special dietary uses promulgated under section 403(j) of the Federal Food, Drug, and Cosmetic Act.

(d) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words herein specified, showing the optional ingredients used, shall conspicuously precede or follow the name, without intervening written, printed, or graphic matter, except that the adjectival designation of the State, territory, or possession of the United States or of the foreign country in which the pineapples were grown may intervene.

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 31 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, 471)

Dated: April 5, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4376; Filed, Apr. 11, 1968; 8:47 a.m.]

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

Gibberellic Acid

A petition (PP 8F0658) was filed with the Food and Drug Administration by the Elanco Products Co., a Division of Eli Lilly & Co., Indianapolis, Ind. 46206, on behalf of themselves, Amdal Co., North Chicago, Ill. 60064, Merck & Co., Rahway, N.J. 07065, and Chas. Pfizer & Co., New York, N.Y. 10040, proposing the establishment of tolerances for residues of the plant regulator gibberellic acid in or on the raw agricultural commodities artichokes, citrus fruits, leafy vegetables, hops, and stone fruits at 0.15 part per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which the tolerances are being established.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established by this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner (21 CFR 2.120), § 120.224 is revised to read as follows to establish the subject tolerances:

§ 120.224 Gibberellic acid; tolerances for residues.

Tolerances are established for negligible residues of the plant regulator gibberellic acid in or on the raw agricultural commodities artichokes, citrus fruits, grapes, hops, leafy vegetables, and stone fruits at 0.15 part per million.

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. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: April 4, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4377; Filed, Apr. 11, 1968; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

RESIN-BONDED FILTERS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 7B2074) filed by General Aniline & Film Corp., Dyestuff & Chemical Division, 140 West 51st Street, New York, N.Y. 10020, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of an additional optional adjuvant substance (specified below) in the production of resin-bonded filters to be used for filtering food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner (21 CFR 2.120), § 121.2536 is amended by alphabetically inserting in the list of substances in paragraph (d)(4) a new item, as follows:

§ 121.2536 Filters, resin-bonded.

(d) ***

(4) *Adjuvant substances:*

α-(p-Nonylphenyl)-omega-hydroxypoly(oxyethylene) mixture of dihydrogen phosphate and monohydrogen phosphate esters that have an acid number (to pH 5.2) of 62-72 and that are produced by the esterification of α-(p-nonylphenyl)-omega-hydroxypoly(oxyethylene) complying with the identity prescribed in § 121.2541(c) and having an average poly(oxyethylene) content of 9-10 moles. For use only as polymerization emulsifier at a level not to exceed 0.4 percent by weight of resin-bonded filters used in commercial filtration of bulk quantities of food.

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

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

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

Dated: April 4, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4378; Filed April 11, 1968;
8:47 a.m.]

SUBCHAPTER C—DRUGS

PART 148i—NEOMYCIN SULFATE

Method of Identity

No adverse comments were received in response to the notice published in the FEDERAL REGISTER of November 22, 1967 (32 F.R. 16048), proposing that §§ 148i.1 and 148i.22 be amended to modify and improve the method of identity for the antibiotic drug neomycin sulfate. It is concluded that the regulations should be amended as proposed.

Therefore, under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), §§ 148i.1 (a) (1) (vii) and (b) (7) and 148i.22(a) (1) (v) are revised to read as follows:

§ 148i.1 Neomycin sulfate.

(a) * * *
(1) * * *
(vii) It gives a positive identity test for neomycin.

* * * * *

(b) * * *

(7) **Identity**—(i) **Reagents.** (a) Sulfuric acid solution: Mix concentrated sulfuric acid and distilled water in volumetric proportions of 40:60.

(b) Xylene.

(c) *p*-Bromoaniline: (Prepare and store this reagent in brown, nonactinic glassware.) Place 380 milliliters of thiourea-saturated glacial acetic acid solution in the bottle, add 10 milliliters of

20 percent sodium chloride solution, 5 milliliters of 5 percent oxalic acid solution, and 5 milliliters of 10 percent disodium phosphate solution, and mix well. Add 8 grams of *p*-bromoaniline and mix well. Let this reagent stand overnight before use. Prepare the reagent once weekly.

(ii) **Procedure.** Place about 10 milligrams of the sample into a test tube (19 millimeters x 150 millimeters), dissolve with 1 milliliter of water, and then carefully add 5 milliliters of the sulfuric acid solution. Heat in a boiling water bath for 100 minutes. Cool to room temperature. Add 10 milliliters of xylene to the test tube. Stopper the tube and shake vigorously for about 1 minute. Let the two layers separate and then decant the xylene layer into a second test tube. Add 10 milliliters of the *p*-bromoaniline reagent to the xylene solution, shake, and let stand. The development of a vivid pink-red color is a positive identity test for neomycin.

§ 148i.22 Neomycin sulfate for prescription compounding.

(a) * * *
(1) * * *
(v) It gives a positive identity test for neomycin.

* * * * *

This order merely amends the subject regulations to modify and improve a method of identity for neomycin sulfate and raises no points of controversy; therefore, delayed effective date is unnecessary for this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: April 4, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4379; Filed, Apr. 11, 1968;
8:48 a.m.]

PART 148q—GENTAMICIN

Gentamicin Sulfate

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120), § 148q.1 (a) (1) (viii) and (b) (8) is revised to read as follows to provide a change in the method for determining the proportionate composition of known fractions of the subject drug:

§ 148q.1 Gentamicin sulfate.

(a) * * *
(1) * * *

(viii) Its content of gentamicin C_1 is not less than 25 nor more than 50 percent; of gentamicin C_{12} is not less than 15 nor more than 40 percent; and of

gentamicin C_2 is not less than 20 nor more than 50 percent.

* * * * *

(8) **Content of gentamicins C_1 , C_{12} , and C_2 .**—(i) **Equipment**—(a) **Chamber** (chromatographic). Use a suitable chromatography jar with a tightly fitting, ground-glass contact top for descending chromatography.

(b) **Sheets** (chromatographic). Cut a 57 x 46-centimeter sheet of Whatman No. 2 filter paper, or chromatographic paper that will produce similar results, into four strips of about 14.25 x 46 centimeters. Draw a starting line 9 centimeters from one end and mark two dots on this line each 4 centimeters from each edge.

(ii) **Reagents.** Use reagent grade solvents and chemicals.

(iii) **Solvent system.** Equilibrate 200 milliliters of chloroform and 100 milliliters of methanol with 100 milliliters of 17 percent (9 molar) ammonium hydroxide by shaking in a separator. Without allowing the phases to separate, add the entire mixture to the chromatography jar and allow 24 hours for it to reach saturation. Repeat the above equilibration but allow the phases to separate and use the lower phase only as the chromatographic solvent.

(iv) **Ninhydrin reagent.** To 1 gram of ninhydrin and 0.1 gram of cadmium acetate, add 3 milliliters of water and 1.5 milliliters of glacial acetic acid and shake. Add 100 milliliters of *n*-propanol and shake until solution is complete. Keep this solution in a brown bottle under refrigeration.

(v) **Procedure.** Prepare an aqueous solution containing 40 milligrams of the sample per milliliter. Apply 5 microliters of this solution to each dot on the sheet. Prepare two such sheets and place them in the tank so that elution will take place from separate troughs. Fill the two troughs with the chromatographic solvent. Develop the sheets in a descending manner until the solvent front reaches the bottom of the paper (approximately 3½ hours at 25° C.). Remove the sheets and dry in a hood for 30 minutes. Cut each sheet in half, lengthwise. Spray one half with ninhydrin reagent and place the sprayed strip in a drying oven at 100° C. for 1 minute. The gentamicin fractions appear as reddish zones. The zone furthest from the origin is gentamicin C_1 , the one closest is gentamicin C_{12} , and the middle zone is gentamicin C_2 . Cut the corresponding zones out of the other unsprayed half of the sheet. Cut each portion of the sheet thus obtained into small strips and put those from each zone into a separate 125-milliliter glass-stoppered flask. Add 50 milliliters of 0.1M potassium phosphate buffer, pH 8, to each flask and swirl the flask mechanically for 30 minutes. Decant the solution from each flask into separate test tubes and allow the paper to settle. Pipet 4 milliliters of each clear solution into a 25-milliliter volumetric flask and make to volume with the pH 8 buffer. Assay these solutions as directed in subparagraph (1) of this paragraph.

(vi) *Calculations.*

$$\text{Total gentamicins} = \frac{\text{Assay of } C_1 \text{ fraction}}{0.786} + \frac{\text{Assay of } C_2 \text{ fraction}}{1.023} + \frac{\text{Assay of } C_{1a} \text{ fraction}}{0.977}$$

$$\text{Percent of gentamicin } C_1 = \frac{\text{Assay of } C_1 \text{ fraction}}{0.786} \times \frac{100}{\text{total gentamicins}}$$

$$\text{Percent of gentamicin } C_2 = \frac{\text{Assay of } C_2 \text{ fraction}}{1.023} \times \frac{100}{\text{total gentamicins}}$$

$$\text{Percent of gentamicin } C_{1a} = \frac{\text{Assay of } C_{1a} \text{ fraction}}{0.977} \times \frac{100}{\text{total gentamicins}}$$

Where:

The assays are expressed in terms of the microgram equivalents of gentamicin; and
The factors 0.786, 1.023, and 0.977 represent the activities of gentamicins C_1 , C_2 , and C_{1a} relative to the gentamicin activity of the gentamicin master standard.

This order changes the method for determining the proportionate composition of known fractions of the subject drug. New information regarding the components of said fractions necessitated this change. Since these amendments are of a technical nature and raise no points of controversy, notice and public procedure and delayed effective date are unnecessary prerequisites to this promulgation.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357)

Dated: April 4, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4386; Filed, Apr. 11, 1968; 8:48 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER F—NATIONALITY AND PASSPORTS

[Dept. Reg. 108.583]

PART 51—PASSPORTS

Subpart E—Limitation on Issuance, Renewal or Extension of Passports

Subpart F—Procedures for Review of Adverse Action

MISCELLANEOUS AMENDMENTS

1. Section 51.70 is revised to read as follows:

§ 51.70 Denial of passports.

(a) A passport, except for direct return to the United States, shall not be issued or renewed in any case in which:

(1) The applicant is the subject of an outstanding Federal warrant of arrest for a felony, including a warrant issued under the Federal Fugitive Felon Act (18 U.S.C. 1073); or

(2) The applicant is subject to a court order, or conditions of parole, or conditions of probation forbidding his departure from the United States; or

(3) The applicant is subject to a court order committing him to a mental institution.

(b) A passport or renewal of a passport may be refused in any case in which:

(1) The applicant has not repaid a loan received from the United States to effectuate his return from a foreign country in the course of travel abroad; or

(2) The applicant has been legally declared incompetent unless accompanied on his travel abroad by the guardian or other person responsible for the national's custody and well-being; or

(3) The applicant is under the age of 18, unmarried, and not in the military service of the United States unless a person having legal custody of such national authorizes issuance or renewal of the passport and agrees to reimburse the United States for any moneys advanced by the United States to enable the minor to return to the United States; or

(4) The Secretary determines that the national's activities abroad are causing or are likely to cause serious damage to the national security or the foreign policy of the United States; or

(5) The applicant has been the subject of a prior adverse action under this section, or § 51.71, and has not shown that a change in circumstances since that adverse action warrants issuance or renewal of a passport.

2. Section 51.72 is revised to read as follows:

§ 51.72 Passports invalid for travel into or through restricted areas.

Upon determination by the Secretary that a country or area is:

(a) A country with which the United States is at war, or

(b) A country or area where armed hostilities are in progress, or

(c) A country or area to which travel must be restricted in the national interest because such travel would seriously impair the conduct of U.S. foreign affairs.

U.S. passports shall cease to be valid for travel into or through such country or area unless specifically validated therefor. Any determination made under this section shall be published in the FEDERAL REGISTER along with a statement of the circumstances requiring the restriction. Unless limited to a shorter period, any such restriction shall expire at

the end of 1 year from the date of publication of such notice in the FEDERAL REGISTER, unless extended or sooner revoked by the Secretary by public notice.

§ 51.74 [Deleted]

3. Section 51.74 *Violation of geographic limitations* is deleted.

4. Section 51.80 is revised to read as follows:

§ 51.80 Applicability of §§ 51.81—51.105.

The provisions of §§ 51.81—51.105 apply to any action of the Secretary taken on an individual basis in denying, restricting, revoking, or invalidating a passport or in any other way adversely affecting the ability of a person to receive or use a passport except action taken by reason of noncitizenship or refusal to grant a discretionary exception from geographical limitations of general applicability. The provisions of this subpart shall constitute the administrative remedies provided by the Department to persons who are the subject of adverse action under § 51.70 or § 51.71.

Effective date. These amendments shall be effective upon publication in the FEDERAL REGISTER.

Dated: April 4, 1968.

For the Secretary of State.

IDAR RIMESTAD,
Deputy Under Secretary
for Administration.

[F.R. Doc. 68-4416; Filed, Apr. 11, 1968; 8:49 a.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 1—Federal Procurement Regulations

PART 1-12—LABOR

Subpart 1-12.4—Labor Standards in Construction Contracts

SEMIANNUAL ENFORCEMENT REPORTS

This amendment of the Federal Procurement Regulations reflects new requirements of the Department of Labor regarding the semiannual enforcement reports which must be submitted to the Department by Federal agencies administering contracts subject to the Davis-Bacon Act and related acts (see 29 CFR 5.1). The new requirements relate to the due dates for the submission of the reports and the manner in which they are to be prepared (see 29 CFR 5.7(b)).

Section 1-12.404-8(b) is revised to read as follows:

§ 1-12.404-8 Reports of violations.

(b) *Semiannual enforcement reports.* Each agency shall furnish the Secretary of Labor, by July 31 and January 31 of each calendar year, semiannual reports on compliance with and enforcement of

the labor standards provisions of the Davis-Bacon Act and its related acts covering the periods January 1 through June 30 and July 1 through December 31, respectively. Such reports shall be prepared in the manner prescribed in circular memoranda issued by the Secretary of Labor.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective upon publication in the FEDERAL REGISTER.

Dated: April 5, 1968.

LAWSON B. KNOTT, Jr.,
Administrator.

[F.R. Doc. 68-4352; Filed, Apr. 11, 1968;
8:45 a.m.]

Chapter 9—Atomic Energy Commission

PART 9-16—PROCUREMENT FORMS

Subpart 9-16.50—Contract Outlines

SPECIAL RESEARCH SUPPORT AGREEMENT WITH EDUCATIONAL INSTITUTIONS

In § 9-16.5002-8, *Outline of special research support agreement with educational institutions*, subparagraph (d) (1) of Article XI—Payments, is amended to

reflect the rescinding of Standard Form 218 and substitution therefor of Form TUS 5401. As amended, subparagraph (d) (1) reads as follows:

§ 9-16.5002-8 *Outline of special research support agreement with educational institutions.*

ARTICLE XI—PAYMENTS

(d) * * *

(1) The Commission shall issue a letter of credit as provided for by Treasury Department Circular No. 1075, Revised, of February 13, 1967, under which payments to the Contractor with respect to the amount of consideration provided for in paragraph (a) of Article III of this contract will be made. The Contractor agrees that the first ninety (90) percent of the amount of consideration provided for in said paragraph (a) of Article III will be under the letter of credit and will be subject to the submission by the Contractor of a Payment Voucher on Letter of Credit (TUS 5401), in accordance with procedures based upon Treasury Department Circular No. 1075, Revised, of February 13, 1967, which are agreed to by the parties. Following submission by the Contractor of a final report provided for in Article B-XXI, in form and content satisfactory to the Commission, and submission of a certified statement showing the total expenditures and evidencing the Contractor's performance under the contract, and upon submission by the Contractor to

the Commission of such invoices or vouchers as are satisfactory to the Commission, the Commission shall pay the Contractor the concluding payment of the consideration provided for in Article III of this contract, or said concluding payment will be included under the letter of credit and will be subject to submission by the Contractor of a Payment Voucher on Letter of Credit, in accordance with the procedure described above. If, following an annual report, the contract is extended for an additional period of performance, said concluding payment will similarly be paid for the expired period, and ten (10) percent will be retained with respect to the added period of performance.

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

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

Dated at Germantown, Md., this 5th day of April 1968.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director,
Division of Contracts.

[F.R. Doc. 68-4341; Filed, Apr. 11, 1968;
8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 816]

[Sugar Reg. 816]

SUGAR AND LIQUID SUGAR PRODUCED FROM SUGAR BEETS AND SUGARCANE GROWN IN CONTINENTAL UNITED STATES AND SUGAR FOR CONSUMPTION IN HAWAII AND PUERTO RICO

Marketing Requirements

Notice is hereby given that the Secretary of Agriculture pursuant to authority vested in him by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act," is considering amendment of Sugar Regulation 816 (7 CFR 816.1-816.9; 23 F.R. 1943, 27 F.R. 1450, 32 F.R. 3045) in the manner hereinafter set forth.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed regulation shall file the same in duplicate with the Director, Sugar Policy Staff, Agriculture Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 15 days after this notice is published in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

The proposed order, which would consolidate all amendments, update organizational references and make other clarifying changes in wording and procedures is set forth essentially in form and language appropriate for issuance if adopted by the Secretary as follows:

Basis and purpose and bases and considerations. The regulations contained in §§ 816.1 through 816.9 are issued pursuant to section 403(a) of the Sugar Act of 1948, as amended (61 Stat. 922, as amended) hereinafter called the "Act."

This revision of Sugar Regulation 816 supersedes the revision which became effective March 25, 1958 and amendments thereto. The purpose of this revision is to consolidate the amendments, to update the organizational references, to make minor wording changes and to make other changes now deemed necessary. The principal changes in procedural requirements are discussed in the following paragraphs.

Section 816.5 has been amended by adding paragraph (d) which provides a tolerance for unintentional marketings of sugar in excess of a marketing allotment. The Sugar Act provides severe

penalties for anyone who knowingly exceeds his marketing allotment. It is not always possible to balance marketings and allotments exactly because of errors in estimating weights and polarizations and other minor unintentional errors. Accordingly, if the processor unintentionally markets a quantity of sugar not exceeding 2 percent of his allotment, or 2,000 short tons, raw value, whichever is smaller, such quantity shall be charged to the processor's next allotment. The processor must notify the Secretary in writing not later than 30 days after the date of such marketing stating the reason for marketing such excess quantity.

Section 816.6 has been amended to permit a processor to obtain a bond on sugar produced from non-proportionate share acreage, provided such acreage was determined to be unintentionally harvested and within the tolerances as provided in the regulation establishing proportionate shares for farms in the domestic beet and mainland cane sugar areas. This change will make this regulation compatible with the regulations on proportionate shares.

All the provisions with reference to quota-exempt sugar used for the distillation of alcohol have been expanded to also include sugar used in the production of alcohol, other than by distillation, for purposes other than human food consumption to conform with the Sugar Act amendments of 1965.

Paragraph (e)(1) of § 816.7 has been amended to provide that each refiner holding over-quota sugar in inventory under bond for refining and storage pending availability of a quota shall upon request by the Secretary supply information necessary to determine that such refiner has met the inventory requirements pursuant to the bond obligation.

Paragraph (e)(2) of § 816.7 has been revised to provide for a separate Certificate of Use for sugar used for distillation and production of alcohol. A separate certificate is desirable for clarification.

Pursuant to the authority vested in the Secretary of Agriculture by section 403(a) of the Act, Part 816 is revised and amended to read as follows:

Sec.

- 816.1 Purpose and persons affected.
- 816.2 Definitions.
- 816.3 Restrictions on marketings.
- 816.4 When a marketing occurs.
- 816.5 Effect of marketings on quotas and allotments.
- 816.6 Production of sugar for livestock feed.
- 816.7 Bond requirements.
- 816.8 Records and reports.
- 816.9 Delegation of authority.

AUTHORITY: The provisions of this Part 816 issued under sec. 403, 61 Stat. 932; 7 U.S.C. 1153; secs. 101, 205, 209, 211, 212, 301; 61 Stat.

922, as amended, 926, as amended, 928, 929, as amended; 7 U.S.C. 1101, 1115, 1119, 1121, 1122, 1131.

§ 816.1 Purpose and persons affected.

(a) The regulations in §§ 816.1 through 816.9 issued pursuant to the Sugar Act of 1948, as amended, govern the marketing and handling of sugar or liquid sugar produced from domestic sugar beets and mainland sugarcane, or produced from sugarcane in Hawaii and in Puerto Rico and marketed for local consumption in relation to quotas and allotments established under sections 202, 203, and 205 of the Act, and prohibitions set forth in subsections (b), (c), and (d) of section 209 of the Act. They also provide the method for exempting sugar produced from such sugar beets or sugarcane from quotas pursuant to Item (4) of section 212 of the Sugar Act of 1948, as amended.

(b) The regulations in this part apply to processors and refiners with respect to all sugar which they produce or refine from domestic sugar beets and mainland sugarcane or which they produce from Hawaiian or Puerto Rican sugarcane and market for consumption in such areas. Such regulations also makes records and reports requirements applicable to all sugar coming under the ownership and control of such persons in order to assure proper accounting for mainland and local sugar. The regulations in this part also apply to any person who acquires such sugar for the distillation and production of alcohol or for livestock feed or for the production of livestock feed, or to any person who acquires such sugar as a result of a sale or transfer thereof pursuant to a pledge, mortgage or other agreement, or a judgment, decree, writ or order of a court, if such sugar has not previously been marketed as provided in § 816.4.

§ 816.2 Definitions.

As used in this part:

(a) The term "Act" means the Sugar Act of 1948, as amended (61 Stat. 922, as amended).

(b) The term "person" means an individual, partnership, corporation, association, estate, trust or other business enterprise or legal entity, and, wherever applicable, a unit of government or an instrumentality or agency thereof.

(c) The terms "sugars," "sugar," "raw sugar," "direct-consumption sugar" and "liquid sugar" have the meanings ascribed to each in section 101 (b), (c), (d), (e), and (f), respectively, of the Act subject to the provisions of Part 810 of this subchapter with respect to the distinction between raw and direct-consumption sugar. The term "sugar" also shall mean "liquid sugar."

(d) The term "mainland sugar" means all sugar as defined in section 101 of the Act, processed from any sugar beets

grown in the Domestic Beet Sugar Area or from any sugarcane grown in the Mainland Cane Sugar Area. Whenever a processor has commingled mainland sugar, as heretofore defined, and that has not been marketed pursuant to § 816.4, with sugar acquired within a quota, that portion of the total commingled quantity designated by such processor, equivalent in quantity to such mainland sugar, shall be deemed to be mainland sugar within the definition of that term.

(e) The term "local sugar" means sugar as defined in section 101 of the Act, processed from sugarcane grown in Hawaii or Puerto Rico which is marketed for consumption within such area. The term also includes sugar processed in Hawaii or Puerto Rico for livestock feed or the production of livestock feed from sugarcane grown in Hawaii or Puerto Rico, respectively, in excess of the proportionate shares determined pursuant to section 301(b) of the Act, and sugar processed and refined in Puerto Rico from sugarcane grown in Puerto Rico which is ultimately consumed in the Virgin Islands.

(f) The term "processor" means any person who manufactures "mainland sugar" or "local sugar" as defined in this part or any person for whose account mainland or local sugar is manufactured by another person and includes all persons who acquire control over such mainland sugar or local sugar if such sugar has not previously been marketed as provided in § 816.4.

(g) The term "refiner" means any person who acquires mainland or local raw sugar from a processor for refining or otherwise improving the quality of such mainland or local sugar. (The same person may be both a "processor" and such a "refiner.")

(h) The term "Department" means the U.S. Department of Agriculture.

(i) The term "Secretary" means the Secretary of Agriculture or any officer or employee of the Department to whom the Secretary has delegated authority, or to whom authority may be delegated, to act in his stead.

(j) The term "Sugar Quota Group" means the Sugar Quota Group of the Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service of the Department, Washington, D.C. 20250 or any other organizational unit within the Department to which administration of the Quota and Allotment provisions of the Sugar Act may hereafter be delegated.

(k) The term "quota" has the meaning as defined in section 101(j) of the Act and refers to calendar year quotas established in Part 811 or in Part 812 of this subchapter for the Domestic Beet Sugar Area, the Mainland Cane Sugar Area, Hawaii and Puerto Rico.

(l) The term "allotment" means the portion of a quota established for a processor in Part 813, 814, or 815 of this subchapter.

§ 816.3 Restrictions on marketings.

Subject to the provisions of § 816.5 each processor is hereby prohibited from

marketing a quantity of mainland or local sugar in excess of the quantity determined in Part 813, 814, or 815 of this subchapter to be the allotment of such processor: *Provided*, That the Secretary may permit marketings to be made by one allottee within the allotment established for another allottee or may permit marketings to be made within the allotment of an allottee by a person who is not an allottee, upon relinquishment by the allottee of an equivalent quantity of its allotment within which marketings are permitted and upon receipt of evidence satisfactory to the Secretary that (a) a merger, consolidation, transfer of sugar-processing facilities, or other action of similar effect upon the allottees or persons involved has occurred, or (b) the allottee receiving such permission will process sugar beets or sugarcane which the allottee relinquishing an allotment or portion thereof has become unable to process.

§ 816.4 When a marketing occurs.

(a) Except as provided in paragraphs (b) through (f) of this section, mainland sugar or local sugar shall be deemed to be marketed whenever pursuant to a contract of sale, or by a gift, barter or exchange, other than an exchange for an equivalent quantity of sugar previously marketed by the processor, one of the following actions first occurs:

(1) The processor physically delivers mainland or local sugar to another person.

(2) The processor physically delivers mainland or local sugar to a carrier for shipment to another person.

(3) The processor endorses and delivers to another person a negotiable warehouse receipt issued by a public warehouseman or an order bill of lading issued by a public carrier covering mainland or local sugar.

(4) A public warehouseman issues and delivers to another person at the processor's request a warehouse receipt (negotiable or nonnegotiable) or a warehouse delivery advice covering mainland or local sugar.

(5) The processor transfers and delivers to another person a nonnegotiable warehouse receipt issued by a public warehouseman covering mainland or local sugar, and the warehouseman acknowledges to such person that he is holding such sugar for the account of such other person.

(6) The processor and another person on or before December 31 of any year certify to the Secretary on a form prescribed by him that a specified quantity of mainland or local sugar in exclusive actual possession of the processor at the close of business on December 31 will be held for the account of such other person and will be physically delivered to such other person or to a carrier for shipment to such other person prior to March 1 of the year immediately following, and such physical delivery (those actions described in subparagraph (1) or (2) of this paragraph, not those in subparagraph (3), (4), or (5) of this paragraph) is made prior to March 1.

(b) Mainland or local sugar used by the processor or caused to be used in the activities under his control for food or feed, or for the production or manufacture of food or feed or other articles for commerce shall be deemed to be marketed at the time that such use occurs.

(c) Mainland sugar sold to a processor in the form of beet molasses and used for the production of direct-consumption sugar as defined in section 101(e) of the Act, shall be deemed to be marketed when the direct-consumption sugar so produced is first subjected to one of the actions described in paragraphs (a) and (b) of this section.

(d) Mainland or local sugar delivered to a sugar marketing cooperative corporation or association (legally constituted and operated as a cooperative) by a processor who is a member thereof shall be deemed to be marketed when the cooperative corporation or association, with respect to such sugar, first takes any of the actions provided for in paragraphs (a) through (c) or in paragraph (e) of this section which, if taken by a processor, would constitute a marketing.

(e) Sugar processed from sugarcane grown in Hawaii or Puerto Rico which is brought into the continental United States, pursuant to the provisions of Part 817 of this subchapter, only to be further refined and improved in quality or repackaged, and subsequently returned to the area of origin for consumption therein, shall be deemed to be local sugar and to be marketed locally at the time such sugar is brought into the continental United States.

(f) Where title to equivalent existing quantities of mainland or local sugar which is subject to a quota for the same area is simultaneously transferred between two processors under a written agreement, such sugar shall be deemed to be marketed by the processor to whom title to the sugar has passed when such sugar is first subjected to (1) any of the actions described in paragraph (a) of this section in a transaction with any other person or (2) the action described in paragraph (b) of this section.

§ 816.5 Effect of marketings on quotas and allotments.

Each marketing of mainland or local sugar as provided in § 816.4 shall be effective for the purpose of filling the applicable quota and allotment at the time it occurs except as follows:

(a) A marketing of mainland or local sugar for further processing, refining and storage with respect to which an obligation has been established under a bond pursuant to § 816.7, shall, upon release of the bond, be effective for the purpose of filling the applicable quota and allotment in effect at the time of the release of the bond, or, in the event the Secretary determines that a default in a condition of such a bond has occurred, the quantity of sugar involved in such default shall, at the time of such determination, be applied to the applicable quota and allotment in effect at the time the sugar was marketed pursuant to § 816.4.

(b) A marketing of mainland or local sugar for the distillation of alcohol or production (other than by distillation) of alcohol—excluding any such alcohol or resulting byproducts for human food consumption—or for livestock feed or for the production of livestock feed and with respect to which an obligation has been established under a bond pursuant to § 816.7, shall be effective for the purpose of filling an applicable quota and allotment only when the Secretary determines that a default in a condition of the bond has occurred, and at the time of such determination, the quantity of sugar or liquid sugar involved in such default shall be applied to the applicable quota and allotment in effect at the time that the sugar was marketed pursuant to § 816.4.

(c) A marketing of mainland sugar which is consigned by the processor to points outside the continental United States shall not be effective for the purpose of filling a quota established for the Mainland Cane Sugar Area or the Domestic Beet Sugar Area, or allotments thereof.

(d) If an allottee unintentionally markets a quantity of mainland or local sugar which if added to the quantity marketed by the allottee would exceed his allotment of a quota or portion thereof by no more than the smaller of two percent of such allotment or 2,000 short tons, raw value, and which is not subject to a bond or exceeds the quantity made subject to an obligation established under an applicable bond to cover marketings for the purposes stated in paragraph (a) or (b) of this section, such marketing of such excess quantity shall be effective for filling the next following successive allotments, if any, established for such allottee of such quota and of the next following annual quota; and if allotments of the next following annual quota are not in effect, the marketings of any part of such excess quantity not charged to such allottee's allotments shall be effective for filling such next following annual quota: *Provided*, That within 30 days after the date of such excess marketing, subject to extension by the Secretary for good cause, such allottee notifies the Department in writing of the quantity marketed in excess of his allotment, the name and address of the consignee or buyer, and furnishes a written explanation, that satisfies the Secretary that such marketing was unintentional.

§ 816.6 Production of sugar for livestock feed.

Prior to the processing of sugar beets or sugarcane in excess of proportionate shares received from producers for the production of mainland or local sugar for use as livestock feed or for use in the production of livestock feed pursuant to the exception in section 301(b) of the Act, an obligation for such use of the sugar shall have been established under a bond accepted in accordance with the provisions of § 816.7: *Provided*, That an obligation for such use may be arranged for and established under such a bond within 1 year from the date of processing sugar beets or sugarcane from acreage in excess

of the farm proportionate share, if (a) the requirements set forth in Part 850 or 892 of this chapter are fulfilled with respect to the unintentional marketing of sugar beets or sugarcane from acreage within prescribed tolerances and, (b) an equivalent quantity of sugar which had not been marketed to fill a quota for the area is made subject to the bond.

§ 816.7 Bond requirements.

(a) General: Bonds furnished to cover the production and marketing of mainland or local sugar for the purposes stated in paragraphs (a) and (b) of § 816.5 and in § 816.6 shall meet all of the requirements of this section pertaining thereto, shall be executed in triplicate on Form SU-76, and shall be submitted to the Sugar Quota Group for acceptance prior to approval of Applications to Market (Forms SU-77 or SU-79) as provided in paragraph (c) of this section. The Secretary may accept a bond to cover Applications to Market which may be made during the period of time specified in the bond or for a specific application. Any Application to Market for further processing, refining and storage of mainland or local sugar shall be made (on Form SU-77) jointly by the principal (refiner) named on the bond and the processor of the sugar, shall identify the refinery at which the sugar is to be further processed, and shall be submitted and approved prior to the marketing of such sugar. Applications to Market for any purpose provided for in paragraph (b) of § 816.5, exclusive of applications to establish an obligation under a bond as required under § 816.6, shall be made (on Form SU-77) by the principal named on the bond and shall be submitted and approved prior to marketing the mainland or local sugar for such purpose. An Application to Market to establish an obligation under a bond as required under § 816.6 with respect to processing sugar beets or sugarcane in excess of proportionate shares shall be made (on Form SU-79) by the principal named on the bond and shall be submitted and approved prior to the processing of such sugar beets or sugarcane except as otherwise provided for in § 816.6.

(b) Principal and surety: To cover marketings of mainland or local sugar for further processing, refining and storage, the principal named on the bond shall be a refiner. To cover marketings of mainland or local sugar for the distillation or production of alcohol, and for the marketing or production and marketing of mainland or local sugar for livestock feed or the production of livestock feed, the principal named on a bond shall be the processor of the sugar. The surety or sureties shall be among those listed by the Secretary of the Treasury as acceptable on a Federal bond.

(c) Obligation:

(1) *Establishment and effective date.* The obligation under a bond shall be made effective and be established by the Secretary's approval of an Application to Market submitted by the principal named on the bond to cover under the bond the marketing or use of a quantity of mainland or local sugar for the purpose stated

in the application, which purpose shall be among those provided for in paragraph (a) or (b) of § 816.5 or in § 816.6.

(2) *Monetary amount.* The monetary amount of the obligation under the bond shall not be less than the sum of the amounts applicable to all quantities of sugar covered at any one time thereunder by approved Applications to Market and made subject to the bond by virtue of such approval, and such amount of obligation shall be effective whether or not the surety receives notice from the Secretary of the approval of any such application. The monetary amount applicable to each quantity of sugar covered by each approved Application to Market and made subject to a bond accepted under this part shall be the weight in pounds of sugar determined pursuant to paragraph (d) of this section multiplied by the "spot" quotation per pound of raw sugar deliverable on the New York Coffee and Sugar Exchange under Contract No. 10 as established by that Exchange for the last business day before the date of application by the bond principal. The amount applicable to each quantity of liquid sugar covered by each approved Application to Market and made subject to a bond accepted under this part shall be computed upon the basis of the same price per pound, ascertained as heretofore stated in this paragraph, multiplied by the pounds of the "total sugar content," as defined in section 101(i) of the Act, contained in the quantity of liquid sugar determined as provided in paragraph (d) of this section.

(d) Quantity of sugar covered by an application: For the purposes of the foregoing paragraph (c) of this section, the quantity of sugar or liquid sugar covered by each approved Application to Market shall be determined as follows:

(1) The quantity covered by an Application to Market approved to establish an obligation under a bond to market mainland or local sugar to a refiner who is the principal under such bond, for further processing, refining and storage as referred to in paragraph (a) of § 816.5 shall be the quantity stated in the application, or, if different, the quantity actually marketed pursuant to such application as determined by the Secretary.

(2) The quantity covered by an Application to Market approved to establish an obligation under a bond to market mainland or local sugar for the distillation or production of alcohol, for livestock feed or for the production of livestock feed as referred to in paragraph (b) of § 816.5, shall be the quantity stated in the application, or, if different, the quantity actually marketed pursuant to such application as determined by the Secretary.

(3) The quantity covered by an Application to Market approved to establish an obligation under a bond to produce and market from sugar beets or sugarcane in excess of proportionate shares, as referred to in § 816.6, mainland or local sugar for use as livestock feed or the production of livestock feed shall be the quantity stated in the initial application until a revised Application to

Market is approved at which time the quantity covered shall be that stated in the revised application. The quantity stated in the initial application should be the maximum quantity of sugar which the principal (processor) may produce from the total of the maximum number of tons of sugar beets or sugarcane expected to be received from each producer named in the application. In the revised application the quantity stated shall be the quantity produced determined as hereinafter provided in this subparagraph. If sugar beets or sugarcane received for processing pursuant to an approved application are processed during a period when no other sugar beets or sugarcane are being processed, the quantity of sugar produced shall be determined directly from the factory production records applicable to the sugar beets or sugarcane processed pursuant to the application. If the sugar beets or sugarcane received for processing pursuant to an approved application are processed simultaneously with the processing of other sugar beets or sugarcane, the quantity of sugar produced shall be based on the sugar produced from all sugar beets or sugarcane processed during the factory run period or periods in which the sugar beets or sugarcane received for processing pursuant to an approved application were processed determined as follows:

(i) For sugar beets, the sugar content in pounds of beets received for processing pursuant to the approved application multiplied by the average yield of sugar per pound of sugar content from all sugar beets of the same crop processed in the same factory, during the period used for computing the yield, adjusted for the sugar recoverable by desugarization of the molasses produced.

(ii) For sugarcane produced in the Mainland Cane Sugar Area, the number of tons of standard cane determined pursuant to the applicable determination of fair and reasonable prices for the same crop (Parts 873 and 874 of this subchapter) received for processing pursuant to an approved application multiplied by the yield in pounds of sugar made and estimated per ton of all standard sugarcane of the same crop processed in the same factory during the period or periods used for computing the yield which is reported and accepted on Form SU-123.

(iii) For sugarcane produced in Hawaii, or Puerto Rico the pounds of sugar commercially recoverable determined pursuant to the applicable determination of sugar commercially recoverable (Parts 836 and 837 of this subchapter) from the sugarcane received pursuant to the application initially approved.

(e) Conditions: Any bond accepted pursuant to this part shall provide for the following conditions to apply to mainland sugar or local sugar made subject to the bond by approval of Applications to Market such sugar.

(1) In the case of an Application to Market covering a quantity of mainland or local sugar for further processing, refining and storage, the principal on

the bond shall hold and store the raw value equivalent of the sugar covered by the approved Application to Market until release thereof is authorized by the Secretary. Such raw value equivalent as raw sugar may be held at or be in transit to the refinery identified in the Application to Market or at such other identified location from which such raw sugar will be shipped to such refinery. After refining such raw value equivalent must be held at the refinery identified in the Application to Market or be in transit to or at other identified places of storage: *Provided, however,* That if such raw value equivalent is in transit to or held at other storage facilities, it must be placed in such transit or storage after the mainland or local sugar identified with the approved application was marketed for further processing, refining and storage. The principal on the bond shall furnish to the Secretary at his request such information as the Secretary requires to determine that the requirements of this subparagraph have been met and the conditions and obligation of the applicable bond have been fulfilled.

(2) In the case of an application to market a quantity of mainland or local sugar for use in the distillation or production other than by distillation of alcohol excluding alcohol or resulting by-products for human food consumption, or for use as livestock feed or in the production of livestock feed, and in the case of an application to produce and market from sugar beets or sugarcane grown on excess acreage a quantity of stock feed or in the production of livestock feed, the raw value equivalent of the quantity of mainland or local sugar covered by the approved application shall be so used within one year after the date of approval by the Secretary of the application. The principal on the bond shall transmit to the Sugar Quota Group no later than 30 days after the expiration of the performance period under the bond certificates of use as provided for in paragraphs (f) and (g) of this section executed by the persons who used the quantity of sugar covered by the application.

(f) Certification of use for livestock feed purposes: The Certificates of Use of sugar for livestock feed or the production of livestock feed shall be made on Form SU-23 and shall show the required information as follows:

The undersigned certifies that between _____, 19____, and _____, 19____, (Date) (Date) he has used the following quantity or quantities of sugar for the purpose or purposes as stated below:

	Pounds
(1) Used to feed livestock.....	_____
(2) Used in the production of livestock feed:	
(a) For his subsequent use in feeding livestock.....	_____
(b) For subsequent sale to others for feeding livestock.....	_____

The undersigned further certifies that each quantity of sugar shown in this Certificate of Use does not include a quantity of sugar previously covered by another U.S. Depart-

ment of Agriculture Certificate of Use; that any quantity of sugar shown on this certificate to have been used to feed livestock or for the production of livestock feed excludes any sugar contained as an ingredient of a mixture or product at the time such sugar was received and that such sugar was either fed to livestock by the person receiving it or was put into a mixing or manufacturing process that produces only feed for livestock; and that the term "livestock" as used throughout in this certificate means horses, mules, cattle, swine, sheep, goats, poultry, and honey bees.

(g) Certificate of Use for production of alcohol: The Certificate of Use of sugar for the distillation or the production of alcohol shall be made on Form SU-23-A, and shall show the required information as follows:

The undersigned hereby certifies that between _____, 19____, and _____, 19____, (Date) (Date) he has used the following quantity or quantities of liquid or crystalline sugar for the purpose or purposes indicated:

Use	Liquid Sugar content (pounds)	Crystalline	
		Actual weight (pounds)	Raw value weight (pounds)
(1) Used for distillation of alcohol.....	_____	_____	_____
(2) Used for production of alcohol (other than by distillation) for other than human food consumption.....	_____	_____	_____

The undersigned further certifies that the quantity of sugar shown on this certification of use does not include any sugar previously covered by another U.S. Department of Agriculture Certificate of Use; that the quantity shown on this certificate does not include any sugar previously credited or subsequently to be credited against an obligation on a bond covering sugar exported in a sugar-containing product and that none of the sugar shown on this certificate was used in the production (other than by distillation) of alcohol, including any resulting by-products, for human consumption.

(h) Each certificate shall be endorsed by the principal of the bond acknowledging that the use of the sugar to which the certificate applies is to apply to the fulfillment of the conditions of the bond on which he is the principal and the bond shall be identified on the endorsement.

(i) Any bond furnished pursuant to this part shall provide that the obligation established thereunder will remain in full force and effect until the Secretary notifies the principal and surety of release thereof. The Secretary may release all or any part of the monetary amount of the obligation of the bond which is applicable to the quantity of sugar or liquid sugar covered by an approved application with respect to which quantity the applicable conditions set forth in subparagraph (1) or (2) of paragraph (e) of this section and the provisions of paragraph (f) or (g) of this section have been fulfilled: *Provided,* That nothing in this section shall preclude the Secretary from: (1) Determining that any of

the conditions provided in subparagraph (1) or (2) of paragraph (e) of this section have been fulfilled by virtue of the destruction or other disposition of sugar or liquid sugar having an effect for quota purposes as if the applicable conditions set forth in such subparagraphs have been fulfilled, or (2) extending at his discretion the time for fulfillment of any of the conditions set forth in subparagraph (1) or (2) of paragraph (e) of this section upon the written request of and for good cause shown by the principal named on the bond and without notice to the surety on such bond.

(j) Upon default in any applicable condition heretofore set forth, and the expiration of any extension of time for fulfillment thereof that may be granted in writing by the Secretary, payment shall be made to the United States of America of a sum equal to the full amount of the obligation, determined as prescribed in paragraph (c) of this section, which is applicable to the quantity of sugar or liquid sugar covered by an approved application and with respect to which quantity the default occurred in whole or in part.

(k) The payment or the acceptance of any payment made to the United States of America pursuant to this section shall not be deemed to preclude or to constitute a waiver of recovery of any forfeiture, penalty or liability provided for by the Act or any other provision of law.

§ 816.8 Records and reports.

(a) For the purpose of this part, mainland or local sugar manufactured as crystalline sugar and subsequently converted into and marketed as liquid sugar shall be reported as the quantities of crystalline sugar so converted and the raw value thereof shall be determined as prescribed in paragraph (1), (2), or (3), section 101(h) of the Act, whichever paragraph is applicable to the crystalline sugar so converted. Liquid sugar for which the quantities of converted crystalline sugar are unknown shall be reported in terms of the total sugar content and the raw value thereof shall be determined by multiplying the total sugar content by the factor 1.07.

(b) Each person subject to the provisions of this part shall keep and preserve, for a period of two years following the end of the calendar year in which the mainland or local sugar is marketed, an accurate record of his processings, receipts, marketings and inventories of all sugar and liquid sugar. Upon request by any employee of the Department of Agriculture authorized in writing by the Secretary, such records shall be made freely available for examination by such employee during regular working hours of any business day.

(c) (1) Each person subject to the provisions of this part shall report information as and when required by the Secretary on forms specified by him with such approval by the Bureau of the Budget as may be applicable under the

Federal Reports Act of 1942. In addition to the applications and reports otherwise specifically referred to in this part, this requirement shall include but is not necessarily limited to, the information prescribed on Form SU-70 for sugar beet processors, Form SU-71 or SU-73 for mainland sugarcane processors, Form SU-74 for refiners and Form SU-80 for processors and refiners in Puerto Rico.

(2) The following described forms are available for use in accordance with the provisions of the regulations in this Part 816, and all may be obtained at the office of the Sugar Quota Group, Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Form SU-23—Certificate of Use of Sugar for Livestock Feeding or Production of Livestock Feed.

Form SU-23-A—Certificate of Use of Sugar for Distillation or Production of Alcohol.

Form SU-63—Destination by States of Sugar and Liquid Sugar Delivered for Direct Consumption.

Form SU-64—Sugar Deliveries by Type of Buyer.

Form SU-69—Certificate of Marketing of Mainland Sugar.

Form SU-70—Mainland Sugar Production and Marketing Report (Domestic Beet Processors).

Form SU-71—Mainland Sugar Production and Marketing Report (Mainland Cane) (Short Form).

Form SU-73—Sugar Production and Movement Report—Refiners Who Also Process Mainland Sugarcane.

Form SU-76—Bond for Marketing Mainland Sugar or Local Sugar Without Charge to Quota.

Form SU-77—Application to Market Mainland Sugar or Local Sugar Under Bond.

Form SU-78—Approval of Marketing of Mainland Sugar or Local Sugar Under Bond or Release from Condition of Bond.

Form SU-79—Application to Produce and Market Mainland Sugar Under Bond (From Sugar Beets or Sugarcane to which Proportionate Shares do not pertain).

Form SU-80—Sugar Production and Movement Report—Processors of Sugarcane in Puerto Rico who do not acquire sugar for refining.

Form SU-80-1—Sugar Production and Movement Report—Processors of Sugarcane or Refiners in Puerto Rico who acquire sugar for refining.

Form SU-80-2—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-3—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-4—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-5—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-6—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-7—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-8—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-9—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-10—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-11—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-12—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-13—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-14—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-15—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-16—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-17—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-18—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-19—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-20—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-21—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-22—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-23—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Form SU-80-24—Sugar Receipts and Shipment Report (Operators of Bulk Loading Facilities in Puerto Rico).

Signed at Washington, D.C., this 4th day of April 1968.

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

[F.R. Doc. 68-4392; Filed, Apr. 11, 1968; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 130, 146]

APPROVED NEW DRUGS AND ANTIBIOTIC DRUGS

Proposed New Forms To Accompany Records and Reports on Experiences

The required periodic reports submitted under §§ 130.13 and 146.14 of the new-drug and antibiotic-drug regulations (21 CFR 130.13, 146.14) are generally not clearly identified and often are incomplete.

To enable the applicant to make a rapid check to determine that all required information has been included and to facilitate the handling of these reports by the Food and Drug Administration, two new forms are proposed below to accompany such reports. One is for reports containing advertising and other promotional material (see Appendix B) and the other is for other kinds of reports (see Appendix A).

The form for other kinds of reports (Appendix A) contains key words taken from the kinds of information required by each numbered item (subparagraph) in §§ 130.13(a) and 146.14(a). Space is provided for indicating the volume and page number of the submission where the information is located when such information is part of the report. Included are check boxes for indicating whether information corresponding to the numbered item is part of the report. If the report goes to more than one approved new-drug application or more than one antibiotic for which a certificate or release has been issued, those would be identified in the space provided and forms would be submitted without the report for each of the other applications or antibiotics.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505, 507, 701(a), 52 Stat. 1052, as amended, 1055, 59 Stat. 463, as amended; 21 U.S.C. 355, 357, 371(a)) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.120), it is proposed that Parts 130 and 146 be amended:

1. In § 130.13, by revising the introductory text of paragraph (b) to read as follows:

§ 130.13 Records and reports concerning experience on drugs for which an approval is in effect.

• • • • •

PROPOSED RULE MAKING

(b) The applicant shall submit to the Food and Drug Administration copies of the records and reports described in paragraph (a) of this section (except routine assay and control records) appropriately identified with the new-drug application(s) to which they relate, as follows. Such copies, including form FD-1639, shall be submitted in duplicate, except that other individual patient case reports may be submitted in single copy. Each report shall be accompanied by a "Drug Record and Report Form" as a cover sheet. Form FD- (see Appendix A) shall be used with reports submitted pursuant to subparagraph (1), (2), or (4) of this paragraph. Form FD- (see Appendix B) shall be used with reports submitted pursuant to subparagraph (3) of this paragraph. Forms are obtainable from the Food and Drug Administration, Department of Health, Education, and Welfare, Washington, D.C. 20204.

2. In § 146.14, by revising paragraph (a) (5), by revising the introductory text of paragraph (b), by redesignating subparagraphs (3) and (4) of paragraph (b) as (4) and (5) and adding a new subparagraph (3), and by revising the introductory text of redesignated subparagraph (4). These changes will incorporate within the records and reports regulations the requirements of § 146.2 (b) (4) regarding mailing and other promotional material. The affected portions would read as follows:

§ 146.14 Records and reports concerning experience with antibiotic drugs for which a certificate or release has been issued.

(a) * * *

(5) Copies of all mailing pieces and other labeling and, if it is a prescription drug, of all advertising used in promoting the drug and not previously submitted. A copy of the currently used package insert that gives full information for use of the drug shall accompany each submission of a report, whether or not such labeling has been previously submitted.

(b) Each person referred to in paragraph (a) of this section shall submit, in duplicate, to the Food and Drug Administration copies of the records and reports described in paragraph (a) of this section (except routine assay and control reports) appropriately identified with the antibiotic application number, if any, the name under which the drug is certified, and the number of the section in this chapter that provides for its certification, as follows. Each report shall be accompanied by a "Drug Record and Report Form" as a cover sheet. Form FD- (see Appendix A) shall be used with reports submitted pursuant to subparagraph (1), (2), or (4) of this paragraph. Form FD- (see Appendix B) shall be used with reports submitted pursuant to subparagraph (3) of this paragraph. Forms are obtainable from the Food and Drug Administration, Department of Health, Education, and Welfare, Washington, D.C. 20204.

(3) When mailing pieces, any other labeling, and advertising are devised for promotion of the drug, specimens shall be submitted at the time of initial dissemination of such labeling and at the time of initial placement of any such advertisement for a prescription drug. Mailing pieces and labeling which are designed to contain samples of a drug shall be complete except for omission of the drug.

(4) All the kinds of information described in paragraph (a) of this section, except that submitted under the provisions of subparagraphs (1), (2), and (3) of this paragraph, shall be submitted at the following intervals, unless otherwise ordered in a written communication from the Commissioner:

APPENDIX A

Form FD- : Drug Record and Report Form (secs. 505(j) and 507(g) of the Federal Food, Drug, and Cosmetic Act).

Date: _____

NDA number: _____

If antibiotic, CFR section number: _____

Applicant: _____

Drug: _____

Kind of report: ¹

- ☐ Prompt ²
- ☐ Periodic or supplement updating: ³
- Quarterly
- Semiannual
- Annual

If this is a periodic report, complete the following:

Period covered by report: _____

Kinds of information required under § 130.13(a) and § 146.14(a):

	Indicate page(s) and volume number	Check if nothing to report
(1) Clinical data ⁴		<input type="checkbox"/>
(2) Animal data ⁴		<input type="checkbox"/>
(3) Chemical or physical drug properties ⁴		<input type="checkbox"/>
(5) Current package labeling, whether or not already submitted.....		<input type="checkbox"/>
(6) Quantity distributed ⁴		<input type="checkbox"/>

Does this report apply to other NDA's or Form 5/6? ☐ Yes ☐ No

If yes, list other NDA numbers (or drug name and CFR section number where no NDA number has been assigned): _____

An applicant may submit one report for more than one approved NDA or Form 5/6 for preparations containing a common active component. All applications, however, for which the report is intended must be identified and a separate form FD- (this form) must be submitted in duplicate for each NDA and each Form 5/6.

Per: _____
(Responsible official or agent)

Title: _____
(Indicate authority)

¹ Reports containing advertising or promotional material pursuant to § 130.13(b) (3) or § 146.14(b) (3) should be submitted separately with Form FD- (see appendix B). Regulations cited in this form are in 21 CFR Parts 130 and 146.

² §§ 130.13(b) (1) and (2), 130.35(f), and 146.14(b) (1) and (2).

³ §§ 130.13 (a) and (b) (4), 130.9(a), 130.35(e), and 146.14 (a) and (b) (4).

⁴ Key words to be used for quick reference. Refer to § 130.13(a) or § 146.14(a) for detailed description of requirements.

APPENDIX B

Form FD- : Drug Record and Report Form—Advertising and Other Promotional Materials (21 CFR 130.13(b) (3) and 146.14(b) (3)).

Date: _____

NDA number: _____ If antibiotic, CFR

section number: _____

Applicant: _____

Drug: _____

Pursuant to § 130.13(b) (3) and § 146.14 (b) (3) of the regulations for submission of specimens of mailing pieces, other promotional labeling, and advertisements at the time of initial dissemination of such labeling and initial placement of such advertisements the following material is submitted:

Check box(es). If more than one piece of any following category is included, indicate number of pieces in appropriate box:

- ☐ Journal advertisement. _____
- ☐ Promotional labeling. _____
- ☐ File card. _____
- ☐ Brochure. _____
- ☐ Letter. _____
- ☐ Return reply correspondence (order blanks, post cards, etc.). _____
- ☐ Leaflet, circular, or pamphlet. _____
- ☐ Literature reprint. _____
- ☐ Physicians' sample package (do not include drug). _____
- ☐ Price list. _____
- ☐ House organ. _____
- ☐ Other (audio or visual aids, books, x-rays, calendars, etc.). _____
- Specify _____

Also enclosed is the following currently used and ☐ approved or ☐ permitted (check one) labeling on which the promotional labeling and advertisements are based:

- ☐ Package insert.
- ☐ Other, if no package insert.

The advertisements and promotional materials submitted fairly reflect the labeling provided for in the approved (or effective) new-drug application and its supplements or in the approved antibiotic form 5 or 6.

Per: _____
(Responsible official or agent)

Title: _____
(Indicate authority)

NOTE: The proposed forms set forth in Appendixes A and B above are included in this notice for informational purposes. It is not intended that these forms will be added to 21 CFR Part 130.

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

Dated: April 2, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-4331; Filed, Apr. 11, 1968; 8:45 a.m.]

Notices

DEPARTMENT OF JUSTICE

Bureau of Narcotics and Dangerous Drugs

[Directive No. 3]

BUREAU AGENTS

Delegation of Additional Authority

Under the authority delegated by the Attorney General of the United States, pursuant to Part 0 of Title 28 of the Code of Federal Regulations (Organization of the Department of Justice), Subpart AA (§§ 0.200, 0.201, and 0.202), in addition to the rights, powers, and duties specified in Order No. 1, 33 F.R. 5590, April 10, 1968, there are hereby redelegated to duly appointed and authorized agents of the Bureau of Narcotics and Dangerous Drugs of the Department of Justice all functions relating to demand to produce a license to grow opium poppies and to seize opium poppies under 21 U.S.C. 188g; all functions relating to service of administrative subpoenas under 21 U.S.C. 198b; all functions in the Internal Revenue Code of 1954 relating to the seizure of narcotic drugs under section 4706, relating to notice and demand to produce order forms for marihuana under section 4744(a), relating to confiscation of marihuana under section 4745, and relating to inspection of returns, order forms, and prescriptions under section 4773; and all functions under 49 U.S.C. 782 and 783 relating to the seizure of any vessel, vehicle, or aircraft involving contraband articles covered by 49 U.S.C. 781(b) (1).

Dated: April 10, 1968.

HENRY L. GIORDANO,
Associate Director, Bureau of
Narcotics and Dangerous
Drugs.

JOHN FINLATOR,
Associate Director, Bureau of
Narcotics and Dangerous
Drugs.

[F.R. Doc. 68-4462; Filed, Apr. 11, 1968;
10:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Serial No. F-850]

ALASKA

Notice of Proposed Classification of Lands for Multiple-Use Management

APRIL 5, 1968.

1. Pursuant to the Act of September 19, 1964 (78 Stat. 986; 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, all of the

public lands in the area described below, together with any lands therein that may become public lands in the future.

Publication of this notice has the effect of segregating the lands from all forms of use or occupancy governed by statute or regulations, including the mining laws except permits issued under the provisions of section 3 of the Antiquities Act of June 8, 1906. As used herein, "public lands" means any lands which are not withdrawn or reserved for a Federal use or purpose.

2. The lands affected are located near Cape Nome on the Seward Peninsula in Western Alaska.

The lands proposed to be classified are described as follows and are shown on maps on file in the Fairbanks District and Land Office, 516 Second Avenue, Fairbanks, Alaska 99701.

CAPE NOME—SAFETY SOUND ANTIQUITY SITE

SEWARD PENINSULA, ALASKA

Tract A

Beginning at MC 6 of USS 4107 thence; westerly approximately 80 chains parallel to the Nome-Council Road; south approximately 11 chains to the mean high tide line of Norton Sound; easterly approximately 80 chains along the mean high tide line of Norton Sound to MC 5 of USS 4107; north approximately 11.3 chains along the west boundaries of lots 87 and 89 of USS 4107 to the point of beginning. Containing approximately 88 acres.

Tract B

Lots 70-89 inclusive, USS 4107.
Containing 69.85 acres.

Tracts A and B are contiguous and aggregate approximately 157.85 acres.

3. For a period of 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 the proposed classification may present their views in writing to the Fairbanks District Manager, Bureau of Land Management.

BURTON W. SILCOCK,
State Director.

[F.R. Doc. 68-4353; Filed, Apr. 11, 1968;
8:45 a.m.]

[Serial No. F-800]

ALASKA

Notice of Proposed Classification of Lands for Multiple-Use Management

APRIL 5, 1968.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and 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. Publi-

cation of this notice has the effect of segregating lands from appropriation only under the settlement laws (48 U.S.C. 371-380a, 48 U.S.C. 461, 48 U.S.C. 357) and from location under the mining law (30 U.S.C. 21). As used herein, "public lands" means any lands which are not withdrawn or reserved for a Federal use or purpose.

2. The lands proposed to be classified are located along the Steese Highway, 90 and 150 miles from Fairbanks, Alaska. They are shown on maps on file in the Fairbanks District and Land Office, 516 Second Avenue, Fairbanks, Alaska 99701, and are described as follows:

NORTH FORK RECREATION SITE

Beginning at BM 2113, located on the north side of the Steese Highway near Milepost 94, at approximately 65°24'15" north latitude, 145°44'51" west longitude; thence east 88 chains, south 96 chains; west 88 chains; north 96 chains to the point of beginning; containing approximately 845 acres.

BIRCH CREEK RECREATION SITE

Beginning at a point on the centerline of the Steese Highway, approximately 44 chains westerly along the centerline of said highway, from the west most end of the bridge across Birch Creek, near Milepost 147, said point of beginning being at approximately 65°42'50" north latitude; 144°21'10" west longitude; thence north 20 chains; east 40 chains to a point on the east bank of Birch Creek; southerly along the east bank of Birch Creek 33.5 chains to a point on the centerline of the Steese Highway; easterly along the centerline of the Steese Highway 20 chains, south 32 chains; west 72 chains; north 44 chains to the point of beginning; containing approximately 385 acres.

3. Both sites have been identified for their recreational values. The Bureau proposes to develop camping, picnicking, and boat launching facilities on these sites.

4. For a period of 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 the proposed classification may present their views in writing to the Fairbanks District Manager, Bureau of Land Management.

BURTON W. SILCOCK,
State Director.

[F.R. Doc. 68-4354; Filed, Apr. 11, 1968;
8:45 a.m.]

[OR 2945]

OREGON

Notice of Proposed Withdrawal and Reservation of Lands

Correction

In F.R. Doc. 68-2977 appearing at page 4423 in the issue of Tuesday, March 12, 1968, in the second line under the center heading "Woodley Campground" the figure "4," should be inserted after "Sec."

DEPARTMENT OF DEFENSE

Department of the Army

STATEMENT OF ORGANIZATION AND FUNCTIONS

Description of Central and Field Agencies

The Statement of Organization and Functions, Department of the Army, appearing at 31 F.R. 7005, May 12, 1966, and amended at 32 F.R. 13016, September 13, 1967, is further amended by revising paragraph (a) of section 3, pertaining to the U.S. Continental Army Command, as follows:

SEC. 3. *Major Army Field Commands—*
(a) *U.S. Continental Army Command—*

(1) *Purpose.* This paragraph sets forth the mission of the Commanding General, U.S. Continental Army Command; the areas of geographical jurisdiction of the major subordinate commands of U.S. Continental Army Command; the U.S. Army service schools commanded by the Commanding General, U.S. Continental Army Command; special channels of communication on certain functions; and the responsibilities of the Commanding General, U.S. Continental Army Command for certain area-wide administrative and logistical support and services.

(2) *Mission.* The Commanding General, U.S. Continental Army Command is charged with missions as an Army component commander and as a major field commander of the Department of the Army.

(i) As component commander, the Commanding General, U.S. Continental Army Command, is designated the Commander in Chief, U.S. Army Forces, Strike Command under the Commander in Chief, U.S. Strike Command. He will designate necessary personnel to operate the headquarters and conduct the functions of this command. In addition, he will provide Army component command planning assistance to Commander in Chief, Atlantic Fleet as prescribed in Annex G, Army Strategic Capabilities Plan and in consonance with the provisions of JCS Publication 2 (Unified Action Armed Forces) and JCS Publication 3 (Joint Logistics and Personnel Policy and Guidance).

(ii) As a major field commander of the Department of the Army under the Chief of Staff, U.S. Army, the mission of the Commanding General, U.S. Continental Army Command, is to—

(a) Command the numbered armies (Continental U.S. armies) within the continental United States and the Military District of Washington, U.S. Army.

(b) Command all U.S. Army troop units located within the continental United States except those expressly assigned by Headquarters, Department of the Army to another command or agency.

(c) Command such subordinate installations and activities as may be assigned by Headquarters, Department of the Army.

(d) Command the Army service schools and courses listed in subparagraph (7) of this paragraph. Review programs of instruction of the U.S. Army Security Agency School, U.S. Army Logistics Management Center, The Judge Advocate General's School, U.S. Army, U.S. Army Management Engineering Training Agency, Joint Military Packaging Training Center, and of separate courses not under command of the Commanding General U.S. Continental Army Command to provide for eliminating undesirable overlap between schools and courses of instruction and to assure proper balance of instructional material to meet the objectives of the Army school system; review and approve programs of instruction for formal school courses conducted in overseas commands; supervise and control Army conducted instruction in schools and centers of the U.S. Navy, U.S. Marine Corps, and U.S. Air Force; and exercise operational control for Department of the Army participation in technical training and orientation courses conducted by the Defense Atomic Support Agency. Provide student input data and publish schedules of classes pertaining to The Judge Advocate General's School for The Judge Advocate General. Program the U.S. Army student input for the Defense Atomic Support Agency, U.S. Navy Explosive Ordnance Disposal School and Amphibious School (Atlantic and Pacific), and U.S. Air Force Ground Operations School, Survival School, and School for Dog Handlers.

(e) Organize, train, equip, and insure combat readiness of all assigned U.S. Army troop units; develop and approve training procedures and techniques for the units; and prepare and supervise training programs to fulfill Department of the Army training objectives.

(f) Receive, process, equip, and train all personnel from time of entry into the U.S. Army until assigned by Headquarters, Department of the Army to first unit or station; and control the flow of personnel from time of entry into the U.S. Army to basic combat training.

(g) Manage assigned personnel, to include distribution of enlisted personnel (E6 and below); monitor selection by Headquarters, Department of the Army of enlisted personnel (E6 and below) for overseas service; monitor assignment by Headquarters, Department of the Army of senior enlisted personnel and special categories of enlisted personnel as defined in AR 600-200; and operate personnel processing activities as assigned by Headquarters, Department of the Army.

(h) Command, support, and supervise the training of U.S. Army Reserve TOE and TDA troop units and reinforcement training units within continental United States. Supervise the training of non-unit Ready Reserve personnel (other than mobilization designees) when ordered to active duty for training or annual active duty training, or when attached to Army National Guard of the U.S., or U.S. Army Reserve units within continental United States. Assist in the

establishment of inactive duty training criteria for nonunit Ready Reserve personnel of the U.S. Army Reserve within continental United States; and with regard to U.S. Army Reserve units and schools outside continental United States, establish training evaluation criteria and reporting procedures and compile reports related thereto. Establish training criteria for and inspect and supervise training of Army National Guard units within continental United States; and with regard to Army National Guard units outside continental United States, establish training evaluation criteria and reporting procedures and compile reports related thereto. Execute plans for mobilization and demobilization of Reserve components.

(i) Direct, supervise, and support the Reserve Officers' Training Corps and National Defense Cadet Corps Programs.

(j) Support training of foreign nationals, to include training in Department of the Army service schools, observer and on-the-job training, orientation tours, and providing mobile training teams to foreign countries.

(k) Formulate the annual Department of the Army training film program; prepare, review and approve that portion of the Army-wide training literature program which has been assigned by Headquarters, Department of the Army; direct and supervise operations of the training aids center system and the Department of the Army competitive marksmanship program.

(l) Assure effective conduct of general educational development of military personnel at all Department of the Army installations and activities in continental United States.

(m) Participate in combat developments and materiel developments which concern individual and unit training, combat readiness of assigned troop units, and the requirement and capability for movement of all Continental U.S. Army units, and provide advice and assistance and direct support to the Commanding Generals of the U.S. Army Materiel Command and U.S. Army Combat Developments Command in these areas. This includes relevant participation in formulation and review of doctrinal and organizational matters, materiel objectives and requirements, review of materiel test and evaluation plans and reports, "in-process" reviews, and System Status Evaluations; and support of confirmatory and troop tests.

(n) Provide support as required to accomplish the Department of the Army research program in training, motivation, and leadership which is conducted within continental United States by the Army Human Resources Research Office.

(o) Provide intelligence support to senior and subordinate headquarters under the provisions of applicable Department of the Army plans.

(p) Plan for and execute functions having continental United States geographic area implications and, through continental U.S. armies and Military District of Washington, provide logistic and administrative support and assistance on

a nonreimbursable basis to all Department of the Army installations and activities within continental United States as specified in subparagraph (8) of this paragraph.

(g) (1) Plan, program, coordinate requirements for, and supervise use of resources for accomplishing U.S. Continental Army Command basic and support missions, functions, and responsibilities; budget and fund for financial resources as specified in AR 37-1; through subordinate commanders provide base operation support and other support to Department of the Army activities which are tenants on U.S. Continental Army Command installations, except as otherwise authorized by Headquarters, Department of the Army; through subordinate commanders provide base operation support to Department of the Army activities which are satellited on U.S. Continental Army Command installations, and satellite U.S. Continental Army Command activities on other facilities for all or a portion of required base operation support when it is more economical.

(2) Program, budget, provide resources for, and furnish administrative and logistical support and services to U.S. Army Air Defense Command units except as otherwise assigned by Headquarters, Department of the Army.

(3) Provide resources for operating U.S. Continental Army Command Army Medical Service activities and for medical and dental service provided by Army Industrial Fund installations, as part of chartered operations, to military personnel, dependents, and intransit civilian employees authorized medical care.

(4) Provide resources that are available and required by civil works field agencies of the Chief of Engineers in carrying out his statutory responsibilities for water resources development and management, responsibilities to include providing assistance in flood, hurricane, and coastal storm emergencies.

(r) Manage the U.S. Continental Army Command Division of the Army Stock Fund.

(s) As directed, plan for and support civil authorities in domestic emergencies.

(t) As directed, plan for and execute those missions that have been assigned to the Chief of Staff, U.S. Army by the Joint Chiefs of Staff relative to defense, other than air defense, of the continental U.S. and to military participation in civil defense.

(3) *Command relationships.* The U.S. Continental Army Command and the other major Army commands are coordinate elements of the Department of the Army. The Commanding General, U.S. Continental Army Command is authorized to communicate direct with other major Army commanders or with Headquarters, Department of the Army agency heads in their command capacities with respect to matters of mutual interest.

(4) *Channels of communication.* (i) Headquarters, Department of the Army communications will be directed to Commanding General, U.S. Continental Army Command on all changes in policy or

regulatory requirements pertaining to U.S. Continental Army Command units, installations, or activities and on matters of command interest and actions affecting U.S. Continental Army Command policy, missions, workloads, and operational responsibility, and resources in support thereof.

(ii) Direct communication between Headquarters, Department of the Army agencies and subordinate commands, activities, and installations of U.S. Continental Army Command is authorized under any of the following conditions:

(a) As provided in the communications policies of AR 340-15.

(b) Initial request for information of emergency nature. In such cases, Headquarters, U.S. Continental Army Command will be apprised of the requirement in advance or as expeditiously as possible and provided a copy of the communication and the reply or replies thereto.

(c) With the consent of Headquarters, U.S. Continental Army Command or with respect to the matters listed in subparagraph (9) of this paragraph; however, if the Department of the Army staff considers that a specific communication concerning a matter listed in subparagraph (9) of this paragraph may have a significant impact on mission accomplishment, personnel resources, or fund resources, it will consult Headquarters, U.S. Continental Army Command. If Headquarters, U.S. Continental Army Command regards the impact as significant, the communications will follow command channels; otherwise direct communication is authorized.

(5) *Major subordinate commands of U.S. Continental Army Command.* The U.S. Continental Army Command is divided geographically into areas, each constituting a major subordinate command of U.S. Continental Army Command. These major subordinate commands comprise the Continental U.S. armies and the Military District of Washington. The Commanding Generals of the Continental U.S. armies and Military District of Washington command U.S. Continental Army Command installations and activities located within their respective areas of geographical jurisdiction that may be assigned to them by the Commanding General, U.S. Continental Army Command, and provide the logistic and administrative support functions in subparagraph (8) of this paragraph to installations and activities of Headquarters, Department of the Army agencies and other Continental U.S. commands.

(6) *Areas of geographical jurisdiction and location of headquarters—(i) First United States Army—(a) Area.* States of Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Kentucky (less counties of Trigg, Christian, Todd, and Logan), West Virginia, Delaware, Maryland, and Virginia, less certain areas in the latter two States which are included in the Military District of Washington.

(b) *Headquarters.* Fort George G. Meade, Md.

(ii) *Third United States Army—(a) Area.* States of Tennessee, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Florida, and the counties of Trigg, Christian, Todd, and Logan
(b) *Headquarters.* Fort McPherson, Ga.

(iii) *Fourth United States Army—(a) Area.* States of Arkansas, Oklahoma, New Mexico, Texas, and Louisiana.

(b) *Headquarters.* Fort Sam Houston, Tex.

(iv) *Fifth United States Army—(a) Area.* States of Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Indiana, Illinois, Iowa, Missouri, Kansas, Nebraska, Colorado, and Wyoming.

(b) *Headquarters.* Fort Sheridan, Ill.

(v) *Sixth United States Army—(a) Area.* States of Montana, Idaho, Washington, Oregon, California, Nevada, Utah, and Arizona.

(b) *Headquarters.* Presidio of San Francisco, Calif.

(vi) *Military District of Washington—(a) Area.* District of Columbia, counties of Arlington, Fairfax (less Fort Belvoir), King George, Prince William, Stafford, and Westmoreland and city of Alexandria in the State of Virginia; and counties of Calvert, Charles, Montgomery, Prince Georges, and St. Marys in the State of Maryland.

(b) *Headquarters.* Washington, D.C.

(7) *U.S. Army service schools and courses commanded by the Commanding General, U.S. Continental Army Command—(i) U.S. Army Command and General Staff College.*

(ii) U.S. Army Adjutant General School.

(iii) U.S. Army Air Defense School.

(iv) U.S. Army Armor School.

(v) U.S. Army Artillery and Missile School.

(vi) U.S. Army Aviation School.

(vii) U.S. Army Chaplain School.

(viii) U.S. Army Chemical School.

(ix) U.S. Army CBR Weapons Orientation Course.

(x) U.S. Army Civil Affairs School.

(xi) U.S. Army Combat Surveillance School.

(xii) U.S. Army Engineer School.

(xiii) U.S. Army Finance School.

(xiv) U.S. Army Infantry School.

(xv) U.S. Army Intelligence School.

(xvi) U.S. Army Management School.

(xvii) U.S. Army Military Police School.

(xviii) U.S. Army Missile and Munitions Center and School.

(xix) U.S. Army Ordnance School.

(xx) U.S. Army Primary Helicopter School.

(xxi) U.S. Army Quartermaster School.

(xxii) U.S. Army Signal School.

(xxiii) U.S. Army Southeastern Signal School.

(xxiv) U.S. Army Special Warfare School.

(xxv) U.S. Army Transportation School.

(xxvi) U.S. Women's Army Corps School.

(8) *U.S. Continental Army Command special logistic and administrative support responsibilities for continental*

United States installations and activities—(1) Administrative function. (a) Military justice matters as follows:

(1) Provide, by attachment for court-martial and disciplinary purposes or otherwise, for the exercise of general court-martial jurisdiction over all units located at U.S. Continental Army Command installations, subject to the provisions of (4) below.

(2) Provide by attachment for court-martial and disciplinary purposes or otherwise, for the exercise of general court-martial jurisdiction over U.S. Army personnel at other continental U.S. installations and activities when requested to do so by the major commander concerned.

(3) In accordance with the Uniform Code of Military Justice and the Manual for Courts-Martial, United States, 1951 provide for general administration of military justice, including exercise of inferior court-martial jurisdiction and exercise of jurisdiction under Article 15, Uniform Code of Military Justice, including appellate jurisdiction, over all installations and activities referred to in (1) and (2) above, subject to the provisions of (4) below.

(4) In executing responsibilities assigned in (1), (2), and (3) above, the following principles apply:

(i) The authority granted by (1) above will not be exercised in the case of a unit already subject to the general court-martial jurisdiction of a commander pursuant to statute or otherwise unless such action is requested by the major commander concerned.

(ii) The intent of (1), (2), and (3) above is to preserve command integrity at individual installations and to promote economy and efficiency in the use of available resources; however, it is recognized that exceptional cases may arise and that flexibility in handling them is needed. Accordingly, deviation from the general principles stated is authorized when agreed to by the major commanders concerned.

(b) Supervise processing of claims (AR 27-38 and AR 27-20) against or in favor of the United States other than—

(1) Claims coming under the purview of paragraph 2, AR 405-15.

(2) Demands for payment that arise under contracts or ordinary obligations incurred in procuring services or supplies.

(c) Medical support functions as follows:

(1) Medical and dental service including the Federal Civilian Employee Health Service Program, except—

(i) At hospitals and medical centers under command of The Surgeon General.

(ii) That at the U.S. Military Academy, Commanding General U.S. Continental Army Command will provide supervision and technical advice only.

(iii) That at Army Industrial Fund installations providing medical service as part of the chartered operations of the installation, Commanding General, U.S. Continental Army Command, will be responsible only for providing supervision and technical advice and reimbursing

the Army Industrial Fund for medical and dental service provided to military personnel, dependents, and intransit civilian employees authorized medical care. Commanding General, U.S. Continental Army Command, will accomplish such reimbursement without recourse to direct funding.

(iv) At Government-owned manufacturing plants which are operated by nongovernmental agencies under the provisions of contracts with Department of the Army agencies and Government-owned facilities which are leased to nongovernmental agencies.

(2) Medical regulating functions, except for hospitals under command of The Surgeon General.

(3) Veterinary services as provided in section V, AR 40-1.

(d) Legal assistance functions at installations and off-post activities not having legal assistance officers. See AR 608-50.

(e) Military police criminal investigation support to include crime prevention surveys and investigation of crime, except that technical advice only will be provided at the U.S. Military Academy. Military police criminal investigation support for the conduct of physical security surveys will be provided as may be requested by installation and activity commanders not having adequate trained personnel to conduct the survey.

(f) Administer physical evaluation boards.

(g) Coordinate participation of troops and equipment in civilian ceremonies.

(h) Administration of education of dependents program.

(i) Inspector General support when requested and mutually agreed or as directed by Headquarters, Department of the Army, in accordance with AR 20-1.

(j) Women's Army Corps staff advisers' functions. See AR 600-3.

(k) Technical and professional assistance with respect to chaplain's functions at installations and activities under jurisdiction of commands or agencies not authorized staff chaplains.

(ii) *Logistics functions.* (a) Operate U.S. Army audiovisual communication centers as prescribed in AR 108-30.

(b) Technical advice and assistance as may be requested with respect to photographic facilities.

(c) Provide ammunition for training purposes. See AR 710-1300-1.

(d) Process repairs and utilities excess property reports. See paragraph 5a, AR 420-31.

(e) Technical advice and assistance with respect to fixed signal communication functions as requested and within the capability of U.S. Continental Army Command to provide.

(f) Technical assistance as may be requested with respect to repairs and utilities activities.

(iii) *Other support functions.* (a) Public information and community relations activities as prescribed in AR 360-5 and AR 360-61.

(b) Command information programs when agreed to by the commanders concerned.

(c) Administer and enforce off-post military regulations. Local jurisdiction responsibility may be delegated when agreed to by the Continental U.S. commanders concerned.

(d) Liaison with U.S. Public Health Service.

(e) Coordinate matters pertaining to military off-post housing requirements.

(f) Technical advice as may be requested with respect to Special Services programs and activities.

(g) Conduct tests to insure adequacy of local communications nets required in support of U.S. Continental Army Command basic plans; and conduct tests of area portions of interarea nets as directed by Headquarters, Department of the Army.

(h) Allocate off-post training areas.

(iv) *Inspection and review functions.* Conduct inspections and reviews to the extent necessary to fulfill the functions delineated in this subparagraph.

(9) *Matters on which direct communication is authorized between Headquarters, Department of the Army agencies, and the continental U.S. Armies and the Military District of Washington—*(i) *Personnel—*(a) Military personnel management and administration:

(1) Procuring officers and appointment in the Regular Army and U.S. Army Reserve as commissioned or warrant officers, from all sources; recall to active duty of officers in Reserve components; scheduling for active duty, granting of delays, and related personnel matters for U.S. Army Reserve officers appointed from the Reserve Officers' Training Corps; individual name cases pertaining to Officer Candidate School and Reserve Officers' Training Corps affairs and to enlistment and reenlistment cases; fraudulent entry; actions involving civil courts and military personnel subject to deportation proceedings by the Immigration and Naturalization Service.

(2) Line of duty proceedings for injuries and deaths.

(3) Administering physical evaluation boards.

(4) Appointing cadets to the U.S. Military Academy.

(5) Requisitions and assignment information for colonels and all officer requirements for units for which Headquarters, Department of the Army has assumed fill action. Information pertaining to individual name cases of officers assigned or being assigned, and matters pertaining to nominations of officers to Reserve Officers' Training Corps Instructor Groups and National Guard Advisor Groups. Assignment information for senior enlisted personnel, special categories and intelligence enlisted personnel in all grades, and enlisted personnel in grades E-1 through E-6 selected by Headquarters, Department of the Army for worldwide assignment.

(6) Professional training, utilization, authorization, and assignment of officers of the Army Medical Service and the Judge Advocate General's Corps and chaplains.

(7) Determining promotion eligibility and computation of dates of rank of officers and warrant officers.

(8) Applications for separating military personnel including transfer to Reserve components, discharge, resignations, retirements and other separation actions.

(9) Matters pertaining to AWOL personnel and deserters.

(10) Matters pertaining to care and disposition of remains.

(11) Casualty matters.

(b) Civilian personnel administration activities.

(c) Legal assistance activities.

(d) Provost Marshal activities, as follows:

(1) Clemency, restoration, parole, transfer to Federal institutions, and other personnel matters pertaining to individual prisoners at Army confinement facilities.

(2) Police matters relative to responsibilities of The Provost Marshal General requiring immediate notification or response.

(3) Allocation of quotas to military input and governmental agencies and civil industry for the Industrial Defense and Disaster Planning for Privately Owned and Privately Operated Facilities Course.

(e) Professional and technical matters pertaining to medical, dental, and veterinary services, medical materiel, hospital requirements, movement of patients between hospitals, medical professional standards, preventive medicine activities, preventive dentistry activities, physical standards, and the occupational health program. Information copies will be furnished to Commanding General, U.S. Continental Army Command, ATTN: ATMED.

(ii) *Intelligence.* (a) Accreditation of foreign nationals to Continental U.S. Armies and the Military District of Washington and foreign personnel authorized by the Department of the Army to visit assigned units and installations.

(b) Reporting of critical information, i.e., information which may indicate that hostilities between the United States and a foreign power have begun or are imminent or that conditions exist which may develop into a national emergency, endanger national security, or otherwise require urgent military action. Such information is reported simultaneously to Commanding General, U.S. Continental Army Command, ATTN: Deputy Chief of Staff for Intelligence.

(c) Communications pertaining to those intelligence courses at the U.S. Army Intelligence School which are monitored by the Assistant Chief of Staff for Intelligence, Headquarters, Department of the Army and for which he allocates quotas direct to Active Army input agencies.

(d) Matters involving possible compromise or unauthorized disclosure of defense information which would seriously affect the national security.

(e) Personnel security clearance investigative matters.

(iii) *Logistics.* (a) Procuring and maintaining of all tariffs and similar publications which affect the transportation of property and persons.

(b) Technical traffic management matters.

(c) Technical aspects of packing and crating activities as they pertain to transportation.

(d) Requests for special airlift provided by Military Airlift Command.

(e) Matters pertaining to audiovisual communications centers and photographic facilities.

(f) Technical matters pertaining to disposal of surplus personal property.

(g) Technical aspects of master planning and military construction and engineering activities.

(h) Transportation safety matters when necessary to expedite handling of critical information.

(i) Inventory of military real property, Army (AR 405-45).

(iv) *Other matters.* (a) Review and action on appropriate reports of survey and reports of boards of officers in lieu of reports of survey involving pecuniary charges.

(b) Communications pertaining to applications for Secretary of the Army Awards, Minuteman flags, and requests for blank forms for Minuteman awards.

(c) Requests for supply of existing maps.

(d) Congressional and White House inquiries when directed by Headquarters, Department of the Army.

(e) Unit histories, lineages, and honors, historical properties, military historical studies, and other military history matters.

(f) Inspector general investigations, inquiries, and complaints not involving Headquarters, U.S. Continental Army Command responsibilities, policies, or actions; nominating officers for detail as inspector general; and quotas for attendance at Office of The Inspector General orientation course.

(g) Information and community relations matters when necessary to expedite handling because of national or potential national interest. Headquarters which have been bypassed will be informed as soon as practicable regarding the action taken.

(h) Claims and litigation and other legal matters.

(i) Matters pertaining to spectrum allocation, assignment of radio frequencies, call signs, address groups and address indicating groups, and reports concerning radio frequency interference and usage.

(j) Research and development informational and administrative matters pertaining to the U.S. Army Reserve.

(k) Matters pertaining to table of distribution mobilization designation units for which a Headquarters, Department of the Army agency is the proponent.

(l) Scheduling and other arrangements for military assistance program orientation tours to Continental U.S. installations.

(m) Personal affairs, protocol, travel arrangements, security clearances, and

biographical matters concerning foreign students in training under auspices of the military assistance program.

(n) Technical matters pertaining to military engineering and mapping, geodetic and geographic activities.

(o) Matters pertaining to conducting and supervising the Department of the Army training, motivation, and leadership research program.

For the Adjutant General.

KENNETH K. HIBBS, LTC,
Lieutenant Colonel, AGC, Office
of the Comptroller, TAGO.

[F.R. Doc. 68-4343; Filed, Apr. 11, 1968;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

FATTY ACID PRODUCERS' COUNCIL

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 8A2280) has been filed by Fatty Acid Producers' Council, 485 Madison Avenue, New York, N.Y. 10022, proposing an amendment to § 121.1070 *Fatty acids* to provide for the use of a modified electron capture method as a screening method in lieu of the bioassay method prescribed in paragraph (c)(2) of that section for determining the presence of chick-edema factor in the identified fatty acids. The proposed method for detection of chick-edema factor is described in the "Journal of the Association of Official Analytical Chemists," vol. 51 (No. 2), pp. 489-490 (1968).

Dated: April 4, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4381; Filed, Apr. 11, 1968;
8:48 a.m.]

ROHM & HAAS CO.

Notice of Amendment of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice was given in the FEDERAL REGISTER of September 15, 1967 (32 F.R. 13148), that a petition (FAP 7A2190) had been filed by Rohm & Haas Co., Independence Mall West, Philadelphia, Pa. 19105, proposing that paragraph (b)(2) of § 121.1148 *Ion-exchange resins* be amended to read as set forth in that notice.

Notice is given that the petitioner has filed an amendment to this petition

proposing that the requested use conditions be provided as an alternative to the use conditions presently prescribed in § 121.1148(b) (2).

Dated: April 4, 1968.

J. K. KIRK,
Associate Commissioner,
for Compliance.

[F.R. Doc. 68-4382; Filed, Apr. 11, 1968;
8:48 a.m.]

ROHM & HAAS CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 8A2266) has been filed by Rohm & Haas Co., Independence Mall West, Philadelphia, Pa. 19105, proposing that § 121.1148 *Ion-exchange resins* be amended to provide for the safe use of:

1. Methyl acrylate-divinylbenzene-diethylene glycol divinyl ether terpolymer containing not less than 2 percent by weight of divinylbenzene and not more than 1 percent by weight of diethylene glycol divinyl ether, aminolyzed with dimethylaminopropylamine, in the treatment of water for use in the manufacture of distilled alcoholic beverages; and
2. Methyl acrylate-divinylbenzene-diethylene glycol divinyl ether terpolymer containing not less than 3.5 percent by weight of divinylbenzene and not more than 1 percent by weight of diethylene glycol divinyl ether, aminolyzed with dimethylaminopropylamine, in the treatment of potable water having a pH of 5.0 or higher.

Dated: April 4, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-4383; Filed, Apr. 11, 1968;
8:48 a.m.]

Office of the Secretary

HOSPITAL AND MEDICAL CARE AND TREATMENT

Recovery of Cost; Delegations of Authority

The Statement of Organization and Delegations of Authority of the Office of the Secretary published in 32 F.R. 5813 and amended by 33 F.R. 5174 is hereby amended to redelegate the functions in section 2-300.50-1 by adding new section 2-300.50-2 as follows:

Sec. 2-300.50-2 *Redelegations by the Assistant General Counsel, Business and Administrative Law Division.* The authorities delegated to the Assistant General Counsel, Business and Administrative Law Division by section 2-300.50-1 have been redelegated to the Regional Attorneys in each of the nine Regional Offices of this Department, with respect to claims for the recovery of the reasonable value of hospital and medical care

and treatment furnished by this Department in the amount of \$2,500.00 or less which have not been referred to the Department of Justice for further action.

Dated: April 8, 1968.

DONALD F. SIMPSON,
Assistant Secretary for
Administration.

[F.R. Doc. 68-4384; Filed, Apr. 11, 1968;
8:48 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ASSISTANT REGIONAL ADMINISTRATOR FOR RENEWAL ASSISTANCE ET AL., REGION V (FORT WORTH)

Redelegations of Authority With Respect to Specific Programs; Revocations

The redelegations of authority by the Regional Administrator, Region V (Fort Worth), to the Assistant Regional Administrator for Renewal Assistance, the Deputy Assistant Regional Administrator for Renewal Assistance, and others, with respect to specific programs effective November 9, 1966 (32 F.R. 6225, Apr. 20, 1967), are hereby amended under section B by adding "the Regional Rehabilitation Loan Officer," immediately following "the Chief, Rehabilitation Loan and Grant Branch,".

Effective date. This amendment of redelegations of authority shall be effective as of March 13, 1967.

W. W. COLLINS,
Regional Administrator,
Region V.

[F.R. Doc. 68-4399; Filed, Apr. 11, 1968;
8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-234]

GULF GENERAL ATOMIC, INC.

Order Extending Completion Date

Gulf General Atomic, Inc., of San Diego, Calif., having filed a request dated March 22, 1968, for extension of the latest completion date specified in Construction Permit No. CPCX-28 and good cause having been shown for extension of said date, pursuant to section 185 of the Atomic Energy Act of 1954, as amended, and § 50.55 of the Commission's regulations:

It is hereby ordered that the latest completion date for Construction Permit No. CPCX-28 is extended to June 1, 1968.

Date of issuance: April 1, 1968.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 68-4342; Filed, Apr. 11, 1968;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18586]

SERVICE TO ALBUQUERQUE CASE

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on May 15, 1968, at 10 a.m. local time in the ballroom of the Western Skies Motor Hotel, 13400 Central Avenue SE., Albuquerque, N. Mex. 87112, and on May 20, 1968, at 10 a.m. local time in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on December 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., on April 5, 1968.

[SEAL] WILLIAM J. MADDEN,
Hearing Examiner.

[F.R. Doc. 68-4372; Filed, Apr. 11, 1968;
8:47 a.m.]

[Docket No. 18136]

COMPAGNIE NATIONALE AIR FRANCE ENFORCEMENT PROCEEDING

Notice of Postponement of Hearing

Notice is hereby given that the hearing in the above-entitled proceeding, now assigned to be held April 16, 1968, is hereby postponed indefinitely.

Dated at Washington, D.C., April 5, 1968.

[SEAL] RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 68-4373; Filed, Apr. 11, 1968;
8:47 a.m.]

[Docket No. 18401, etc.]

SERVICE TO OMAHA AND DES MOINES CASE

Notice of Further Prehearing Conference

Notice is hereby given that a further prehearing conference in the above-entitled case is assigned to be held before the undersigned Examiner on May 1, 1968, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

In order to facilitate the conduct of the conference parties are instructed to submit to the examiner and other parties (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before

April 19, 1968, and other parties on or before April 26, 1968.

Dated at Washington, D.C., April 5, 1968.

[SEAL]

RICHARD A. WALSH,
Hearing Examiner.

[P.R. Doc. 68-4374; Filed, Apr. 11, 1968;
8:47 a.m.]

[Docket Nos. 19160, 18381; Order E-26629]

SOUTHEAST AIRLINES, INC.

Order To Show Cause Regarding Establishment of Service Mail Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 8th day of April 1968.

By amended petition filed March 21, 1968, Southeast Airlines, Inc. (Southeast), requested the Board to establish, (1) as a final service mail rate for the transportation of mail by aircraft between Miami, Marathon, and Key West, Fla., the rate established by the Board in Order E-25610, August 28, 1967, as amended; and (2) as a temporary service mail rate for the transportation of nonpriority mail¹ between Miami, Marathon, and Key West, Fla., the rate established by the Board in Order E-17255, July 31, 1961, as amended. Southeast also requested that it be named as a party in the pending Nonpriority Mail Rate Case, Docket 18381. The proposed rates are acceptable to the Post Office Department and no objections have been filed to the level of the rates.

By Order E-26518, March 15, 1968, Southeast was granted, inter alia, a temporary exemption to carry mail without eligibility for subsidy between Miami, Marathon, and Key West, Fla., pending decision in the Southern Airways, Inc., Route Realignment Investigation, Docket 18610.

In view of this recent grant of operating authority, the Board has determined to fix the fair and reasonable temporary rate of compensation to be paid Southeast for the air transportation of nonpriority mail, and the final rate of compensation to be paid for the transportation of mail by aircraft, between Miami, Marathon, and Key West, Fla.

The nonpriority mail rate established by Order E-17255, July 31, 1961, is currently open.² The rates established therein, however, are currently being paid for the transportation of nonpriority mail subject to such retroactive change as the Board may ultimately require in that Docket. We will make the terms of Order E-17255 applicable here and thereby establish a temporary service mail rate for Southeast under the exemption granted

by Order E-26518 at the same level as that applicable to scheduled air carriers. This temporary service mail rate shall be subject to such retroactive changes as may be required by the final decision to be issued in Docket 18381, in which Southeast shall be made a party.

The service mail rate for the transportation of mail by aircraft was established by Order E-25610, August 28, 1967 in the Domestic Service Mail Rate Investigation, Docket 16349. We will make the terms of that Order applicable here and thereby establish a final service mail rate for Southeast's services under the exemption granted by Order E-26518 at the same level as that applicable domestically for the transportation of mail by aircraft by scheduled air carriers.³

Accordingly, upon consideration of the authority granted to Southeast by Order E-26518, March 15, 1968, and other matters officially noticed, the Board proposes to issue an order to include the following findings and conclusions:

1. The fair and reasonable temporary rate of compensation to be paid to Southeast Airlines, Inc., pursuant to section 406 of the Act, for the transportation by air of nonpriority mail, the facilities used and useful therefor, and the services connected therewith, between Miami, Marathon, and Key West, Fla., under the exemption granted in Order E-26518, is the service mail rate established by the Board in Order E-17255, July 31, 1961, as amended.

2. Southeast Airlines, Inc., shall be made a party in the pending Nonpriority Mail Rate Case, Docket 18381.

3. The fair and reasonable rate of compensation to be paid to Southeast Airlines, Inc., pursuant to section 406 of the Act, for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, between Miami, Marathon, and Key West, Fla., under the exemption granted in Order E-26518, is the service mail rate established by Order E-25610, August 28, 1967, as amended;

4. The final and temporary service mail rates here fixed are to be effective for mail services provided on and after March 21, 1968, and are to be paid in their entirety by the Postmaster General.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 406 thereof, and the Regulations promulgated in 14 CFR Part 302:

It is ordered, That:

1. All interested persons, and particularly Southeast Airlines, Inc., American Air Taxi, Inc., National Airlines, Inc., and the Postmaster General are directed to show cause, if there be any, why the Board should not adopt the foregoing proposed findings and conclusions and fix, determine, and publish as the fair and reasonable temporary

³ The service mail rates herein proposed shall supersede the rates heretofore established in Orders E-23031, December 23, 1965, and E-23931, July 11, 1966 for Southeast's air taxi mail services in the Miami, Marathon, Key West market.

and final rates of compensation to be paid Southeast for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, the rates set forth in paragraphs 1 and 3 above, to be effective March 21, 1968;

2. Further procedures herein shall be in accordance with 14 CFR Part 302; and, if there is any objection to the rates or to the other findings and conclusions proposed herein, notice thereof shall be filed within 10 days, and if notice is filed, written answer and supporting documents shall be filed within 30 days after the date of service of this order;

3. If notice of objection is not filed within 10 days, or if notice is filed and if answer is not filed within 30 days after service of this order, all persons shall be deemed to have waived the right to a hearing and all other procedural steps short of a final decision by the Board, and the Board may enter an order incorporating the findings and conclusions proposed herein and fix and determine the final and temporary rates specified herein;

4. If any answers are filed presenting issues for hearing, the issues involved in determining the fair and reasonable rates herein shall be limited to those specifically raised by such answers except as otherwise provided in 14 CFR 302.307.

5. This Order shall be served upon Southeast Airlines, Inc., American Air Taxi, Inc., National Airlines, Inc., and the Postmaster General.

This Order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[P.R. Doc. 68-4375; Filed, Apr 11, 1968;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 18088-18090; FCC 68M-556]

ADVANCED COMMUNICATIONS CO. ET AL.

Order Continuing Prehearing Conference

In the matter of applications of Francis I. Lambert and Harry L. Brock, Jr., trading as Advanced Communications Co. for construction permit for a new public class III-B coast station to be located at Stratford, Conn. (File No. 2834-M-P-16) and to add an additional frequency to station KWB 437, Groton, Conn. (File No. 3872-M-P-67), Docket No. 18088 (File Nos. 2834-M-P-16, 3872-M-P-67); application of Liberty Communications, Inc., for a construction permit for a new public class III-B coast station to be located at Trumbull, Conn. (File No. 2906-M-P-26), Docket No. 18089, File No. 2906-M-P-26; applications of New York Telephone Co. for construction permit for new public class

¹ As used herein, "nonpriority mail" refers to such first-class mail, other than that designated air mail or air parcel post by the sender which the Post Office elects to deliver to Southeast for transportation on a voluntary space-available basis.

² These rates were opened by the Postmaster General's petition of Apr. 6, 1967 (Docket 18381).

III-B coast stations to be located at Riverhead, N.Y. (File No. 3369-M-P-116) and at Noyack, N.Y. (File No. 3490-M-P-17), Docket No. 18090, File Nos. 3369-M-P-116, 3490-M-P-17.

On the unopposed letter-request of counsel for Advanced, dated April 2, 1968: *It is ordered*, That the prehearing conference is rescheduled from April 17 to May 15, 1968, at 10 a.m. The hearing, which had been set for May 1, 1968, is continued to a date to be scheduled at the conference.

Issued: April 3, 1968.

Released: April 5, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary

[F.R. Doc. 68-4387; Filed, Apr. 11, 1968;
8:48 a.m.]

[Docket Nos. 17921-17923; FCC 68R-142]

BABCOM, INC., ET AL.

Memorandum Opinion and Order Enlarging Issues

In re applications of Babcom, Inc., Springfield, Mo., Docket No. 17921, File No. BP-16908; Dr. Samuel N. Morris, trading as Upshur Broadcasting Co., Gilmer, Tex., Docket No. 17922, File No. BP-16982; Giant Broadcasting Co., Inc., Ozark, Ark., Docket No. 17923, File No. BP-17103; for construction permits.

1. The above captioned applications seeking authority to construct new standard broadcast stations operating on 1060 kHz, were designated for hearing by Order, FCC 67-1331, released December 28, 1967. The Commission, in the designation order, specified suburban community issues against Giant Broadcasting Co., Inc. (Giant); and areas and populations and section 307(b) issues relating to all of the applicants. Presently before the Review Board is a petition to enlarge issues,¹ filed January 18, 1968, by Giant, which requests the addition of coverage and suburban community issues against Dr. Samuel N. Morris trading as Upshur Broadcasting Co. (Upshur).²

Coverage issue. 2. Giant avers that a substantial question exists as to whether Upshur's 25 mv/m ground wave contour will provide satisfactory service to the business area of Gilmer, Tex., in accordance with the provisions of § 73.188(b)

(1) of the Commission's rules.³ In support of its request for a coverage issue, Giant submits the affidavit of an engineering consultant, who alleges that the " * * * town of Gilmer is so far from the proposed site that it will not receive 25 mv/m service to the entire city area." Noting that Upshur has relied upon the conductivities of Figure M-3 of the Commission's rules⁴ to determine its proposed service contours, the affiant suggests that the recognized range of error inherent in such computations⁵ may result in the failure of Upshur's 25 mv/m contour to cover 100 percent of the Gilmer business district.

3. In opposition, Upshur argues that Giant has not submitted any measurement data in support of its request for a coverage issue. Rather, Upshur alleges, Giant has offered a specious engineering statement which in no way discredits Upshur's engineering showing as to its coverage of Gilmer. To demonstrate compliance with the coverage requirements of the rules, Upshur offers the statement of its consulting engineer, who alleges that a 25 mv/m signal " * * * is provided to all but the westernmost extremity of Gilmer, including 100 percent of the central business area." The Broadcast Bureau opposes the addition of a coverage issue.

4. In reply, Giant offers an additional affidavit of its engineer, which recites the results of a cooperative measurement test, conducted on February 19, 1968, with Upshur representatives under a Commission authorization. Such tests, Giant alleges, demonstrate that the 25 mv/m contour falls 3 miles short of the Gilmer city limits. Although we would not ordinarily permit a petitioner to rely on measurements submitted for the first time in a reply pleading, the Board will consider these measurements since they were taken with the cooperation and in the presence of representatives of the competing applicants. The data offered by Giant in its reply pleading substantiates its allegations, and raises a substantial question as to whether Upshur's proposal complies with the coverage requirements contained in the Commission's rules. The requested coverage issue will therefore be added.

Suburban community issue. 5. Pursuant to the Commission's policy statement on section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities,⁶ Giant requests

the addition of an issue to determine whether Upshur's broadcast proposal will realistically provide a local transmission facility for its specified station location, Gilmer, Tex. or for the larger community of Longview, Tex. Giant argues that the population test indicated above (footnote 6), was not intended as an inflexible standard, and that a threshold showing that a proposal actually seeks to serve a community other than the one specified in its application will receive favorable consideration. While it appears that the communities in question fail to meet the population test enunciated by the Commission, Giant argues that Upshur's 10 kilowatt proposal for Gilmer, Tex. (1960 U.S. census population 4,312), places a 5 mv/m signal over the entire city of Longview, Tex. (1960 U.S. census 40,500) and, for the reasons outlined hereafter, a suburban community issue should be added in this proceeding. Giant submits that unofficial population data recorded subsequent to the 1960 census indicates that Longview's present population, in fact, exceeds 50,000⁷ rendering the Commission's presumption operative. In any event, Giant argues, there is sufficient disparity in the populations of Gilmer and Longview to warrant action similar to that taken in V.W.B., Inc., FCC 67-158, 10 RR 2d 563.⁸ As additional support for the requested issue, Giant alleges (a) that total retail sales in Longview are several times larger than in Gilmer; (b) that Upshur's proposed transmitter site is located approximately 9 miles from Longview and 10 miles from Gilmer; (c) that coverage of Gilmer could be achieved with a 250 watt operation; (d) that even with a 10 kilowatt power output, a site could have been selected which would avoid 5 mv/m coverage to Longview, overlap of WNOE, New Orleans, La.,⁹ and would provide adequate Gilmer coverage; (e) that Upshur's principal, Dr. Samuel Morris is not a Gilmer resident; (f) that Upshur has failed to show that Gilmer has any separate and distinct programming needs or how its proposal is responsive to such needs; and (g) that estimated first year revenues of \$72,000 suggest an intent to serve the Longview market. The Broadcast Bureau urges that the Giant presentation, outlined above, constitutes a threshold presentation justifying the addition of the requested issue.

6. In opposition, Upshur avers that Giant's petition is merely an attempt

⁷ Giant offers (1) a Longview study conducted by Marvin Springer & Associates, urban planning consultants, which states that Longview's 1966 population was estimated at 50,000; (2) excerpts from the June 1, 1967 edition of "Sales Management," reciting a December, 1966 population estimate of 50,000; and (3) a community profile prepared by the Longview Chamber of Commerce.

⁸ In V.W.B., Inc., the Commission found an adequate threshold showing warranting a suburban community issue even though the population test was not met.

⁹ Giant notes that Upshur's application reveals overlap of 1.17 percent of the area and 1.47 percent of the population within its 0.5 mv/m contour.

¹ The other pleadings before the Board are: (a) Statement, filed Jan. 31, 1968, by the Broadcast Bureau; (b) opposition, filed Feb. 16, 1968, by Upshur; and (c) reply, filed Mar. 4, 1968, by Giant.

² In its petition, Giant also requested three issues relating to Upshur's financial qualifications; however, in light of information submitted by Giant in its opposition, Upshur concedes, in its reply, that such inquiry is not now required. Upon review of the financial evidence supplied by Upshur, the Board agrees that the addition of financial issues is not necessary.

³ Sec. 73.188(b)(1) states that an applicant's transmitter site should be selected so as to obtain a minimum field intensity of 25 to 50 mv/m over the business or factory area of its specified station location.

⁴ See § 73.183(c) of the Commission's rules.

⁵ Giant refers to a Commission publication (T.R.R. 2.1.4. (revised)) which allegedly "points out a range of errors possible in the use of M-3" measurements.

⁶ FCC 65-1153, 6 RR 2d 901. Therein, the Commission called for an examination to determine "whether the applicant's proposed 5 mv/m daytime contour would penetrate the geographic boundaries of any community with a population of over 50,000 persons and having at least twice the population of the applicant's specified community." If such a condition exists, a presumption arises that the applicant realistically proposes to serve the larger community.

to "get even" for the suburban community issue designated against Giant by the Commission. At the outset, Upshur questions the validity of Giant's recent population evidence, and asserts that the 1960 U.S. census figures are controlling. Citing Durgin Associates, Inc., FCC 67-1036, 11 RR 2d 205, Upshur argues that the requisite threshold showing requires more than a demonstration that an applicant " * * * happens to place a strong signal over a larger community." Upshur alleges that Gilmer is located over 20 miles from Longview and, far from being a suburb, is an "entity unto itself," i.e., Gilmer is the seat of Upshur County and has independent political, social, educational and economic operations.¹⁰ Furthermore, Upshur describes various business concerns and governmental agencies located in Gilmer and notes that during Dr. Morris' several trips to the community, no Longview businesses with a Gilmer branch were discovered. In addition, Upshur defends the validity of its revenue estimate of \$72,000 by citing Upshur County's 1965 retail sales total of \$14,368,000 (as reported in American Newspaper Market's circulation 1965) and the Commission's 1966 report on average AM-FM revenues. Upshur alleges that even though its application was filed prior to the adoption of the Commission's section 307(b) Policy Statement, a program survey was conducted by Dr. Morris which revealed the separate, distinct and unsatisfied needs of Gilmer.

7. While the presumption set forth in the Suburban Community policy statement, supra, is not raised here because of the population of Longview, Texas (40,500¹¹), the Commission in the policy statement indicated that a request to enlarge issues will receive " * * * favorable consideration, if the petitioner makes a threshold showing that the proposal will realistically serve primarily a community other than his specified community." In V.W.B., Inc., supra, the Commission, noting a reluctance to designate a suburban community issue on a mere showing that an applicant will place a strong signal over a larger community, nevertheless stated that an issue would be justified where the power proposed by an applicant is greatly in excess of the requirements of its specified community, and there is a great disparity in the relative size of the subject communities. In the instant case, Upshur,

which proposes a 10 kilowatt operation, has not attempted to rebut Giant's allegation that " * * * a site for a 250 watt station could have been selected within a 27 square mile area around Gilmer." Upshur's failure to defend its proposed power, which allegedly is forty times greater than required, raises an adverse inference as to the community it desires to serve. This inference is reinforced by the fact that Gilmer's population is approximately one-tenth that of Longview. Although the Commission stated in V.W.B., Inc., supra, that the " * * * proposed power and the relative size of the communities alone support * * *" the addition of an issue, these facts assumed additional significance when it was revealed that, due to prohibited overlap, the application would not have been accepted for filing had the larger community been specified.¹² Here, had Upshur specified Longview as its principal city location, prohibited overlap with Station WNOE, New Orleans, La., would have occurred. Finally, the Board regards as significant the alleged location of Upshur's proposed transmitter site, and the fact that it has not attempted to explain why a location closer to Longview than to Gilmer was chosen. The Board has considered the fact that the two communities in question are located approximately 20 miles apart, and the allegations offered by Upshur attempting to demonstrate Gilmer's independence from Longview and its ability to support a broadcast facility.¹³ While this information is relevant to our determination herein, it is insufficient to resolve the substantial question raised by the allegations contained in the instant petition.

8. Accordingly, it is ordered, That the petition to enlarge issues, filed January 18, 1968, by Giant Broadcasting Co., Inc. is granted to the extent indicated above and is denied in all other respects; and

9. It is further ordered, That the issues in this proceeding are enlarged by the addition of the following issues:

(a) To determine whether the proposal of Upshur Broadcasting Co. would provide coverage of the city sought to be served as required by § 73.183(b)(1) of the Commission's rules, and if not, whether circumstances exist which would warrant a waiver of said section.

(b) To determine whether the proposal of Upshur Broadcasting Company will realistically provide a local transmission facility for its specified station location or for another larger community, in light of all the relevant evidence

including but not necessarily limited to, the showing with respect to:

(1) The extent to which the specified station location has been ascertained by the applicant to have separate and distinct programming needs;

(2) The extent to which the needs of the specified station locations are being met by existing standard broadcast stations;

(3) The extent to which the applicant's program proposal will meet the specific unsatisfied programming needs of its specified station location; and

(4) The extent to which the projected sources of the applicant's advertising revenues within its specified station location are adequate to support its proposal, as compared with its projected sources from all other areas.

(c) To determine, in the event that it is concluded pursuant to the foregoing issue (b) that the proposal will not realistically provide a local transmission service for its specified station location, whether such proposal meets all of the technical provisions of the rules for standard broadcast stations assigned to the most populous community for which it is determined that the proposal will realistically provide a local transmission service; namely, Longview, Tex.

10. It is further ordered, That the burden of proceeding with the introduction of evidence and burden of proof under the issues added herein will be on Upshur Broadcasting Co.

Adopted: April 3, 1968.

Released: April 5, 1968.

FEDERAL COMMUNICATIONS
COMMISSION.¹⁴

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-4388; Filed, Apr. 11, 1968;
8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. E-7403]

EL PASO ELECTRIC CO.

Notice of Application

APRIL 4, 1968.

Take notice that on March 28, 1968, El Paso Electric Co. (Applicant) filed an application seeking an order pursuant to section 204 of the Federal Power Act authorizing the issuance of \$16 million principal amount of first mortgage bonds.

Applicant is incorporated under the laws of the State of Texas with its principal business office at El Paso, Tex., and is engaged in the electric utility business in 19 communities in Texas and 22 communities in New Mexico.

The Applicant proposes to sell the bonds at competitive bidding in accordance with the Commission's regulations. Applicant expects to open the bids on or about May 8, 1968. The bonds which will mature on May 1, 1978, will not be redeemable prior to May 1, 1973.

¹⁴ Review Board Member Nelson concurring; Board Member Pincock absent.

¹⁰ Upshur illustrates the independence of Gilmer by (a) explaining the difficulty in placing a telephone call to Longview, which is served by a different telephone company; and (b) an analysis of newspaper circulation in Upshur County which " * * * demonstrates that the residents of * * * Gilmer do not look to Longview for their newspapers."

¹¹ In determining population with respect to the operation of the "suburban community presumption", the 1960 U.S. Census figures represent the most bona fide measurement. The population projections and estimates offered by Giant are speculative, and therefore, will not be considered. Cf. Harriscope Broadcasting Corp. (KTWO), FCC 66R-468, 5 FCC 2d 723.

¹² Upshur cites Durgin Associates, Inc., supra, in support of its contention that Giant has failed to make the requisite threshold presentation. However in that case, in addition to the fact that the population of the larger city was only three times that of the specified community, there is no indication that the subject proposal would have suffered from the overlap infirmity had the applicant applied for the larger city.

¹³ We cannot, however, accept the contentions concerning Gilmer's distinct and separate programming needs, and Upshur's attempt to meet those needs since specific factual support for these contentions is lacking.

The proceeds from the sale of the bonds will be used to pay off various short-term borrowings of the Applicant and to finance a portion of the Applicant's construction program. Applicant's 1968 construction program has an estimated cost of \$16.6 million. This program includes \$5.2 million for generating equipment and \$6.4 million for transmission lines and substations.

Any person desiring to be heard or to make any protest with reference to said application should, on or before April 22, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-4344; Filed, Apr. 11, 1968;
8:45 a.m.]

[Docket No. CP68-265]

TEXAS GAS TRANSMISSION CORP.

Notice of Application

APRIL 4, 1968.

Take notice on March 29, 1968, Texas Gas Transmission Corp. (Applicant), Post Office Box 1160, Owensboro, Ky. 42301, filed in Docket No. CP68-265 an application pursuant to sections 7(b) and 7(c) of the Natural Gas Act for an order permitting the abandonment by sale of certain natural gas transmission facilities and a certificate of public convenience and necessity authorizing it to construct and operate a meter station and to rework a meter station, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks to abandon by sale to Western Kentucky Gas Co. (Western), a customer of Applicant, 32.28 miles of 10-inch pipeline (a part of Applicant's Slaughters-Mitchellville 10-inch pipeline), and three meter stations, together with all land, right-of-way properties and easements appurtenant thereto. The Applicant states that the agreed upon sale price is \$100,000.

Applicant also seeks authority to construct and operate a meter station to connect Applicant's pipeline facilities with those proposed to be sold to Western, and to rework Applicant's meter station in Logan County, Ky., at the southern end of the facilities proposed to be sold. The estimated cost of these facilities is \$22,400 to be financed from cash on hand.

The Applicant states that the purpose of the proposed sale is to permit Western to integrate the facilities into its system. It is stated that these facilities are used solely for service to Western. The facilities proposed to be constructed are to enable Applicant to deliver gas to Western from both ends of the facilities proposed to be sold.

Applicant further states that the proposed abandonment will have no detri-

mental effect upon Applicant or its other customers.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before May 1, 1968.

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 order and 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. 68-4345; Filed, Apr. 11, 1968;
8:45 a.m.]

[Docket No. CP68-266]

TEXAS GAS TRANSMISSION CORP.

Notice of Application

APRIL 4, 1968.

Take notice that on March 29, 1968, Texas Gas Transmission Corp. (Applicant), Post Office Box 1160, Owensboro, Ky. 42301, filed in Docket No. CP 68-266 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a meter station and pipeline facilities in order to interconnect Applicant's existing pipeline system with the facilities of Columbia Gulf Transmission Co. (Columbia Gulf) at Columbia Gulf's Rayne, La., compressor station in Acadia Parish, La., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks to construct and operate a dual 8-inch orifice meter station, including flow-control facilities, and approximately 800 feet of 16-inch tie-over and tie-in pipeline to the Eunice-Thibodaux Line in order to enable Applicant to take delivery of volumes of gas proposed to be transported for a period of not more than two years from the date of initial delivery (which is estimated to be November 1, 1969) by Columbia Gulf from Pecan Island, Vermilion Parish, La., pursuant to an agreement between Applicant and Columbia Gulf.

The Applicant states that the proposed facilities will enable it to receive gas proposed to be transported for it by Columbia Offshore Pipeline Co. to Pecan Island, and by Columbia Gulf, on a temporary basis from that point to Columbia Gulf's Rayne, La., compressor station. It is further stated that the proposed transportation arrangement will give Applicant additional time to determine its potential purchases in the Louisiana Offshore Area and then determine the most feasible method of transporting such gas from Pecan Island to Applicant's southern Louisiana system.

Total cost is estimated to be \$64,500 to be financed from cash on hand.

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 May 3, 1968.

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. 68-4346; Filed, Apr. 11, 1968;
8:45 a.m.]

[Docket No. CP68-262]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

APRIL 4, 1968.

Take notice that on March 27, 1968, Transcontinental Gas Pipe Line Corp. (Applicant), Post Office Box 1396, Houston, Tex. 77001, filed in Docket No. CP68-262 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing it to operate an additional delivery point to Sun Oil Co. (Sun) in the McComb Field, Pike County, Miss., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks to operate an additional delivery point to Sun pursuant to a firm transportation agreement between the two companies dated April

27, 1967, as amended by a letter-agreement dated February 6, 1968. The additional delivery point is to be the existing delivery point from Sun to Applicant in the McComb Field.

Applicant states that the additional delivery point proposed would enable Sun, on those occasions when volumes of gas presently available to Sun at McComb are insufficient for its full field operating requirements, to supplement its McComb supply with deliveries of its Texas and Louisiana produced gas, otherwise destined for its east coast operations.

The Applicant states that no additional facilities are required in order to render the 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 April 30, 1968.

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. 68-4347; Filed, Apr. 11, 1968; 8:45 a.m.]

[Docket No. CP68-264]

UNITED NATURAL GAS CO.

Notice of Application

APRIL 4, 1968.

Take notice that on March 28, 1968, United Natural Gas Co. (Applicant), 308 Seneca Street, Oil City, Pa. 16301, filed in Docket No. CP68-264 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing an increase in its Base Storage Inventory at the Ellensburg Storage Pool in Allegany, Bingham, and Genesee Townships, Potter County, Pa., 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 inject an additional 2,692,000 Mcf of Base Storage Gas at Ellensburg at an estimated cost of \$1,002,501. Additional top

storage capacity will result in an estimated average annual investment of \$484,000. Including a reapportionment of investment among the partners (Applicant, Consolidated Gas Supply Corp. and Tennessee Gas Pipeline Co., a division of Tenneco, Inc.), the estimated average annual increased investment by Applicant is \$1,582,000.

The Applicant proposes to finance the project with funds on hand.

The Applicant states that the proposed increase in storage capacity is needed to provide an additional 23,000 Mcf per day deliverability and additional top storage capacity of 2,600,000 Mcf to meet the increasing requirements of its customers.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before April 30, 1968.

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. 68-4348; Filed, Apr. 11, 1968; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

ALCAR INSTRUMENTS, INC.

Order Suspending Trading

APRIL 5, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Alcar Instruments, Inc., 225 East 57th Street, New York, N.Y., 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 April 7,

1968, through April 16, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-4357; Filed, Apr. 11, 1968; 8:46 a.m.]

[File No. 1-4148]

ALSCO, INC.

Order Suspending Trading

APRIL 5, 1968.

The Class A common stock and the 5½ percent convertible subordinated debentures of AlSCO, Inc., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of AlSCO, Inc., 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 April 5, 1968, through April 14, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-4358; Filed, Apr. 11, 1968; 8:46 a.m.]

[File No. 2-14886]

ALSCOPE CONSOLIDATED, LTD.

Order Suspending Trading

APRIL 8, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Alscope Consolidated, Ltd., Passaic, N.J., 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 April 9, 1968, through April 18, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-4359; Filed, Apr. 11, 1968; 8:46 a.m.]

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.**Order Suspending Trading**

APRIL 5, 1968.

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 April 7, 1968, through April 16, 1968, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F.R. Doc. 68-4360; Filed, Apr. 11, 1968;
8:46 a.m.]**FASTLINE, INC.****Order Suspending Trading**

APRIL 5, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Fastline, Inc., New York, N.Y., 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 April 7, 1968, through April 16, 1968, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F.R. Doc. 68-4361; Filed, Apr. 11, 1968;
8:46 a.m.]

[812-2200]

GOLDFIELD CORP.**Notice of Filing of Application for Order of Temporary Exemption**

APRIL 5, 1968.

Notice is hereby given that the Goldfield Corp. ("Applicant"), 720 Fifth Avenue, New York, N.Y. 10019, a Wyoming corporation, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission extending for a period of 120 days the temporary exemption of Applicant from section 7 of the Act, which was granted by the

Commission's order of February 15, 1968 (Investment Company Act Release No. 5281) and which expires on April 19, 1968.

Applicant in requesting such extension has agreed that the Commission may impose in connection therewith the same condition upon which the Commission's order of February 15, 1968, was entered; i.e., that Applicant and other persons in their transactions and relations with it be subject to all provisions of the Act, and the respective rules and regulations promulgated under each of such provisions, as though Applicant were a registered investment company, other than the following: Section 8, section 10(a), subsections (f), (g), (h), and (i) of section 17, section 18 (except subsection (d) thereof), section 20(a), section 23, section 30 (except subsection (f) thereof), and section 31 of the Act, and the respective rules and regulations thereunder. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

On October 12, 1967, Applicant filed an application pursuant to section 3(b) (2) of the Act for an order of the Commission declaring it to be primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities, either directly or through a controlled company. Section 3(b) (2) provides that the filing of an application thereunder shall exempt an applicant for a period of 60 days from all provisions of the Act applicable to investment companies as such. The 60-day period of exemption provided in section 3(b) (2) of the Act expired, in Applicant's case, on December 11, 1967. Applicant then applied for and, as indicated above, the Commission by order of February 15, 1968, granted Applicant an exemption from section 7 of the Act for the period from December 11, 1967, until April 19, 1968, subject to the condition referred to above. As indicated above, Applicant has consented that the same condition may be imposed in connection with the requested extension of said exemption for an additional 120-day period.

Section 6(c) provides that the Commission, by order upon application, may conditionally or unconditionally exempt any person from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Section 6(e) provides that, if, in connection with any order under section 6 exempting any investment company from section 7, the Commission deems it necessary or appropriate in the public interest or for the protection of investors that certain specified provisions of the Act pertaining to registered investment companies shall be applicable in respect of such company, the provisions so specified shall apply to such company, and to other persons in their transactions and relations with such company, as though

such company were a registered investment company.

Notice is further given that any interested person may, not later than April 17, 1968, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall 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 address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. 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. 68-4362; Filed, Apr. 11, 1968;
8:46 a.m.]

[70-4616]

**MAINE YANKEE ATOMIC POWER CO.
Notice of Proposed Issue and Sale
of Short-Term Notes**

APRIL 5, 1968.

Notice is hereby given that Maine Yankee Atomic Power Co. ("Maine Yankee"), 9 Green Street, Augusta, Maine 04330, an electric utility company and an indirect subsidiary company of both Northeast Utilities and New England Electric System, registered holding companies, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) and 7 thereof as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Maine Yankee is constructing a nuclear electric generating plant with a net expected capacity of approximately 800 megawatts. Upon commencement of commercial operation, scheduled for 1972, all of the net energy output of the plant will be purchased by Maine Yankee's eleven stockholder companies. The

total capital cost of the plant is estimated at \$145 million.

In order to obtain interim financing for the construction of its plant, Maine Yankee proposes to issue and sell to the First National Bank of Boston, Massachusetts ("Bank"), from time to time prior December 31, 1972, its promissory notes in a maximum aggregate amount of \$30 million, each of which will mature in less than 12 months from the date of issue, will be prepayable at any time without penalty and will bear interest at the prime commercial rate in effect at the Bank on the date of issue of the note. It is stated that until 1970, the aggregate amount of such notes to be issued will not exceed \$20 million and that Maine Yankee's permanent financing for construction will be obtained by the issuance of additional common stock and bonds, both of which will be the subject of future filings. The notes to be issued under this declaration will be retired with proceeds therefrom.

It is stated that no fees or commissions, other than legal fees and expenses, estimated at \$2,000, will be paid by Maine Yankee in connection with proposed transactions. It is further stated that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 26, 1968, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service thereof (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 68-4363; Filed, Apr. 11, 1968; 8:46 a.m.]

[70-4615]

PEOPLES NATURAL GAS CO. AND CONSOLIDATED NATURAL GAS CO.

Notice of Proposed Acquisition of Common Stock and Debentures of Nonassociate Company

APRIL 8, 1968.

Notice is hereby given that Consolidated Natural Gas Co. ("Consolidated"), a registered holding company, and its gas utility subsidiary company, the Peoples Natural Gas Co. ("Peoples"), 30 Rockefeller Plaza, New York, N.Y. 10020, have filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 9(a) and 10 of the Act and Rule 40 promulgated thereunder as applicable to the transactions proposed therein. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Peoples proposes to acquire 25 shares of common stock, \$10 par value, of Allegheny Housing Rehabilitation Corp. ("AHRCO") at \$1,000 a share and \$75,000 principal amount of subordinated debentures of AHRCO at the principal amount thereof, for a total investment cost of \$100,000.

AHRCO was incorporated on January 16, 1968, in Pennsylvania for the purpose of acquiring, rehabilitating, and selling or retaining for rent, structurally sound but substandard or dilapidated slum housing in the Pittsburgh metropolitan area. It is stated that AHRCO was organized in response to an expressed need for government and others to take immediate action to provide decent and sanitary housing. It is believed that, with the aid of FHA mortgage insurance and Federal rent supplements, such housing can be provided after rehabilitation at rents equal to or below the rents before rehabilitation. It is planned that the initial paid-in capital of AHRCO will be in the amount of \$4 million. It will consist of \$1,300,000 to be obtained through the issue and sale to a limited number of corporate investors of: (1) 900 shares of common stock (\$10 par value—one vote per share) at a price of \$1,000 per share; (2) 400 shares of class B common stock (\$10 par value—one vote per every four shares) at a price of \$1,000 per share; and (3) \$2,700,000 of subordinated debentures with cumulative semiannual interest and principal payments if and when funds are available, with interest at the "prime rate" as charged from time to time by national banks in Pittsburgh.

Expenses in connection with the proposed transactions are estimated not to exceed \$400. It is stated that no State or Federal commission, other than this Commission, has jurisdiction over the proposed acquisitions.

Notice is further given that any interested person may, not later than April 29, 1968, request in writing that a

hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application 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 applicants 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. 68-4364; Filed, Apr. 11, 1968; 8:46 a.m.]

[File No. 1-5212]

ROTO AMERICAN CORP.

Order Suspending Trading

APRIL 5, 1968.

The common stock, \$1 par value, of Roto American Corp., being listed and registered on the National Stock Exchange pursuant to the provisions of the Securities Exchange Act of 1934 and the 7 percent cumulative preferred, \$10 par value, 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 National Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 6, 1968, through April 14, 1968, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 68-4365; Filed, Apr. 11, 1968; 8:46 a.m.]

[70-4611]

VERMONT YANKEE NUCLEAR POWER CORP.**Notice of Proposed Issue and Sale of Short-Term Notes**

APRIL 5, 1968.

Notice is hereby given that Vermont Yankee Nuclear Power Corp. ("Vermont Yankee"), 77 Grove Street, Rutland, Vt. 05701, an electric utility company and an indirect subsidiary company of both Northeast Utilities and New England Electric System, registered holding companies, has filed an application and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) thereof as applicable to the proposed transactions. All interested persons are referred to the amended application, which is summarized below, for a complete statement of the proposed transactions.

Vermont Yankee is constructing a nuclear electric generating plant with a net expected capacity of approximately 540 megawatts. Upon commencement of commercial operation, scheduled for 1971, all of the net energy output of the plant will be purchased by Vermont Yankee's 10 stockholder companies. The total capital cost of the plant is estimated at \$115 million.

In order to obtain interim financing for the construction of its plant, Vermont Yankee proposes to issue and sell to Bankers Trust Co. ("Bankers Trust") and the First National Bank of Boston, from time to time prior March 14, 1969, its promissory notes in a maximum aggregate amount of \$20 million, each of which will mature in 90 days from the date of issue, or no later than March 14, 1969, will be prepayable at any time without penalty and will bear interest at one-fourth of 1 percent above the prime commercial rate in effect at Bankers Trust on the date of issue of the note. It is contemplated that Vermont Yankee's permanent financing for construction will be obtained by the issuance and sale of long-term debt securities and of additional common stock, both of which will be the subject of future filings. The notes to be issued under this application will be retired with proceeds therefrom.

It is stated that the Vermont Public Service Board has jurisdiction over the proposed issuance and sale of the Vermont Yankee notes and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than April 26, 1968, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. 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 thereof (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 amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-4366; Filed, Apr. 11, 1968;
8:46 a.m.]

[File No. 1-4371]

WESTEC CORP.**Order Suspending Trading**

APRIL 5, 1968.

The common stock, 10 cents par value, of Westec Corporation, 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 April 7, 1968, through April 16, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-4367; Filed, Apr. 11, 1968;
8:47 a.m.]

[File No. 2-24176]

ZIMOCO PETROLEUM CORP.**Order Suspending Trading**

APRIL 8, 1968.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock of Zimoco Petroleum Corp., New York, N.Y., 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 April 9, 1968, through April 18, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 68-4368; Filed, Apr. 11, 1968;
8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 655]

TENNESSEE**Declaration of Disaster Loan Area**

Whereas, it has been reported that during the month of April 1968, because of the effects of certain disasters, damage resulted to residences and business property located in Shelby County, in the State of Tennessee;

Whereas, the Small Business Administration has investigated and received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property, situated in the aforesaid County, and areas adjacent thereto, suffered damage or destruction resulting from tornado occurring on or about April 3 and April 4, 1968.

OFFICE

Small Business Administration Regional Office, 500 Union Street, Nashville, Tenn. 37219.

2. A temporary office will be established at Millington, Tennessee, address to be announced locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to October 31, 1968.

Dated: April 5, 1968.

ROBERT C. MOOT,
Administrator.

[F.R. Doc. 68-4370; Filed, Apr. 11, 1968;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 9, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the *FEDERAL REGISTER*.

LONG-AND-SHORT HAUL

FSA No. 41282—*Pulpboard or fiberboard to Chicago, Ill.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2909), for interested rail carriers. Rates on pulpboard or fiberboard, n.o.i.b.n., in carloads, from Coshocton, Ohio, to Chicago, Ill., and points taking same rates.

Grounds for relief—Market competition.

Tariff—Supplement 101 to Traffic Executive Association-Eastern Railroads, agent, tariff ICC C-366.

FSA No. 41283—*Class and commodity rates between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 610), for interested rail carriers. Rates on sweetening compounds and other commodities named in the application, in carloads and tank carloads, between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Intrastate rates and maintenance of rates from and to points in other States not subject to the same competition.

Tariff—Supplement 77 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

AGGREGATE-OF-INTERMEDIATES

FSA No. 41284—*Class and commodity rates between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 611), for interested rail carriers. Rates on sweetening compounds and other commodities named in the application, in carloads and tank carloads, between points in Texas, over interstate routes through adjoining States.

Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 77 to Texas-Louisiana Freight Bureau, agent, tariff ICC 998.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-4395; Filed, Apr. 11, 1968; 8:49 a.m.]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 9, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340), published in the *FEDERAL REGISTER*, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the *FEDERAL REGISTER* publication within 15 calendar days after the date of notice of the filing of the application is published in the *FEDERAL REGISTER*. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests 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 67866 (Sub-No. 22A), filed March 29, 1968. Applicant: FILM TRANSIT, INC., 291 Hernando, Post Office Box 444, Memphis, Tenn. 38126. Applicant's representative: James W. Wrape, Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities* (except dangerous explosives, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, and livestock), (1) between Memphis, Tenn., and points in its commercial zone in Tennessee, on the one hand, and on the other, points in Kentucky, (1) on U.S. Highway 51 between Fulton and Clinton, Ky.; (2) on Kentucky State Highway 94 between its intersection with U.S. Highway 51 and the Kentucky-Tennessee State line; (3) on U.S. Highway 44 between Fulton, and Paducah, Ky.; (4) on U.S. Highway 641 between the Kentucky-Tennessee State line and its intersection with U.S. Highway 68, then on U.S. Highway 68 to Paducah, Ky.; and (5) including the terminals as described above; (2) between Memphis, Tenn., and its commercial zone in Arkansas and Tennessee, on the one hand, and on the other, points in Missouri, within an area beginning at the intersection of U.S. Highway 61 and the Arkansas-Missouri State line, westwardly along the State line to the St. Francis River, thence along the St. Francis River to its intersection with U.S. Highway 62, thence along U.S.

Highway 62 to its intersection with U.S. Highway 61, thence along U.S. Highway 61 to its intersection with the Arkansas-Missouri State line, and additionally serving the off route points of New Madrid, Lillbourn and Caruthersville, Mo.; (3) between Memphis, Tenn., and its commercial zone in Tennessee and Arkansas, on the one hand, and on the other, points in Alabama on U.S. Highway 72 between the Mississippi-Alabama State line and Florence, Ala. (including Florence, Ala.), and Red Bay and Hamilton, Ala. Restrictions: (1) No service shall be rendered in the transportation of any package or article weighing more than 70 pounds or exceeding 108 inches in length and girth combined; (2) no service shall be provided in the transportation of packages or articles weighing in the aggregate more than 100 pounds from one consignor to one consignee on any one day, for 180 days. Supporting shippers: There are approximately (130) 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: W. W. Garland, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 390 Federal Office Building, 167 North Main Street, Memphis, Tenn. 38103.

No. MC 103654 (Sub-No. 135 TA), filed March 29, 1968. Applicant: SCHIRMER TRANSPORTATION COMPANY, INCORPORATED, 1145 Homer Street, St. Paul, Minn. 55116. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Water*, from Chippewa Falls, Wis., to Minneapolis, Minn., and Duluth, Minn., for 180 days. Supporting shipper: Seven-Up Bottling Co., 3612 East 44th Street, Minneapolis, Minn. 55406. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 104004 (Sub-No. 176 TA), filed March 29, 1968. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, N.Y. 10017. Applicant's representative: John J. Tynan (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those injurious or contaminating to other lading, between Nashville, Tenn., and Cumberland City, Tenn., from Nashville over Tennessee Highway 12 to junction Tennessee Highway 49, thence over Tennessee Highway 49 to Erin, Tennessee, thence over Tennessee Highway 149 to Cumberland City, and

return over the same route with service at intermediate and off-route points within 5 miles of Cumberland City, Tenn., including the Cumberland steam plant, for 180 days. Supporting shipper: Tennessee Valley Authority, Chattanooga, Tenn. 37401. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 104004 (Sub-No. 177 TA), filed March 29, 1968. Applicant: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York, N.Y. 10017. Applicant's representative: Associated Transport, Inc. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials, synthetic resins*, in bulk, in sealed tanks, between plantsites of Stein, Hall & Co., Inc., Charlotte, N.C., and Long Island City, N.Y., for 150 days. Supporting shipper: Stein, Hall & Co., Inc., 605 Third

Avenue, New York, N.Y. 10016. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 108207 (Sub-No. 240 TA), filed March 29, 1968. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street, 75207, Dallas, Tex. 75222. Applicant's representative: J. B. Ham (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meat*, from Omaha, Nebr., to Hutchinson, Kans. for 150 days. Note: Applicant intends to tack with existing authority. Supporting shipper: Doskocil Sausage, Inc., 9 North Main, South Hutchinson, Kans. 67501. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 124895 (Sub-No. 1 TA), filed March 29, 1968. Applicant: ADIRES B.

SWAN, doing business as A. B. SWAN, 111 Crescent Street, Rutland, Vt. 05701. Applicant's representative: Richard F. Sullivan, Woolworth Building, Rutland, Vt. 05701. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, and *wood cores*, from Rutland Town and Rutland City, Vt., to Ticonderoga, N.Y., for 180 days. Supporting shipper: Rutland Plywood Corp., Center Rutland, Rutland, Vt. Send protests to: Martin P. Monaghan Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 38, Montpelier, Vt. 05602.

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-4396; Filed, Apr. 11, 1968; 8:49 a.m.]

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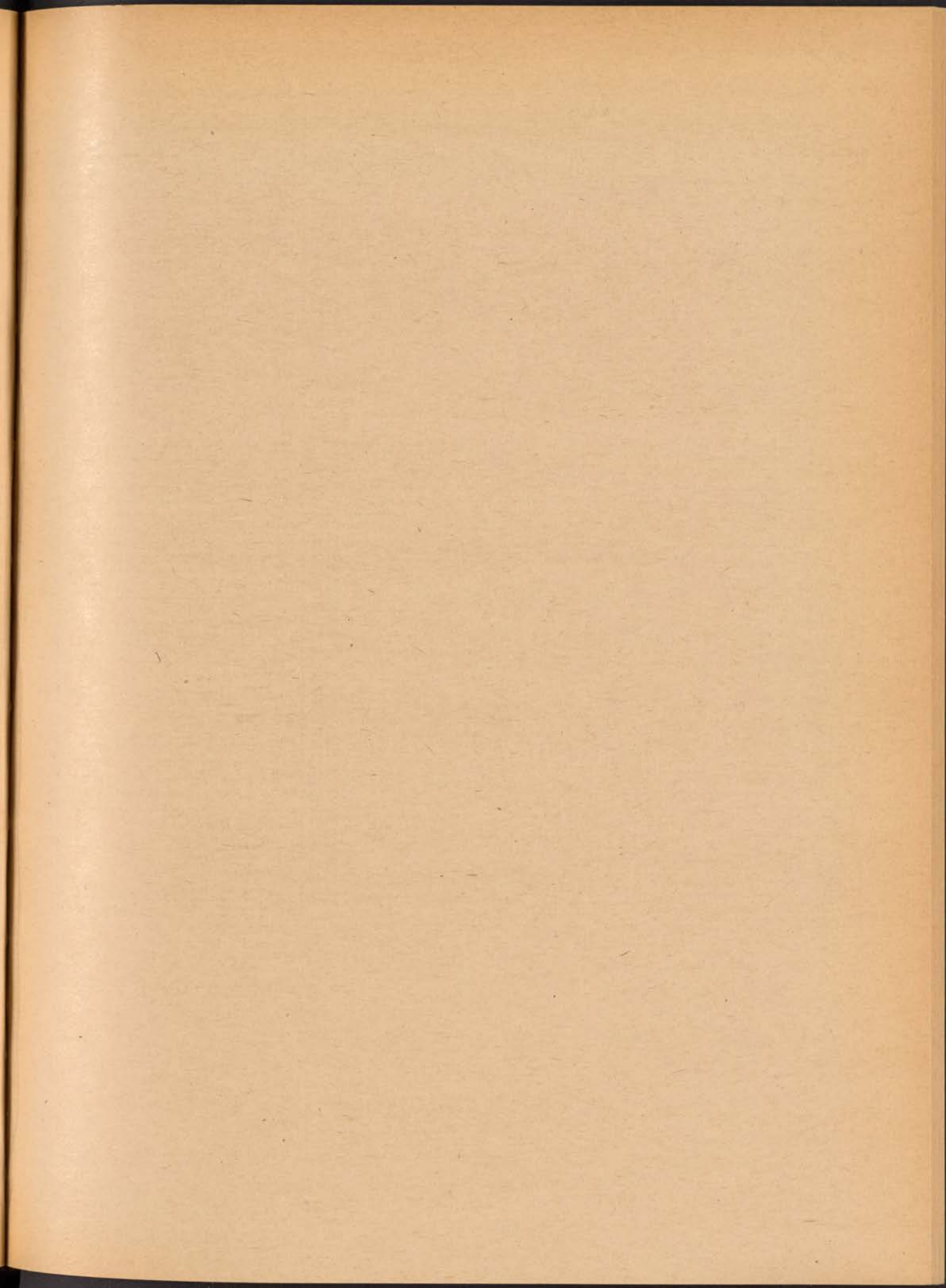
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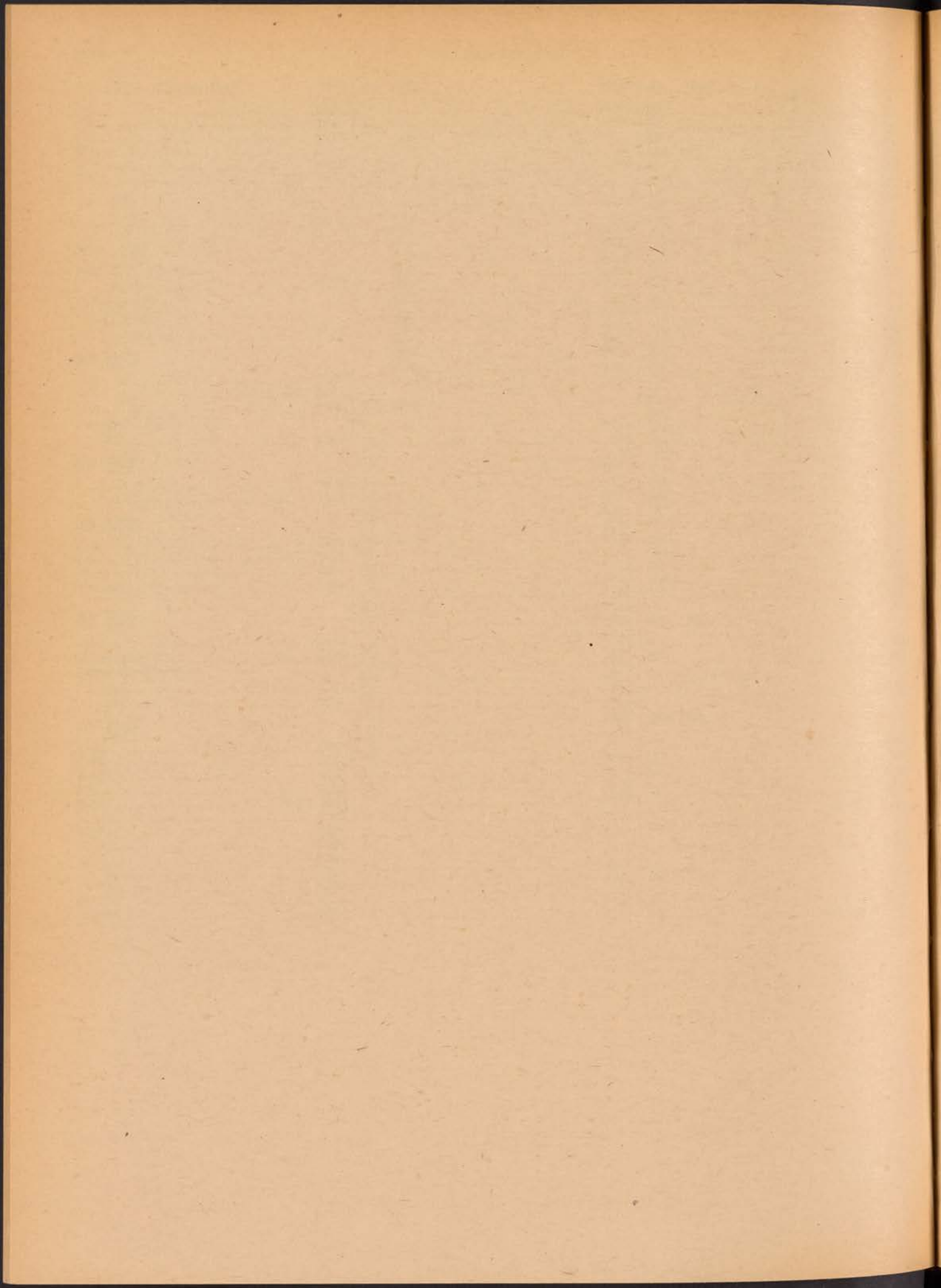
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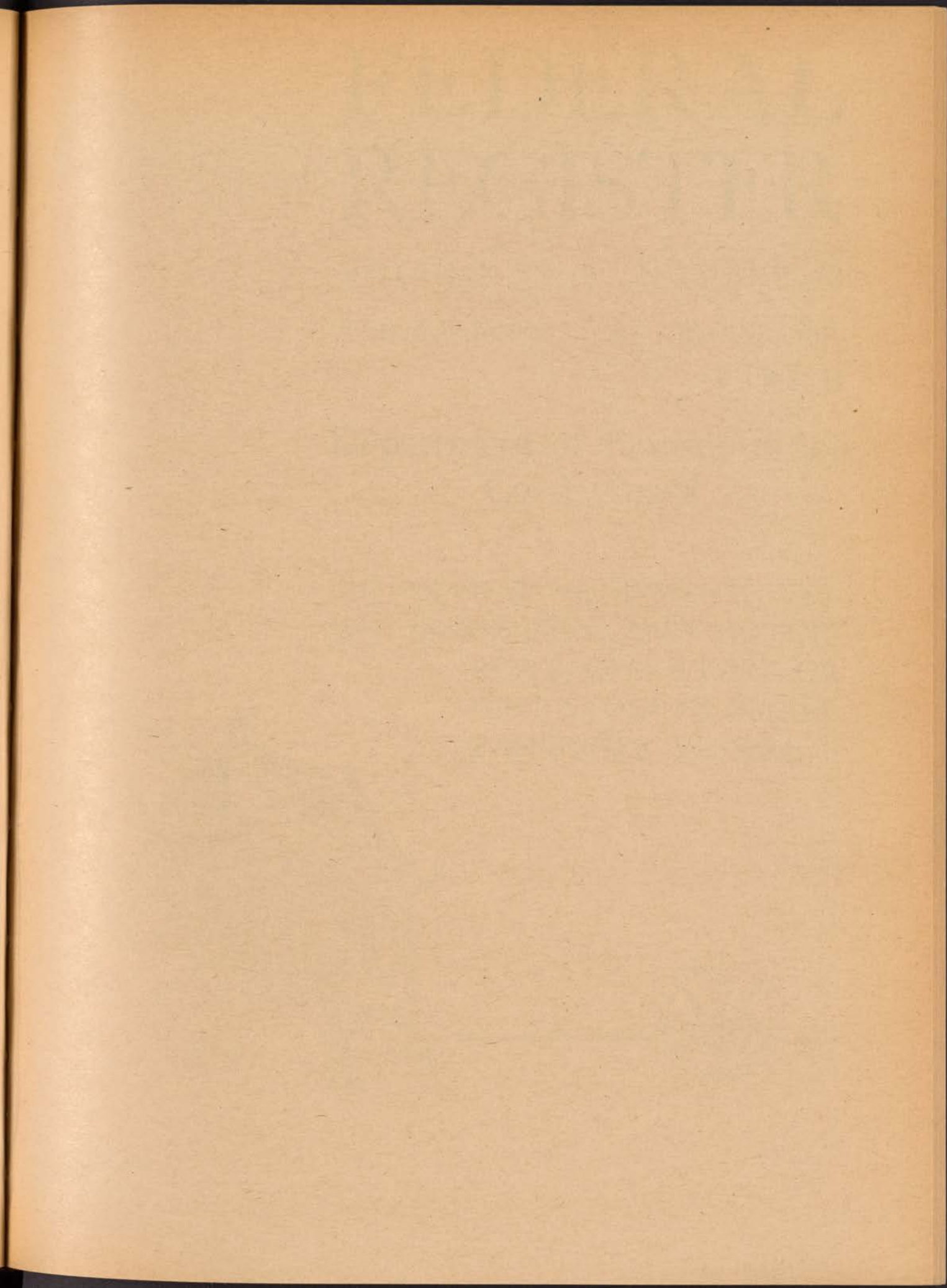
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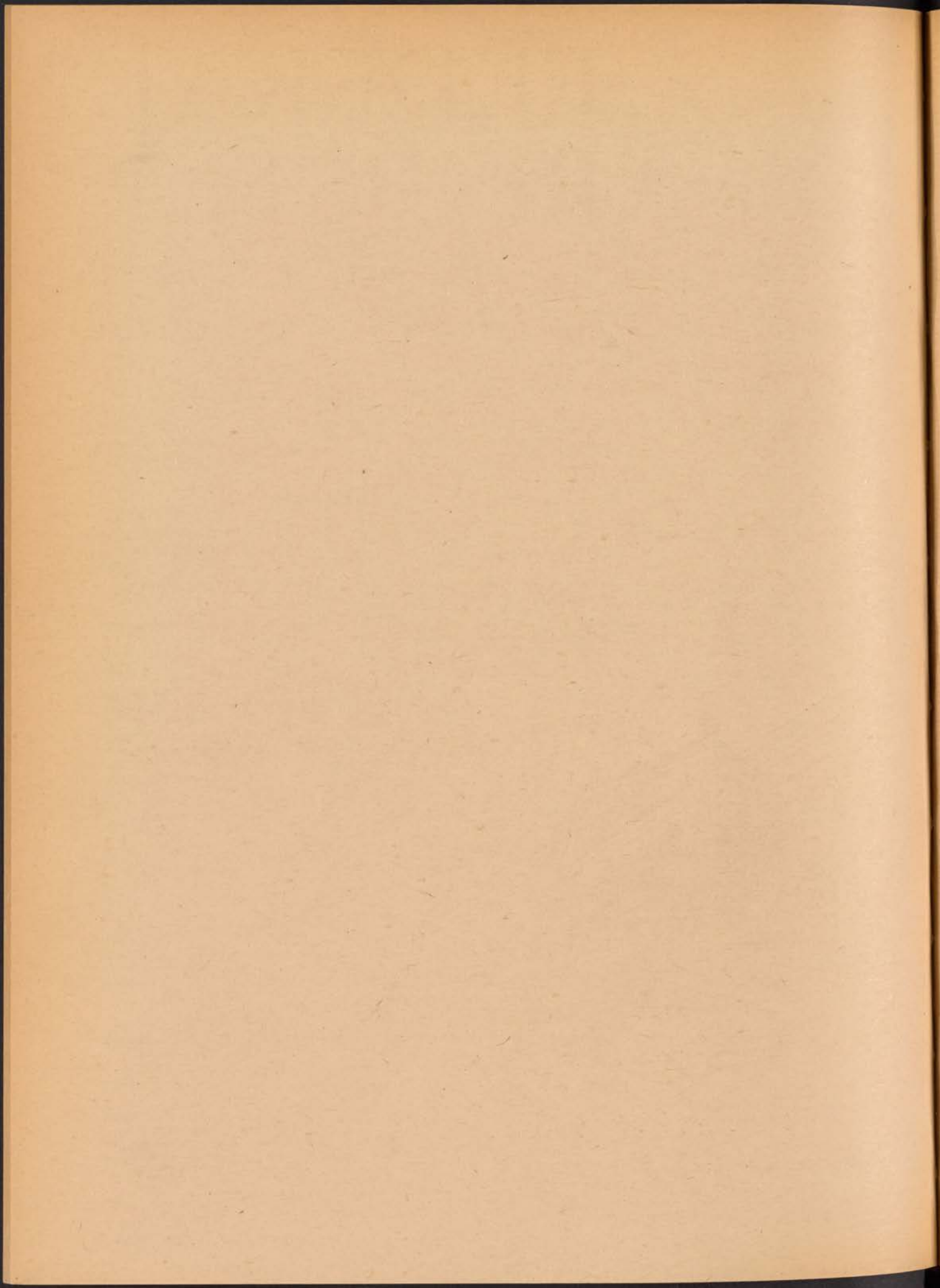
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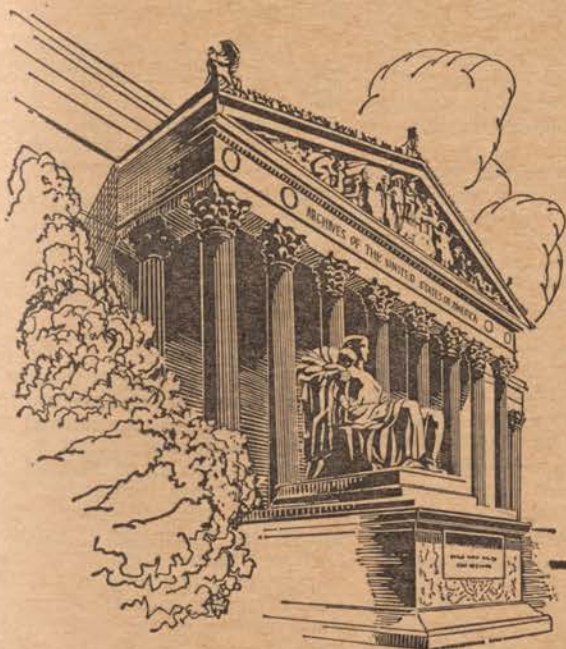
VOLUME 33 • NUMBER 72

Friday, April 12, 1968 • Washington, D.C.

PART II

Department of Transportation
Coast Guard

LIFESAVING EQUIPMENT, VES-
SEL INSPECTION, AND MOTOR-
BOAT OPERATORS OR
OPERATORS OF SMALL
PASSENGER VESSELS



Title 46—SHIPPING

Chapter I—Coast Guard, Department of Transportation

[CGFR 68-32]

LIFESAVING EQUIPMENT, VESSEL INSPECTION, AND MOTORBOAT OPERATORS OR OPERATORS OF SMALL PASSENGER VESSELS

1. Pursuant to the notice of proposed rule making published in the *FEDERAL REGISTER* of January 24, 1967 (32 F.R. 795-807), and the Merchant Marine Council Public Hearing Agenda dated March 20, 1967 (CG-249), the Merchant Marine Council held a public hearing on March 20, 1967, for the purpose of receiving comments, views, and data. The proposals considered were identified as Items PH 1-67 to PH 13-67, inclusive. Item PH 8-67 contained proposals regarding lifesaving equipment (CG-249, pages 130 to 147, inclusive). Item PH 9-67 contained proposals regarding vessel inspections (CG-249, pages 148 to 169, inclusive). Item PH 11-67 contained proposals regarding operators or ocean operators of small passenger vessels and motorboat operators (CG-249, pages 187 to 197, inclusive). These proposals, as revised, are adopted and set forth in this document.

2. Interested persons have been afforded an opportunity to participate in the consideration of these proposals and certain changes were made in the proposals as a result thereof. With respect to the additional life preservers required on small passenger vessels (Item PH 8a), the text of 46 CFR 180.25-5(b) was revised to reflect that it applied when the vessels are on international voyages and are carrying more than 12 passengers. The proposal regarding color of lifeboats and buoyant apparatus on small passenger vessels (Item PH 8b) was changed so that the effective date therefore in 46 CFR 180.10-5, 180.10-15, and 180.10-20 will be July 1, 1968. The proposal regarding hydraulic (hydrostatic) and manual releases for lifesaving equipment (Item PH 8d) in 46 CFR subpart 160.062 was revised and additional procedures designated 46 CFR 2.75-17 to 2.75-19, inclusive, were added. The major changes provide for compliance with requirements of the Administrative Procedure Act and the Director of the Federal Register regarding incorporation of standards by reference. The changes in 46 CFR 33.20-20, 75.15-10(e), 94.15-10(e), 167.35-3, 180.20-1(c), and 192.15-10(e) clarify and require after July 1, 1969, only approved hydraulic releases and provide for existing hydraulic releases to be reconditioned to obtain Coast Guard approval.

3. With respect to the proposals regarding vessel inspection (Item PH 9a), the text of 46 CFR 35.10-3, regarding display of plans on tank vessels (TB/ALL), was clarified to show that application applied only to tank vessels of more than 100 gross tons. The miscellaneous updating changes for various inspection regulations (Item PH 9d) were

revised. The changes in 46 CFR 31.01-5, 71.20-15, 91.20-15, and 176.05-5 clarify the requirements and include reference to inspections of unfired pressure vessels. The proposal to define "primary lifesaving equipment" for tank, passenger, cargo and miscellaneous vessels was withdrawn. With respect to requirements for masts and sails on lifeboats, the requirement that the cover be made of canvas was deleted from 46 CFR 33.15-10(s), 75.20-15(s), and 94.20-15(s). In the proposals to update the regulations for uninspected vessels (Item PH 9e), the definitions for barge and oceanographic vessels were clarified, see 46 CFR 24.10-2 and 24.10-20. With respect to pilot ladders, the requirement in 46 CFR 26.03-15 was changed to require that at night illumination for such ladder shall be readily available rather than a specific requirement to have a light shining over the side.

4. With respect to the proposals regarding operators or ocean operators of auxiliary sailing vessels (Item PH 11a), the language was edited to have uniformity of style without changing the requirements. The proposal regarding recency of service for license as motorboat operator (Item PH 11d) was withdrawn.

5. The proposals in Items PH 8-67, PH 9-67, and PH 11-67 not mentioned in the preceding paragraphs were accepted as proposed. The Merchant Marine Council's actions with respect to comments received and proposals in Items PH 8-67, PH 9-67, and PH 11-67 are approved. With the publication of this document, the actions based on the Merchant Marine Council Public Hearing Agenda (CG-249), dated March 20, 1967, have been completed.

6. Various editorial amendments to the rules and regulations have been included in this document to bring them up to date and to show the assignment of functions to the U.S. Coast Guard in the Department of Transportation, including deletion of references to Treasury Department Orders describing delegations of authority.

7. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by section 632 of Title 14, United States Code, and the delegation of the Secretary of Transportation in 49 CFR 1.4(a)(2) (32 F.R. 5606), to promulgate regulations in accordance with the laws cited with the regulations below, the following amendments and new regulations are prescribed and shall be effective on July 1, 1968, or such later date as may be stated in specific regulations; however, the regulations in this document may be complied with in lieu of existing requirements prior to that date:

SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

PART 2—VESSEL INSPECTIONS

1. To reflect the transfer of the Coast Guard to the Department of Transportation, the authority note for Part 2 is amended to read as follows:

AUTHORITY: The provisions of this Part 2 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 838; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2).

Interpret or apply sec. 552, 80 Stat. 383, as amended; 5 U.S.C. 552. Additional authority is cited in parentheses following the sections affected.

Subpart 2.01—Inspecting and Certificating of Vessels

2. To reflect the transfer of the Coast Guard to the Department of Transportation, the authority note for Subpart 2.01 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 2.01 interpret or apply R.S. 4421, as amended, 4453, as amended; 46 U.S.C. 399, 435; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority is cited in parentheses following the sections affected.

Subpart 2.45—Waivers of Navigation and Vessel Inspection Laws

3. To reflect the transfer of the Coast Guard to the Department of Transportation, the authority note for Subpart 2.45 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 2.45 issued under secs. 1, 2, 64 Stat. 1120, as amended; 46 U.S.C. note preceding section 1.

Subpart 2.75—Approvals of Safety Equipment, Materials and Installations, and Qualifications for Construction Personnel

4. The authority note for Subpart 2.75 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 2.75 interpret or apply R.S. 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 4(e), 67 Stat. 462, sec. 3, 68 Stat. 675, sec. 8, 75 Stat. 403; 46 U.S.C. 481, 489, 526p, 1333, 390b, 43 U.S.C. 1333(e), 50 U.S.C. 198, 33 U.S.C. 1007. Additional authority is cited in parentheses following the sections affected.

5. Subpart 2.75 is amended by inserting after § 2.75-15 the following new sections:

§ 2.75-17 General policy regarding acceptance and use of industry specifications, standards, and codes.

(a) Certain equipment, materials and installations required by various provisions of the navigation and vessel inspection laws, and regulations in this chapter or in 33 CFR Parts 140 through 146 (artificial islands and fixed structures on the Outer Continental Shelf) have to be approved by the Commandant, U.S. Coast Guard, prior to their use. For many items of equipment, materials, and installations, the normal manufacturing practices are based on the use of certain industrial or Federal specifications, standards, and codes. However, it is realized that certain provisions are based on conditions normally found "ashore," rather than in the marine environment which may be experienced on board vessels or artificial islands and fixed structures. Industry specifications, standards, and codes are adopted and shall form a part of the regulations of this chapter to the extent specified in this subpart and in the more detailed regulations in Parts 160 through 164 (Subchapter Q—Specifications) of this chapter.

Unless specifically stated otherwise with the adopting regulations in Parts 160 through 164 of this chapter, the current issue of the specifications, standards or codes, including addenda or changes, described in the regulations shall be used. The current issue is that issue, including any addenda or changes, in effect on the date the work is contracted for, or, if no contract exists, the date fabrication is begun. The Commandant may authorize the use of an issue of an earlier or later date when circumstances warrant such action.

(b) Copies of the industry specifications, standards, and codes referred to in Parts 160 through 164 (Subchapter Q—Specifications) of this chapter may be obtained from the issuing authority unless indicated otherwise in the specific regulation. Copies of the specifications (including plans), standards, and codes referred to in Parts 160 through 164 of this chapter may, upon request, be examined at Coast Guard Headquarters, Washington, D.C. A set of these specifications (including plans), standards, and codes, including any addenda or changes, will be maintained by the Coast Guard so long as they are in effect and for a period of 10 years thereafter.

(c) The following organizations have specific selected specifications, standards, or codes referenced in Parts 160 through 164 (Subchapter Q—Specifications) of this chapter:

(1) American Society for Testing and Materials (ASTM), 1916 Race Street, Philadelphia, Pa. 19103.

(2) National Fire Protection Association (NFPA), 60 Batterymarch Street, Boston, Mass. 02110.

(3) Underwriters' Laboratories, Inc. (UL), 207 East Ohio Street, Chicago, Ill. 60611.

(d) The following Federal agencies have specific selected specifications (including plans), standards, and codes referenced in Parts 160 through 164 (Subchapter Q—Specifications) of this chapter:

(1) Coast Guard specifications and plans; Commandant (MMT), U.S. Coast Guard, Washington, D.C. 20591.

(2) Federal specifications or standards: Business Service Center, General Services Administration, Washington, D.C. 20407.

(3) Military or Navy specifications: Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa. 19120.

(4) Mine schedules: U.S. Bureau of Mines, Department of the Interior, Washington, D.C. 20240.

(5) National Bureau of Standards publications: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(6) Public Health Service standards: U.S. Department of Health, Education, and Welfare, Public Health Service, Washington, D.C. 20201.

(Sec. 552, 80 Stat. 383, as amended; 5 U.S.C. 552)

§ 2.75-18 Changes, interpretations, and exceptions to specifications, standards, and codes.

(a) When changes are made to the specifications, standards, and codes referenced in Parts 160 through 164 (Subchapter Q—Specifications) of this chapter, the effective date for their use as a part of the regulations in this chapter shall be the effective date set by the issuing authority of the specification, standard, or code. Any regulation in Parts 160 through 164 of this chapter containing material reproduced from a referenced specification, standard, or code will be changed by amendments published in the FEDERAL REGISTER without prior notice of proposed rule making. The effective date of such amendments will be the same as that set by the issuing authority of the applicable specification, standard, or code.

(b) If any person or organization desires changes, interpretations, or exceptions to requirements in any specification, standard, or code referenced in Parts 160 through 164 of this chapter, such person or organization should first present such request to the issuing organization and obtain a ruling thereon. The Coast Guard's policy with respect to such changes, interpretations or exceptions to any specification, standard, or code is to have them presented to the issuing authority for resolution; however, the right to provide specific exceptions or to restrict or to limit the use of a specification, standard, or code is expressly reserved. When an exception or restrictive action has general applicability, it will be published as a rule or regulation in Parts 160 through 164 of this chapter under rule making procedures governing emergency situations.

§ 2.75-19 Procedures followed when Coast Guard takes exception to changes in referenced published specifications, standards, and codes.

(a) The normal manufacturing practices are based on the use of certain industrial specifications, standards, and codes which are referenced in the text of Parts 160 through 164 (Subchapter Q—Specifications) of this chapter. However, it is realized that certain provisions of such requirements are based on conditions normally found ashore rather than what may exist in the marine environment on board vessels or artificial islands and fixed structures. Therefore, when the Coast Guard determines that a change in a specification, standard, or code referenced in the text of Parts 160 through 164 of this chapter permits material or equipment that is unsatisfactory for marine use, a restriction or prohibition will be published as a rule or regulation under rule making procedures governing emergency situations. The basis or reason underlying this determination will be included along with the published rule or regulation. This matter will also be considered at a Merchant Marine Council Public Hear-

ing as described in 33 CFR 1.05-15 so that all affected parties may present comments, suggestions, and recommendations, with respect to requirements for marine use.

(b) If a person or organization feels aggrieved by the decision of the Officer in Charge, Marine Inspection, based on a restriction or prohibition published under procedures governing emergency situations, such person or organization may appeal such actions in accordance with the provisions in § 2.01-70.

Subpart 2.95—Retention of Records by the Public

6. To reflect the transfer of the Coast Guard to the Department of Transportation, the authority note for Subpart 2.95 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 2.95 also interpret or apply sec. 4, 67 Stat. 462, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 43 U.S.C. 1333(e), 46 U.S.C. 390b, 50 U.S.C. 198.

SUBCHAPTER B—MERCHANT MARINE OFFICERS AND SEAMEN

PART 10—LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS

1. The authority note for Part 10 is amended to read as follows:

AUTHORITY: The provisions of this Part 10 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Additional statutes interpreted or applied are cited with sections affected.

Subpart 10.02—General Requirements for All Deck and Engineer Officers' Licenses

2. The authority note for Subpart 10.02 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.02 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4441, as amended, 4442, as amended, 4443, as amended, 4445, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 229, 214, 230, 231, 225, 237, 367, 390b, 50 U.S.C. 198. Additional authority is cited in parentheses following the sections affected.

§ 10.02-1 [Amended]

3. Section 10.02-1 *Issuance of licenses* is amended by deleting from the additional authority citation at end thereof reference to "Treasury Department Order 167-9, August 3, 1954, 19 F.R. 5195."

§ 10.02-29 [Amended]

4. Section 10.02-29 *Suspension and revocation of licenses* is amended by deleting from the additional authority citation at end thereof reference to "Treasury Department Order 167-9, August 3, 1954, 19 F.R. 5195."

Subpart 10.05—Professional Requirements for Deck Officers' Licenses (Inspected Vessels)

5. The authority note for Subpart 10.05 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.05 interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4439, as amended, 4440, as amended, 4442, as amended, 4443, as amended, 4445, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 226, 228, 214, 230, 231, 233, 225, 237, 367, 390b, 50 U.S.C. 198. Additional authority is cited in parentheses following the sections affected.

§ 10.05-46 [Amended]

6. Section 10.05-46 *Radar observer* is amended by changing in paragraph (d) (1) (ii) the street number from "A50" to "450."

Subpart 10.10—Professional Requirements for Engineer Officers' Licenses (Inspected Vessels)

7. The authority note for Subpart 10.10 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.10 interpret or apply R.S. 4417a as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4438a, as amended, 4441, as amended, 4443, as amended, 4445, as amended, 4445a, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, and sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 224a, 229, 230, 231, 233, 225, 237, 367, 390b, 50 U.S.C. 198.

§ 10.10-4 [Amended]

8. Section 10.10-4 *Examination for license as engineer officer of steam or motor vessels* is amended by changing in subject numbered 77 in Table 10.10-4(b) the word from "flammable" to "flammable."

Subpart 10.13—Licensing of Radio Officers

9. The authority note for Subpart 10.13 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.13 interpret or apply secs. 1-8, 62 Stat. 232-234; 46 U.S.C. 229a-229h. Additional authority is cited in parentheses following the sections affected.

§ 10.13-5 [Amended]

10. Section 10.13-5 *General provisions respecting all licenses issued* is amended by deleting from the additional authority citation at end thereof reference to "Treasury Department Order 167-9, August 3, 1954, 19 F.R. 5195."

§ 10.13-21 [Amended]

11. Section 10.13-21 *General requirements for renewal of licenses* is amended by deleting from the additional authority citation at end thereof reference to "Treasury Department Order 167-9, August 3, 1954, 19 F.R. 5195."

Subpart 10.15—Licensing of Officers for Uninspected Vessels

12. The authority note for Subpart 10.15 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.15 interpret or apply R.S. 4438a, as amended; 46 U.S.C. 224a. Additional authority is cited in parentheses following the sections affected.

§ 10.15-25 [Amended]

13. Section 10.15-25 *Application and experience required for original or raise of grade of licenses* is amended by changing in the first sentence of paragraph (a) the phrase from "possess all the qualifications" to "possess all of the qualifications" and by deleting from the additional authority citation at end thereof reference to "Treasury Department Order 167-9, August 3, 1954, 19 F.R. 5195."

Subpart 10.20—Motorboat Operators' Licenses

14. The authority note for Subpart 10.20 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.20 interpret or apply secs. 7, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 526f, 526p. Additional authority is cited in parentheses following the sections affected.

§ 10.20-3 [Amended]

15. Section 10.20-3 *General requirements* is amended by deleting from the additional authority citation at end thereof reference to "Treasury Department Order 167-9, August 3, 1954, 19 F.R. 5195."

16. Section 10.20-9 is amended by revising the authority citation following paragraph (d) and transferring it to the end of the section, and by adding new paragraphs (e) and (f), which read as follows:

§ 10.20-9 Requirements for renewal.

(e) Every Officer in Charge, Marine Inspection, shall, before renewing an existing license for a motorboat operator who presents evidence of having served under the authority of his license within the 3 years next preceding the date of application for renewal, or who has been employed in a position closely related to the operation of such motorboats during the same 3-year period, require such licensed operator to present an affidavit that he has reviewed within the 3 months next preceding the date of application, the Rules of the Road applicable to the waters for which he is licensed, and demonstrate his knowledge of the application of the Rules of the Road.

(f) Every Officer in Charge, Marine Inspection, shall, before renewing the existing license for a motorboat operator who has not served under authority of his license within the 3 years next preceding the date of application for renewal, or who has not been employed in a position closely related to the operation of vessels or motorboats during the same 3-year period, satisfy himself that such licensed motorboat operator is thoroughly

familiar with the Rules of the Road applicable to the waters for which the applicant is licensed.

(Sec. 2, 68 Stat. 484; 46 U.S.C. 239b)

Subpart 10.25—Registration of Staff Officers

17. The authority note for Subpart 10.25 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 10.25 interpret or apply sec. 7, 53 Stat. 1147, as amended; 46 U.S.C. 247. Additional authority is cited in parentheses following the sections affected.

§ 10.25-7 [Amended]

18. Section 10.25-7 *General requirements* is amended by deleting from the additional authority citation at end thereof reference to "Treasury Department Order 167-9, August 3, 1954, 19 F.R. 5195."

PART 11—LICENSES IN TEMPORARY GRADES OR SPECIAL ENDORSEMENTS ON LICENSES TO PERMIT TEMPORARY SERVICE

The authority note for Part 11 is amended to read as follows:

AUTHORITY: The provisions of this Part 11 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417a, as amended, 4426, as amended, 4427, as amended, 4438, as amended, 4440, as amended, 4441, as amended, 4445, as amended, 4447, as amended, sec. 2, 29 Stat. 188, as amended, sec. 1, 34 Stat. 1411, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 404, 405, 224, 228, 229, 231, 233, 367, 50 U.S.C. 198.

PART 12—CERTIFICATION OF SEAMEN

The authority note for Part 12 is amended to read as follows:

AUTHORITY: The provisions of this part 12 issued under R.S. 4405, as amended, 4462, as amended, sec. 7, 49 Stat. 1936, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 689, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417a, as amended, 4488, as amended, 4551, as amended, sec. 13, 38 Stat. 1169, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, secs. 2, 3, 68 Stat. 484, 675; 46 U.S.C. 391a, 481, 643, 672, 367, 1333, 239b, 50 U.S.C. 198. Additional authority is cited in parentheses following the sections affected.

PART 14—SHIPMENT AND DISCHARGE OF SEAMEN

1. The authority note for Part 14 is amended to read as follows:

AUTHORITY: The provisions of this Part 14 issued under R.S. 4551, as amended, sec. 13, 38 Stat. 1169, as amended, sec. 7, 49 Stat. 1936, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 643, 672, 689, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Additional authority is cited in parentheses following the sections affected.

Subpart 14.05—Shipping Articles

§ 14.05-1 [Amended]

2. Section 14.05-1 *Preparation and number of copies of shipping articles* is amended by changing in the second sentence the ZIP number from "20226" to "20591."

§ 14.05-10 [Amended]

3. Section 14.05-10 *Completing entries in shipping articles at completion of voyage* is amended by changing in paragraph (a) the ZIP number from "20226" to "20591."

§ 14.05-20 [Amended]

4. Section 14.05-20 *Master reporting shipping and discharging of seamen on Form CG-735-T* is amended by changing in paragraph (c) the ZIP number from "20226" to "20591."

PART 15—ALLOTMENTS OF SEAMEN

The authority note for Part 15 is amended to read as follows:

AUTHORITY: The provisions of this Part 15 issued under sec. 10, 23 Stat. 55, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 599, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2).

PART 16—UNITED STATES SHIPPING COMMISSIONERS

The authority note for Part 16 is amended to read as follows:

AUTHORITY: The provisions of this Part 16 issued under sec. 7, 49 Stat. 1936, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 689, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2).

SUBCHAPTER C—UNINSPECTED VESSELS

PART 24—GENERAL PROVISIONS

1. The authority note for Part 24 is amended to read as follows:

AUTHORITY: The provisions of this Part 24 issued under R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 526p., 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Additional authority is cited in parentheses following the sections affected.

Subpart 24.01—Authority and Purpose

2. Section 24.01-5 is amended to read as follows:

§ 24.01-5 Assignment of functions.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b)(1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions, powers,

and duties as set forth in subsections 6(a)(4), 6(b)(1), and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders, rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

Subpart 24.10—Definition of Terms Used in This Subchapter

3. Subpart 24.10 is amended by inserting after § 24.10-1 a new § 24.10-2 reading as follows:

§ 24.10-2 Barge.

This term means any vessel not equipped with means of self-propulsion.

4. Subpart 24.10 is amended by inserting after § 24.10-19 a new § 24.10-20 reading as follows:

§ 24.10-20 Oceanographic vessel.

This term means an "oceanographic vessel" as defined in sections 441 and 442 of 46, U.S. Code, and is a vessel "employed exclusively in instruction in oceanography or limnology, or both, or exclusively in oceanographic research," or both.

Subpart 24.15—Equivalents

§ 24.15-5 [Amended]

5. Section 24.15-5 *Canadian pleasure craft temporarily using navigable waters of the United States* is amended by deleting from the authority note at the end thereof the reference "Treasury Department Order 167-32, September 23, 1958, 23 F.R. 7605."

Subpart 24.20—General Marine Engineering Requirements

§ 24.20-1 [Amended]

6. Section 24.20-1 *Marine engineering details* is amended by changing the authority note at the end thereof to read as follows:

(R.S. 4418, as amended, sec. 1, 54 Stat. 163, as amended; 46 U.S.C. 392, 526)

PART 25—REQUIREMENTS

1. The authority note for Part 25 is amended to read as follows:

AUTHORITY: The provisions of this Part 25 issued under R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended, sec. 6(b)(1), 80 Stat. 938; U.S.C. 375, 416, 526p., 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Additional authority is cited in parentheses following the sections affected.

Subpart 25.25—Life Preservers and Other Lifesaving Equipment

2. Subpart 25.25 is amended by inserting after § 25.25-20 a new § 25.25-25 reading as follows:

§ 25.25-25 Work vests.

(a) Approved work vests are considered to be items of safety apparel and may be carried aboard vessels to be worn by crew members when working near or over the water under favorable working conditions. When carried, such vests are not acceptable as a substitute for any portion of the approved lifesaving devices required by § 25.25-10.

(R.S. 4438, as amended, 4491, as amended; 46 U.S.C. 481, 489)

Subpart 25.30—Fire Extinguishing Equipment

3. Section 25.30-10(e) is amended to read as follows:

§ 25.30-10 Hand portable fire extinguishers and semiportable fire extinguishing systems.

(e) Vaporizing-liquid type fire extinguishers containing carbon tetrachloride or chlorobromomethane or other toxic vaporizing liquids are not acceptable as equipment required by this subchapter.

PART 26—OPERATIONS

1. The authority note for Part 26 is amended to read as follows:

AUTHORITY: The provisions of this Part 26 issued under R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 526p., 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Additional authority is cited in parentheses following the sections affected.

Subpart 26.03—Special Operating Requirements

2. Subpart 26.03 is amended by adding after § 26.03-5 new §§ 26.03-10 and 26.03-15, which read as follows:

§ 26.03-10 Signaling light.

(a) All vessels of over 150 gross tons, when engaged on an international voyage, shall be equipped with an efficient daylight signaling lamp in accordance with the requirements of Subchapter J (Electrical Engineering) of this chapter.

(Sec. 633, 63 Stat. 545; 14 U.S.C. 633; E.O. 11239, 3 CFR, 1965 Supp.)

§ 26.03-15 Pilot ladders.

(a) All vessels on ocean and coastwise voyages in the course of which pilots are likely to be employed shall have a ladder for the use of the pilot. A man rope, and a safety line shall be kept readily available for use in conjunction with the pilot ladder whenever circumstances may so require. At night illumination for the pilot ladder shall be readily available.

(Sec. 633, 63 Stat. 545; 14 U.S.C. 633; E.O. 11239, 3 CFR, 1965 Supp.)

Subpart 26.15—Boarding**§ 26.15-1 [Amended]**

3. Section 26.15-1 *May board at any time* is amended by deleting from the authority note at the end thereof the reference "Treasury Department Order 167-32, Sept. 23, 1958, 23 F.R. 7605."

Subpart 26.20—Exhibition of Motorboat Operator's License**§ 26.20-1 [Amended]**

4. Section 26.20-1 *Must be available* is amended by deleting from the authority note at the end thereof the reference "Treasury Department Order 167-20, June 18, 1956, 21 F.R. 4894."

SUBCHAPTER D—TANK VESSELS**PART 30—GENERAL PROVISIONS**

1. The authority note for Part 30 is amended to read as follows:

AUTHORITY: The provisions of this Part 30 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority is cited in parentheses following the sections affected.

Subpart 30.01—Administration

2. Section 30.01-1 is amended to read as follows:

§ 30.01-1 Purpose of regulations.

(a) The rules and regulations in this subchapter are prescribed for all tank vessels in accordance with the intent of the various statutes administered by the Coast Guard and to provide for a correct and uniform administration of the vessel inspection requirements applicable to tank vessels.

3. Subpart 30.01 is amended by inserting after § 30.01-1 a new § 30.01-3 reading as follows:

§ 30.01-3 Assignment of functions—TB/ALL.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b)(1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By a rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions, powers, and duties as set forth in subsections 6(a)(4), 6(b)(1), and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders, rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

Subpart 30.10—Definitions**§ 30.10-35 [Amended]**

4. Section 30.10-35 *Headquarters—TB/ALL* is amended by changing the ZIP number from "20226" to "20591."

PART 31—INSPECTION AND CERTIFICATION

1. The authority note for Part 31 is amended to read as follows:

AUTHORITY: The provisions of this Part 31 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority is cited in parentheses following the sections affected.

Subpart 31.01—General**§ 31.01-1 [Amended]**

2. Section 31.01-1 *Inspections required—TB/ALL* is amended by deleting from the authority note at the end thereof the references "Treasury Department Orders CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, Oct. 26, 1959, 24 F.R. 8857."

3. Section 31.01-5(a) is amended to read as follows:

§ 31.01-5 Scope of initial inspection—TB/ALL.

(a) The initial inspection, which may consist of a series of inspections during the construction of a vessel, shall include a complete inspection of the structure, including the outside of the vessel's bottom, the machinery, unfired pressure vessels, equipment and the inside and outside of the boilers. The inspection shall be such as to insure that the arrangements, material, and scantlings of the structure, boilers and other pressure vessels and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire-detecting and extinguishing equipment, pilot ladders and other equipment fully comply with the applicable regulations for such vessel and are in accordance with approved plans, and determine that the vessel is in possession of a valid certificate issued by the Federal Communications Commission, if any. The inspection shall also be such as to insure that the workmanship of all parts of the vessel and its equipment is in all respects satisfactory and that the vessel is provided with lights, and means of making sound signals and distress signals as

required by applicable regulations and the applicable Rules of the Road.

Subpart 31.10—Inspections**§ 31.10-1 [Amended]**

4. Section 31.10-1 *Recognized classification society—TB/ALL* is amended in the last sentence of paragraph (b) by changing the ZIP number from "20226" to "20591."

5. Section 31.10-15(b) is amended to read as follows:

§ 31.10-15 Inspection for certification—TB/ALL.

(b) The inspection for certification shall include an inspection of the structure, boilers, and other pressure vessels, machinery and equipment. The inspection shall be such as to insure that the vessel, as regards the structure, boilers, and other pressure vessels and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire-detecting and extinguishing equipment, pilot ladders, and other equipment is in satisfactory condition and fit for the service for which it is intended, and that it complies with the applicable regulations for such vessels, and determine that the vessel is in possession of a valid certificate issued by the Federal Communications Commission, if required. The lights and means of making sound signals and the distress signals carried by the vessel shall also be subject to the above mentioned inspection for certification for the purpose of insuring that they comply with the requirements of the applicable regulations and of the applicable Rules of the Road.

§ 31.10-18 [Amended]

6. Section 31.10-18 *Firefighting equipment: General—TB/ALL* is amended by changing in footnote 1 to Table 31.10-18(b) and in footnote 1 to Table 31.10-18(c) the name from "Interstate Commerce Department" to "Department of Transportation."

7. Section 31.10-20(a)(4) is amended to read as follows:

§ 31.10-20 Drydocking or hauling out—TB/ALL.

(a) * * *

(4) Each tank vessel shall be drydocked or hauled out at intervals not to exceed 60 months if it operates exclusively in fresh water or if it operates in salt water an aggregate not exceeding 1 month in each 12-month period since it was last drydocked or hauled out.

PART 32—SPECIAL EQUIPMENT, MACHINERY, AND HULL REQUIREMENTS

1. The authority note for Part 32 is amended to read as follows:

AUTHORITY: The provisions of this Part 32 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

Subpart 32.15—Navigation Equipment

2. Subpart 32.15 is amended by inserting after § 32.15-1 a new § 32.15-3 reading as follows:

§ 32.15-3 Navigation lights and shapes—TB/ALL.

(a) *When required.* All tank ships shall be equipped with navigation lights and shapes as prescribed by law and regulation and shall display such navigation lights and shapes whenever prescribed by law or regulation. Tank barges need not be equipped with navigation lights and shapes, but such tank barges shall display navigation lights and shapes whenever prescribed by law or regulation.

(b) *Light screens.* Light screens required by the applicable Rules of the Road for port and starboard side lights shall be painted with a glossy black paint and shall project not less than three (3) feet forward of the center of the light source.

3. Section 32.15-15 is amended to read as follows:

§ 32.15-15 Anchors for seagoing barge—B/OC.

(a) Every manned seagoing barge shall be equipped with at least one anchor with suitable chain or cable to be at least equivalent to the requirements of the American Bureau of Shipping rules (see § 31.10-1 of this subchapter).

Subpart 32.40—Accommodations

4. Section 32.40-1(c) is amended by revising subparagraph (1) and by adding a new subparagraph (4), reading as follows:

§ 32.40-1 Crew accommodations on tankships of 100 gross tons or over constructed after January 1, 1933—T/ALL.

(c) *Hospital accommodations.* (1) Except as specifically modified by subparagraph (4) of this paragraph, each tank vessel which in the ordinary course of its trade makes voyages of more than 3 days' duration between ports and which carries a crew of 12 or more, shall be provided with a hospital space. This space shall be situated with due regard to the comfort of the sick so that they may receive proper attention in all weathers.

(4) On vessels in which the crew is berthed in single occupancy rooms a hospital space will not be required: *Provided*, That one room shall be designated and fitted for use as a treatment and/or isolation room. Such room shall meet the following standards:

(i) The room must be available for immediate medical use;

(ii) The room must be accessible to stretcher cases;

(iii) The room must have a single berth or examination table so arranged that it can be made accessible from both sides when necessary; and,

(iv) A washbasin with hot and cold running water must be installed either in or immediately adjacent to the space and other required sanitary facilities must be conveniently located.

PART 33—LIFESAVING APPLIANCES

1. The authority note for Part 33 is amended to read as follows:

AUTHORITY: The provisions of this Part 33 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority is cited in parentheses following the sections affected.

Subpart 33.07—Substitution of Inflatable Lifeboats for Lifeboats, Other Lifeboats, Lifeboats, and Buoyant Apparatus on Certain Vessels Not on an International Voyage

2. The heading for Subpart 33.07 is amended to read as set forth above.

Subpart 33.15—Equipment for Lifeboats, Lifeboats, or Buoyant Apparatus

3. Section 33.15-10(s) (but not Table 33.15-10(s)) is amended by revising the written text to read as follows:

§ 33.15-10 Description of equipment for lifeboats—TB/ALL.

(s) *Mast and sail.* A unit, consisting of a standing lug sail together with the necessary spars and rigging, shall be provided in general agreement with Table 33.15-10(s). The sails shall be of good quality canvas, or other material acceptable to the Commandant, colored Indian Orange (Cable No. 70072, Standard Color Card of America). Rigging shall consist of galvanized wire rope not less than three-sixteenths inch in diameter. The mast and sail shall be protected by a suitable cover.

Subpart 33.20—Stowage of Lifeboats, Lifeboats, and Buoyant Apparatus

4. Subpart 33.20 is amended by inserting after § 33.20-15 a new § 33.20-20 reading as follows:

§ 33.20-20 Hydraulic releases—TB/ALL.

(a) Hydraulic releases approved under Subpart 160.062 of Subchapter Q (Specifications) of this chapter, and spring-tensioned gripes may be permitted in the installation of any lifeboat, inflatable lifeboat, or buoyant apparatus. On and after July 1, 1969, only hydraulic releases approved under Subpart 160.062 of this chapter may be used.

(b) Existing hydraulic releases may be returned to their manufacturers or to repair facilities designated by their

manufacturers for the purpose of determining compliance with Subpart 160.062 of this chapter. If such a release passes the periodic servicing and testing requirements in § 160.062-4(f) of this chapter and the reconditioning work (if any) is done to the satisfaction of the Officer in Charge, Marine Inspection, the complete body marking and inspection tagging required by § 160.062-5 of this chapter shall be placed on such a release indicating it is an approved item.

Subpart 33.25—Markings, Care and Inspection

5. Section 33.25-15 is amended by adding a new paragraph (e) reading as follows:

§ 33.25-15 Overhaul—TB/ALL.

(e) A hydraulic release used in the installation of any lifeboat, inflatable lifeboat, or buoyant apparatus shall undergo the periodic servicing and testing required by Subpart 160.062 of Subchapter Q (Specifications) of this chapter every 12 months which may be extended to 15 months as determined by the date shown on its inspection tag. The springs of a spring-tensioned gripe used in such an installation shall be renewed when the accompanying hydraulic release is serviced and tested.

Subpart 33.30—Manning of Lifeboats and Lifeboats

6. Subpart 33.30 is amended by adding after § 33.30-5 two new sections designated §§ 33.30-10 and 33.30-15, which read as follows:

§ 33.30-10 Motor-propelled lifeboat—TB/ALL.

(a) The master shall assign to each motor-propelled lifeboat a man capable of working the motor.

§ 33.30-15 Lifeboat carrying a radiotelegraph and/or searchlight—TB/ALL.

(a) The master shall assign to each lifeboat carrying a radiotelegraph and/or searchlight a man capable of operating such equipment.

PART 34—FIREFIGHTING EQUIPMENT

The authority note for Part 34 is amended to read as follows:

AUTHORITY: The provisions of this Part 34 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

PART 35—OPERATIONS

1. The authority note for Part 35 is amended to read as follows:

AUTHORITY: The provisions of this Part 35 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b) (1),

80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4472, as amended, 4488, as amended, 4491, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 170, 481, 489, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority is cited in parentheses following the sections affected.

Subpart 35.01—Special Operating Requirements

§ 35.01-40 [Amended]

2. Section 35.01-40 *Prevention of oil pollution—TB/ALL* is amended by deleting from the authority note at the end thereof the reference "Treasury Department Order 167-46, Nov. 6, 1961, 26 F.R. 10609."

Subpart 35.10—Fire and Emergency Requirements

3. Subpart 35.10 is amended by inserting after § 35.10-1 a new § 35.10-3, reading as follows:

§ 35.10-3 Display of plans—TB/ALL.

(a) All self-propelled vessels of more than 100 gross tons and all barges of more than 100 gross tons with sleeping accommodations for more than six persons shall have permanently exhibited for the guidance of the officer in charge of the vessel, general arrangement plans showing for each deck the various fire retardant bulkheads together with particulars of the fire detecting, manual alarm and fire extinguishing systems, fire doors, means of ingress to the different compartments, and the ventilating systems including the positions of the dampers, the location of the remote means of stopping the fans, and the identification of the fans serving each section.

Subpart 35.20—Navigation

4. Section 35.20-1 is amended by deleting obsolete information in paragraphs (c) and (d) and replacing them with a revised paragraph (c), by redesignating paragraph (e) as paragraph (d), and paragraphs (c) and (d) read as follows:

§ 35.20-1 Notice to mariners; aids to navigation—T/OCB.

(c) Weekly Notices to Mariners (worldwide coverage) are prepared jointly by the U.S. Naval Oceanographic Office, the U.S. Coast and Geodetic Survey and the U.S. Coast Guard. They include changes in aids to navigation in assembled form for the 1st, 3d, 5th, 7th, Greater Antilles Section, 8th, 11th, 12th, 13th, 14th, and 17th Coast Guard Districts. Foreign marine information is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Washington, D.C. 20390, Branch Oceanographic Offices, U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

(d) All vessels shall have charts of the waters on which they operate for convenient reference at all times.

PART 36—ELEVATED TEMPERATURE CARGOES

The authority note for Part 36 is amended to read as follows:

AUTHORITY: The provisions of this Part 36 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority is cited in parentheses following the sections affected.

PART 38—LIQUEFIED FLAMMABLE GASES

1. The authority note for Part 38 is amended to read as follows:

AUTHORITY: The provisions of this Part 38 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority is cited in parentheses following the sections affected.

Subpart 38.01—General

§ 38.01-2 [Amended]

2. Section 38.01-2 *Transportation of portable cylinders or portable tanks containing or having previously contained liquefied flammable gases in dry cargo spaces—TB/ALL* is amended by changing in paragraph (a) the phrase from "ICC Cylinders, ICC Specification" to "DOT Cylinders, DOT Specification"; and by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

Subpart 38.05—Design and Installation

§ 38.05-1 [Amended]

3. Section 38.05-1 *Design and construction of vessels—general—TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

§ 38.05-10 [Amended]

4. Section 38.05-10 *Installation of cargo tanks—general—TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

Subpart 38.10—Piping, Valves, Fittings, and Accessory Equipment

5. The authority note for Subpart 38.10 is amended to read as follows:

AUTHORITY: The provisions of this Subpart 38.10 also interpret or apply R.S. 4433, as amended; 46 U.S.C. 411.

Subpart 38.15—Special Requirements

§ 38.15-5 [Amended]

6. Section 38.15-5 *Cargo hose—TB/ALL* is amended by deleting the authority

citation at the end of the section as it duplicates that given for the part.

PART 39—FLAMMABLE OR COMBUSTIBLE LIQUIDS HAVING LEthal CHARACTERISTICS

The authority note for Part 39 is amended to read as follows:

AUTHORITY: The provisions of this Part 39 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 4.1(a)(2). Interpret or apply R.S. 4472, as amended, 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 170, 481, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

PART 40—SPECIAL CONSTRUCTION, ARRANGEMENT, AND OTHER PROVISIONS FOR CARRYING CERTAIN FLAMMABLE OR COMBUSTIBLE DANGEROUS CARGOES IN BULK

1. The authority note for Part 40 is amended to read as follows:

AUTHORITY: The provisions of this Part 40 issued under R.S. 4405, as amended, 4417a, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority is cited in parentheses following the sections affected.

Subpart 40.05—Ethylene Oxide

§ 40.05-5 [Amended]

2. Section 40.05-5 *How ethylene oxide may be carried—TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

§ 40.05-75 [Amended]

3. Section 40.05-75 *Cargo hose—TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

§ 40.05-83 [Amended]

4. Section 40.05-83 *Special cargo handling requirements—TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

§ 40.05-85 [Amended]

5. Section 40.05-85 *Information board—TB/ALL* is amended by deleting from the authority citation at the end of the section the references "Treasury Dept. Orders 120, July 31, 1950, 167-36, Oct. 26, 1959, 24 F.R. 8857."

Subpart 40.10—Propylene Oxide

§ 40.10-5 [Amended]

6. Section 40.10-5 *How propylene oxide may be carried—TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

§ 40.10-40 [Amended]

7. Section 40.10-40 *Valves, fittings, and accessories*—*TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

§ 40.10-83 [Amended]

8. Section 40.10-83 *Special cargo handling requirements*—*TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

§ 40.10-85 [Amended]

9. Section 40.10-85 *Warning signs and information cards*—*TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

§ 40.10-87 [Amended]

10. Section 40.10-87 *Tests and inspection*—*TB/ALL* is amended by deleting from the authority citation at the end of the section the reference "Treasury Dept. Order 167-38, Oct. 26, 1959, 24 F.R. 8857."

SUBCHAPTER H—PASSENGER VESSELS

PART 70—GENERAL PROVISIONS

1. The authority note for Part 70 is amended to read as follows:

AUTHORITY: The provisions of this Part 70 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 391a, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4399, as amended, 4400, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 404, 399, 435, 481, 366, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority cited with subpart or in parentheses following the sections affected.

Subpart 70.01—Authority and Purpose

2. Section 70.01-5 is amended to read as follows:

§ 70.01-5 Assignment of functions.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b)(1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By a rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions,

powers, and duties as set forth in subsections 6(a)(4), 6(b)(1) and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders, rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

Subpart 70.20—General Marine Engineering Requirements

§ 70.20-5 [Amended]

3. Section 70.20-5 *Nuclear vessels* is amended by deleting from the authority citation at the end of the section reference "Treasury Department Order 167-17, June 29, 1955, 20 F.R. 4976."

Subpart 70.35—American Bureau of Shipping's Standards

§ 70.35-5 [Amended]

4. Section 70.35-5 *Where obtainable* is amended by changing in paragraph (a), last sentence, the ZIP number from "20226" to "20591."

PART 71—INSPECTION AND CERTIFICATION

1. The authority note for Part 71 is amended to read as follows:

AUTHORITY: The provisions of this Part 71 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4490, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 392, 399, 404, 411, 435, 481, 482, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority cited with subpart or in parentheses following the sections affected.

Subpart 71.20—Initial Inspection

2. Section 71.20-15(a) is amended to read as follows:

§ 71.20-15 Scope of inspections.

(a) The initial inspection, which may consist of a series of inspections during the construction of a vessel, shall include a complete inspection of the structure, including the outside of the vessel's bottom, the machinery, unfired pressure

vessels, equipment and the inside and outside of the boilers. The inspection shall be such as to insure that the arrangements, material, and scantlings of the structure, boilers and other pressure vessels and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire-detecting and extinguishing equipment, pilot ladders and other equipment fully comply with the applicable regulations for such vessel and are in accordance with approved plans, and determine that the vessel is in possession of a valid certificate issued by the Federal Communications Commission, if any. The inspection shall also be such as to insure that the workmanship of all parts of the vessel and its equipment is in all respects satisfactory and that the vessel is provided with lights, and means of making sound signals and distress signals as required by applicable regulations and the applicable Rules of the Road.

Subpart 71.25—Annual Inspections

3. Section 71.25-10(a) is amended to read as follows:

§ 71.25-10 Scope of inspections.

(a) The annual inspection shall include an inspection of the structure, boilers, and other pressure vessels, machinery and equipment. The inspection shall be such as to insure that the vessel, as regards the structure, boilers and other pressure vessels, and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire-detecting and extinguishing equipment, pilot ladders, and other equipment is in satisfactory condition and fit for the service for which it is intended, and that it complies with the applicable regulations for such vessels, and determine that the vessel is in possession of a valid certificate issued by the Federal Communications Commission, if required. The lights and means of making sound signals and the distress signals carried by the vessel shall also be subject to the above-mentioned annual inspection for the purpose of insuring that they comply with the requirements of the applicable regulations and the applicable "Rules of the Road."

4. Section 71.25-15(a) is amended by adding a new subparagraph (9) reading as follows:

§ 71.25-15 Lifesaving equipment.

(a) * * *
(9) A hydraulic release used in the installation of any life raft, inflatable life raft, life float, or buoyant apparatus shall undergo the periodic servicing and testing required by Subpart 160.062 of Subchapter Q (Specifications) of this chapter every 12 months which may be extended to 15 months as determined by the date shown on its inspection tag. The springs of a spring-tensioned gripe used in such an installation shall be renewed when the accompanying hydraulic release is serviced and tested.

§ 71.25-20 [Amended]

5. Section 71.25-20 *Fire-detecting and extinguishing equipment* is amended by changing in footnote 1 of Table 71.25-20(a)(1) and in footnote 1 of Table 71.25-20(a)(2) the name from "Interstate Commerce Commission" to "Department of Transportation."

PART 72—CONSTRUCTION AND ARRANGEMENT

The authority note for Part 72 is amended to read as follows:

AUTHORITY: The provisions of this Part 72 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4490, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 392, 399, 404, 411, 435, 481, 482, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority cited in parentheses following the sections affected.

PART 73—WATERTIGHT SUBDIVISION

The authority note for Part 73 is amended to read as follows:

AUTHORITY: The provisions of this Part 73 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 3, 24 Stat. 129, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 483, 395, 363, 85a, 88a, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

PART 74—STABILITY

The authority note for Part 74 is amended to read as follows:

AUTHORITY: The provisions of this Part 74 issued under R.S. 4405 as amended 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 3, 24 Stat. 129, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1493, as amended, sec. 2, 49 Stat. 888, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 483, 395, 363, 85a, 88a, 369, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

PART 75—LIFESAVING EQUIPMENT

1. The authority note for Part 75 is amended to read as follows:

AUTHORITY: The provisions of this Part 75 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

Subpart 75.15—Stowage and Marking of Lifeboats, Liferafts, Lifeboats, and Buoyant Apparatus

2. Section 75.15-10 is amended by adding a new paragraph (e) reading as follows:

§ 75.15-10 Stowage.

(e) (1) Hydraulic releases approved under Subpart 160.062 of Subchapter Q (Specifications) of this chapter, and spring-tensioned gripes may be permitted in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus. On and after July 1, 1969, only hydraulic releases approved under Subpart 160.062 of this chapter may be used.

(2) Existing hydraulic releases may be returned to their manufacturers or to repair facilities designated by their manufacturers for the purpose of determining compliance with Subpart 160.062 of this chapter. If such a release passes the periodic servicing and testing requirements in § 160.062-4(f) of this chapter and the reconditioning work (if any) is done to the satisfaction of the Officer in Charge, Marine Inspection, the complete body marking and inspection tagging required by § 160.062-5 of this chapter shall be placed on such a release indicating it is an approved item.

Subpart 75.20—Equipment for Lifeboats, Liferafts, Lifeboats, and Buoyant Apparatus

3. Section 75.20-15(s) (but not Table 75.20-15(s)) is amended by revising the written text to read as follows:

§ 75.20-15 Description of equipment for lifeboats.

(s) *Mast and sail.* A unit, consisting of a standing lug sail together with the necessary spars and rigging, shall be provided in general agreement with Table 75.20-15(s). The sails shall be of good quality canvas, or other material acceptable to the Commandant, colored Indian Orange (Cable No. 70072, Standard Color Card of America). Rigging shall consist of galvanized wire rope not less than three-sixteenth inch in diameter. The sail and gear shall be protected by a suitable cover.

PART 76—FIRE PROTECTION EQUIPMENT

The authority note for Part 76 is amended to read as follows:

AUTHORITY: The provisions of this Part 76 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

PART 77—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

1. The authority note for Part 77 is amended to read as follows:

AUTHORITY: The provisions of this Part 77 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

Subpart 77.05—Electrical Engineering and Interior Communication Systems

2. Section 77.05-1(a) is amended to read as follows:

§ 77.05-1 Installation and details.

(a) The installation of all systems of an electrical engineering or interior communications nature, together with the details of design, construction, and installation, shall be in accordance with the requirements of Subchapter J (Electrical Engineering) of this chapter. Systems of this type include the following:

- Ship's service generating systems.
- Ship's service power distribution systems.
- Ship's lighting systems.
- Electric propulsion and propulsion control systems.
- Emergency lighting and power systems.
- Electric lifeboat winch systems.
- Electric steering gear and steering control systems.
- Fire detecting and alarm systems.
- Sound powered telephone and voice tube systems.
- Engine order telegraph systems.
- Rudder angle indicator systems.
- Refrigerated spaces alarm systems.
- Navigation lights systems.
- Daylight signaling lights.
- Miscellaneous machinery alarms and controls.
- General alarm systems.

Subpart 77.17—Navigation Lights and Shapes

3. Subpart 77.17 is amended by inserting after § 77.17-1 a new § 77.17-5 reading as follows:

§ 77.17-5 Light screens.

(a) Light screens required by the applicable Rules of the Road for port and starboard side lights shall be painted with a glossy black paint and shall project not less than three (3) feet forward of the center of the light source.

PART 78—OPERATIONS

1. The authority note for Part 78 is amended to read as follows:

AUTHORITY: The provisions of this Part 78 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 435, 395, 363, 367, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority is cited with the subpart or in parentheses following the sections affected.

Subpart 78.05—Notice to Mariners and Aids to Navigation

2. Section 78.05-1 is amended by deleting obsolete information from paragraphs (c) and (d) and by replacing them with a revised paragraph (c) reading as follows:

§ 78.05-1 Duty of officers.

(c) Weekly Notices to Mariners (Worldwide coverage) are prepared jointly by the U.S. Naval Oceanographic Office, the U.S. Coast and Geodetic Survey and the U.S. Coast Guard. They include changes in aids to navigation in assembled form for the 1st, 3d, 5th, 7th, Greater Antilles Section, 8th, 11th, 12th, 13th, 14th, and 17th Coast Guard Districts. Foreign marine information is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Washington, D.C. 20390, Branch Oceanographic Offices, U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

Subpart 78.07—Notice of Casualty and Voyage Records

3. The authority note for Subpart 78.07 is amended by deleting reference to "Treasury Department Orders 167-32, September 23, 1958, 23 F.R. 7605; 167-38, October 26, 1959, 24 F.R. 8857."

Subpart 78.13—Station Bills

4. The authority note for Subpart 78.13 is amended by deleting reference to "Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857."

Subpart 78.14—Manning of Lifeboats and Liferafts

5. The authority note for Subpart 78.14 is amended by deleting reference to "Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857."

6. Section 78.14-20 is amended to read as follows:

§ 78.14-20 Lifeboat carrying a radio-telegraph or searchlight.

(a) The master shall assign to each lifeboat carrying a radiotelegraph and/or searchlight a man capable of operating such equipment.

Subpart 78.17—Tests, Drills, and Inspections

7. The authority note for Subpart 78.17 is amended by deleting reference to "Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857."

Subpart 78.30—Lookouts, Pilothouse Watch, Patrolmen, and Watchmen

8. The authority note for Subpart 78.30 is amended by deleting reference to "Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857."

Subpart 78.47—Markings for Fire and Emergency Equipment, etc.

9. The authority note for Subpart 78.47 is amended by deleting reference to "Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857."

Subpart 78.75—Motion Picture Film and Equipment

§ 78.75-1 [Amended]

10. Section 78.75-1 *Type required* is amended by deleting from the authority citation at the end of the section reference to "Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857."

Subpart 78.80—Power-Operated Industrial Trucks

11. The authority note for Subpart 78.80 is amended by deleting reference to "Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857."

Subpart 78.85—Prevention of Oil Pollution

§ 78.85-1 [Amended]

12. Section 78.85-1 *Prohibited zones* is amended by deleting from the authority citation at the end of the section reference to "Treasury Department Order 167-46, November 6, 1961, 21 F.R. 10609."

PART 80—DISCLOSURE OF SAFETY STANDARDS

The authority note for Part 80 is amended to read as follows:

AUTHORITY: The provisions of this Part 80 issued under R.S. 4400, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 362, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2).

SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

PART 90—GENERAL PROVISIONS

1. The authority note for Part 90 is amended to read as follows:

AUTHORITY: The provisions of this Part 90 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4399, as amended, 4400, as amended, 4426, as amended, 4427, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 404, 405, 366, 395, 363, 367, 526p, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority cited in parentheses following sections affected.

Subpart 90.01—Authority and Purpose

2. Section 90.01-5 is amended to read as follows:

§ 90.01-5 Assignment of functions.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b) (1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By a rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions, powers, and duties as set forth in subsections 6(a) (4), 6(b) (1), and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders, rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

Subpart 90.20—General Marine Engineering Requirements

§ 90.20-5 [Amended]

3. Section 90.20-5 *Nuclear vessels* is amended by deleting from the statutory citation at the end of the section reference to "Treasury Department Order 167-17, June 29, 1955, 20 F.R. 4976."

Subpart 90.35—American Bureau of Shipping's Standards

§ 90.35-5 [Amended]

4. Section 90.35-5 *Where obtainable* is amended by changing in paragraph (a) the ZIP number from "20226" to "20591."

PART 91—INSPECTION AND CERTIFICATION

1. The authority note for Part 91 is amended to read as follows:

AUTHORITY: The provisions of this Part 91 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4418, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 392, 404, 405, 411, 435, 481, 366, 395, 363, 367, 526p, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority cited with subpart or in parentheses following sections affected.

Subpart 91.20—Initial Inspection

2. Section 91.20-15(a) is amended to read as follows:

§ 91.20-15 Scope of inspection.

(a) The initial inspection, which may consist of a series of inspections during the construction of a vessel, shall include a complete inspection of the structure, including the outside of the vessel's bottom, the machinery, unfired pressure vessels, equipment and the inside and outside of the boilers. The inspection shall be such as to insure that the arrangements, material, and scantlings of the structure, boilers, and other pressure vessels and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire-detecting and extinguishing equipment, pilot ladders and other equipment fully comply with the applicable regulations for such vessel and are in accordance with approved plans, and determine that the vessel is in possession of a valid certificate issued by the Federal Communications Commission, if any. The inspection shall also be such as to insure that the workmanship of all parts of the vessel and its equipment is in all respects satisfactory and that the vessel is provided with lights, and means of making sound signals and distress signals as required by applicable regulations and the applicable Rules of the Road.

Subpart 91.25—Inspection for Certification

3. Section 91.25-10(a) is amended to read as follows:

§ 91.25-10 Scope of inspection.

(a) The inspection for certification shall include an inspection of the structure, boilers, and other pressure vessels, machinery, and equipment. The inspection shall be such as to insure that the vessel, as regards the structure, boilers and other pressure vessels, and their appurtenances, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire-detecting and extinguishing equipment, pilot ladders, and other equipment, is in satisfactory condition and fit for the service for which it is intended, and that it complies with the applicable regulations for such vessel and determine that the vessel is in possession of a valid certificate issued by the Federal Communications Commission, if required. The lights and means of making sound signals and the distress signals carried by the vessel shall also be subject to the above mentioned inspection for certification for the purpose of insuring that they comply with the requirements of the applicable regulations and the applicable Rules of the Road.

4. Section 91.25-15(a) is amended by adding a new subparagraph (8) reading as follows:

§ 91.25-15 Lifesaving equipment.

(a) * * *

(8) A hydraulic release used in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus shall undergo the periodic servicing and testing required by Subpart 160.062 of Subchapter Q (Specifications) of this chapter every 12 months which may be extended to 15 months as determined by the date shown on its inspection tag. The springs of a spring-tensioned gripe used in such an installation shall be renewed when the accompanying hydraulic release is serviced and tested.

§ 91.25-20 [Amended]

5. Section 91.25-20 *Fire-extinguishing equipment* is amended by changing in footnote 1 to Table 91.25-20(a) (1) and in footnote 1 to Table 91.25-20(a) (2) the name from "Interstate Commerce Commission" to "Department of Transportation."

Subpart 91.40—Drydocking

6. Section 91.40-1(a) (4) is amended to read as follows:

§ 91.40-1 When required.

(a) * * *

(4) Each vessel shall be drydocked or hauled out at intervals not to exceed 60 months if it operates exclusively in fresh water or if it operates in salt water an aggregate not exceeding 1 month in each 12-month period since it was last drydocked or hauled out.

Subpart 91.55—Plan Approval

§ 91.55-15 [Amended]

7. Section 91.55-15 *Procedure for submission of plans* is amended by changing

in paragraph (a) (2) the ZIP number from "20226" to "20591."

PART 92—CONSTRUCTION AND ARRANGEMENT

1. The authority note for Part 92 is amended to read as follows:

AUTHORITY: The provisions of this Part 92 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 395, 363, 367, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority cited in parentheses following the sections affected.

Subpart 92.20—Accommodations for Officers and Crew

2. Section 92.20-35 is amended by revising paragraph (a) and by adding a new paragraph (f), reading as follows:

§ 92.20-35 Hospital space.

(a) Except as specifically modified by paragraph (f) of this section, each vessel, which in the ordinary course of its trade makes voyages of more than 3 days duration between ports and which carries a crew of 12 or more, shall be provided with a hospital space. This space shall be situated with due regard to the comfort of the sick so that they may receive proper attention in all weathers.

(f) On vessels in which the crew is berthed in single occupancy rooms a hospital space will not be required; *Provided*, That one room shall be designated and fitted for use as a treatment and/or isolation room. Such room shall meet the following standards:

(1) The room must be available for immediate medical use;

(2) The room must be accessible to stretcher cases;

(3) The room must have a single berth or examination table so arranged that it can be made accessible from both sides when necessary; and,

(4) A washbasin with hot and cold running water must be installed either in or immediately adjacent to the space and other required sanitary facilities must be conveniently located.

PART 93—STABILITY

1. The authority note for Part 93 is amended to read as follows:

AUTHORITY: The provisions of this Part 93 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4490, as amended, sec. 3, 24 Stat. 129, as amended, 41 Stat. 305, as amended, sec. 2, 45 Stat. 1943, as amended, sec. 2, 49 Stat. 888, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 482, 483, 363, 854.

88a, 367, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority cited in parentheses following sections affected.

Subpart 93.13—Ballast

§ 93.13-10 [Amended]

2. Section 93.13-10 *Liquid ballast* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Order 167-46, Nov. 6, 1961, 26 F.R. 10609."

PART 94—LIFESAVING EQUIPMENT

1. The authority note for Part 94 is amended to read as follows:

AUTHORITY: The provisions of this Part 94 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

Subpart 94.15—Stowage and Marking of Lifeboats, Liferafts, Lifeboats, and Buoyant Apparatus

2. Section 94.15-10 is amended by adding a new paragraph (e) reading as follows:

§ 94.15-10 Stowage.

(e) *Hydraulic releases.* (1) Hydraulic releases approved under Subpart 160.062 of Subchapter Q (Specifications) of this chapter, and spring-tensioned gripes may be permitted in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus. On and after July 1, 1969, only hydraulic releases approved under Subpart 160.062 of this chapter may be used.

(2) Existing hydraulic releases may be returned to their manufacturers or to repair facilities designated by their manufacturers for the purpose of determining compliance with Subpart 160.062 of this chapter. If such a release passes the periodic servicing and testing requirements in § 160.062-4(f) of this chapter and the reconditioning work (if any) is done to the satisfaction of the Officer in Charge, Marine Inspection, the complete body marking and inspection tagging required by § 160.062-5 of this chapter shall be placed on such a release indicating it is an approved item.

Subpart 94.20—Equipment for Lifeboats, Liferafts, Lifeboats, and Buoyant Apparatus

3. Section 94.20-15(s) (but not Table 94.20-15(s)) is amended by revising the written text to read as follows:

§ 94.20-15 Description of equipment for lifeboats.

(s) *Mast and sail.* A unit, consisting of a standing lug sail together with the

necessary spars and rigging, shall be provided in general agreement with Table 94.20-15(s). The sails shall be of good quality canvas, or other material acceptable to the Commandant, colored Indian Orange (Cable No. 70072, Standard Color Card of America). Rigging shall consist of galvanized wire rope not less than three-sixteenths inch in diameter. The mast and sail shall be protected by a suitable cover.

4. Subpart 94.90, consisting of §§ 94.90-1 to 94.90-10, inclusive, is amended to read as follows:

Subpart 94.90—Ship's Distress Signals

Sec.
94.90-1 Application.
94.90-5 Vessels in ocean or coastwise service.
94.90-10 Vessels in Great Lakes service.
94.90-15 Vessels on short runs.

Subpart 94.90—Ship's Distress Signals

§ 94.90-1 Application.

(a) The provisions of this subpart shall apply to all manned vessels as specifically noted.

§ 94.90-5 Vessels in ocean or coastwise service.

(a) All vessels of 150 gross tons and over in ocean and coastwise service shall carry within the pilothouse or on the navigator's bridge 12 approved hand-held rocket-propelled parachute red flare distress signals, contained in a portable watertight container, constructed in accordance with Subpart 160.036 of Subchapter Q (Specifications) of this chapter. The service use of the distress signals shall be limited to a period of 3 years from date of manufacture, and replacement of outdated items shall be made at the first port of arrival in the United States where such distress signals are available, except that replacement shall be made in all cases within 12 months after the date of expiration.

(b) All vessels of less than 150 gross tons in ocean and coastwise service carrying persons in addition to the crew shall carry within the pilothouse six hand red flare distress signals and six hand orange smoke distress signals or 12 hand combination flare and smoke distress signals constructed in accordance with Subparts 160.021 and 160.037 or Subpart 160.023 of Subchapter Q (Specifications) of this chapter. Such distress signals shall be stowed in a portable watertight container. The service use of the distress signals shall be limited to a period of 3 years from date of manufacture.

§ 94.90-10 Vessels in Great Lakes service.

(a) All vessels of 150 gross tons and over in Great Lakes service shall carry within the pilothouse or on the navigator's bridge, 12 approved hand-held red flare distress signals, contained in a portable watertight container, constructed in accordance with Subpart 160.021 or Subpart 160.023 of Subchapter Q (Specifications) of this chapter. The

service use of distress signals shall be limited to a period of 3 years from date of manufacture, and replacement of outdated items shall be made at the first port of arrival in the United States where such distress signals are available, except that replacement shall be made in all cases within 12 months after the date of expiration.

§ 94.90-15 Vessels on short runs.

(a) Distress signals are not required on vessels operating on short runs. A vessel is considered to be on a short run when its operating time away from a dock is limited to approximately 30 minutes.

PART 96—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

1. The authority note for Part 96 is amended to read as follows:

AUTHORITY: The provisions of this Part 96 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, secs. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 392, 404, 481, 489, 395, 363, 367, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR 1965 Supp.

Subpart 96.05—Electrical Engineering and Interior Communications Systems

2. Section 96.05-1(a) is amended to read as follows:

§ 96.05-1 Installation and details.

(a) The installation of all systems of an electrical engineering or interior communication nature, together with the details of design, construction, and installation, shall be in accordance with the requirements of Subchapter J (Electrical Engineering) of this chapter. Systems of this type include the following:

Ship's service generating systems.
Ship's service power distribution systems.
Ship's lighting systems.
Electric propulsion and propulsion control systems.
Emergency lighting and power systems.
Electric lifeboat winch systems.
Electric steering gear and steering control systems.
Fire detecting and alarm systems.
Sound powered telephone and voice tube systems.
Engine order telegraph systems.
Rudder angle indicator systems.
Refrigerated spaces alarm systems.
Navigation lights systems.
Daylight signaling lights.
Miscellaneous machinery alarms and controls.
General alarm systems.

Subpart 96.07—Anchors, Chains, and Hawsers

3. Section 96.07-5(a) is amended to read as follows:

§ 96.07-5 Ocean, coastwise, or Great Lakes service.

(a) Vessels in ocean, coastwise, or Great Lakes service, except unmanned barges, shall be fitted with anchors, chains, and hawsers in general agreement with the Standards established by the American Bureau of Shipping, see Subpart 90.35 of this subchapter.

Subpart 96.20—Navigation Lights and Shapes, Whistles, Foghorns, Fog Bells, and Gongs

4. Subpart 96.20 is amended by inserting after § 96.20-10 a new § 96.20-15 reading as follows:

§ 96.20-15 Light screens.

(a) Light screens required by the applicable Rules of the Road for port and starboard side lights shall be painted with a glossy black paint and shall project not less than three (3) feet forward of the center of the light source.

PART 97—OPERATIONS

Subpart 97.05—Notice to Mariners and Aids to Navigation

1. Section 97.05-1 is amended by deleting obsolete information from paragraphs (c) and (d) and by replacing them with a revised paragraph (c) reading as follows:

§ 97.05-1 Duty of officers.

(c) Weekly Notices to Mariners (worldwide coverage) are prepared jointly by the U.S. Naval Oceanographic Office, the U.S. Coast and Geodetic Survey and the U.S. Coast Guard. They include changes in aids to navigation in assembly form for the 1st, 3d, 5th, 7th, Greater Antilles Section, 8th, 11th, 12th, 13th, 14th, and 17th Coast Guard Districts. Foreign marine information is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Washington, D.C. 20390, Branch Oceanographic Offices, U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

(d) [Deleted]

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2))

Subpart 97.14—Manning of Lifeboats and Liferrafts

2. Section 97.14-20 is amended to read as follows:

§ 97.14-20 Lifeboat carrying a radio-telegraph and/or searchlight.

(a) The master shall assign to each lifeboat carrying a radiotelegraph and/or searchlight a man capable of operating such equipment.

(R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4488, as amended; 46 U.S.C. 481)

PART 98—SPECIAL CONSTRUCTION, ARRANGEMENT, AND PROVISIONS FOR CERTAIN DANGEROUS CARGOES IN BULK

The authority note for Part 98 is amended to read as follows:

AUTHORITY: The provisions of this Part 98 issued under R.S. 4405, as amended, 4462, as amended, 4472, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 170, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417a, as amended, 4488, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391a, 481, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp. Additional authority cited in parentheses following sections affected.

SUBCHAPTER J—ELECTRICAL ENGINEERING

PART 110—GENERAL PROVISIONS

1. The authority note for Part 110 is amended to read as follows:

AUTHORITY: The provisions of this Part 110 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 17, 54 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

Subpart 110.01—Basis and Purpose of Regulations

2. Section 110.01-5 is amended to read as follows:

§ 110.01-5 Assignment of functions.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b) (1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By a rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions, powers, and duties as set forth in subsections 6(a) (4), 6(b) (1), and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders,

rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

Subpart 110.15—Definition of Terms Used in This Subchapter

§ 110.15-95 [Amended]

3. Section 110.15-95 *Headquarters* is amended by changing the ZIP number from "20226" to "20591."

PART 111—ELECTRICAL SYSTEM; GENERAL REQUIREMENTS

The authority note for Part 111 is amended to read as follows:

AUTHORITY: The provisions of this Part 111 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

PART 112—EMERGENCY LIGHTING AND POWER SYSTEM

The authority note for Part 112 is amended to read as follows:

AUTHORITY: The provisions of this Part 112 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

PART 113—COMMUNICATION AND ALARM SYSTEMS AND EQUIPMENT

The authority note for Part 113 is amended to read as follows:

AUTHORITY: The provisions of this Part 113 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4399, as amended, 4400, as amended, 4417, as amended, 4417a,

as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4427, as amended, 4433, as amended, 4453, as amended, 4488, as amended, 4491, as amended, sec. 14, 29 Stat. 690, as amended, sec. 10, 35 Stat. 428, as amended, 41 Stat. 305, as amended, sec. 5, 49 Stat. 1384, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 17, 54 Stat. 166, as amended, sec. 3, 54 Stat. 347, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 361, 362, 391, 391a, 392, 399, 404, 405, 411, 435, 481, 489, 366, 395, 363, 369, 367, 526p, 1333, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

SUBCHAPTER M—BULK GRAIN CARGOES

PART 144—LOADING AND STOWAGE OF GRAIN CARGOES

1. The authority note for Part 144 is amended to read as follows:

AUTHORITY: The provisions of this Part 144 issued under R.S. 4405, as amended, 4462, as amended, sec. 632, 63 Stat. 545, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 14 U.S.C. 632, 49 U.S.C. 1655(b); 49 CFR 1.4 (a) (2). Interpret or apply R.S. 4417, as amended, 4426, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 68 Stat. 675; 46 U.S.C. 391, 404, 367, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

Subpart 144.01—Preface

2. Subpart 144.01 is amended by adding after § 144.01-1 a new § 144.01-5 reading as follows:

§ 144.01-5 Assignment of functions.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b) (1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By a rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions, powers, and duties as set forth in subsections 6(a) (4), 6(b) (1) and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders, rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

Subpart 144.10—General Requirements

§ 144.10-50 [Amended]

3. Section 144.10-50 *Shores* is amended in paragraph (c) by changing the phrase from "shores shall be set forth" to "shores shall be as set forth."

SUBCHAPTER P—MANNING OF VESSELS

PART 157—MANNING REQUIREMENTS

1. The authority note for Part 157 is amended to read as follows:

AUTHORITY: The provisions of this Part 157 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Additional authority cited with the subpart or in parentheses following sections affected.

Subpart 157.01—Authority and Purpose

2. Section 157.01-5 is amended to read as follows:

§ 157.01-5 Assignment of functions.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b) (1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By a rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions, powers, and duties as set forth in subsections 6(a) (4), 6(b) (1), and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders, rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

SUBCHAPTER Q—SPECIFICATIONS

PART 160—LIFESAVING EQUIPMENT

1. The authority note for Part 160 is amended to read as follows:

AUTHORITY: The provisions of this Part 160 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2).

Additional authority cited with subparts affected.

2. Part 160 is amended by inserting after § 160.061-7 a new Subpart 160.062 with a title as set forth below, consisting of §§ 160.062-1 to 160.062-6, inclusive, which reads as follows:

Subpart 160.062—Releases, Lifesaving Equipment, Hydraulic and Manual

Sec.

- 160.062-1 Applicable specifications, and referenced material.
- 160.062-2 Types.
- 160.062-3 Materials, construction, workmanship, and performance requirements.
- 160.062-4 Inspections and tests.
- 160.062-5 Markings.
- 160.062-6 Procedure for approval.

AUTHORITY: The provisions of this Subpart 160.062 interpret or apply R.S. 4488, as amended, 4491, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675; 46 U.S.C. 481, 489, 367, 390b, 50 U.S.C. 198; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

Subpart 160.062—Releases, Lifesaving Equipment, Hydraulic and Manual

§ 160.062-1 Applicable specifications, and referenced material.

(a) *Specifications and standards.* The following specifications of the issue in effect on the date releases are manufactured or reconditioned shall form a part of the regulations of this subpart (see §§ 2.75-17 through 2.75-19 of Subchapter A (Procedures Applicable to the Public) of this chapter):

(1) Military Specifications and Standards:

- MIL-R-15041C—Releases, lifesaving equipment, hydraulic and manual.
- MIL-STD-105—Sample procedures and tables for inspection by attributes.

(2) Federal Test Method Standards: Standard No. 151—Metals, test methods.

(b) *Technical references.* For guidance purposes the technical reference may be used, which is entitled "Corrosion Handbook," 1948, by H. H. Uhlig, and published by John Wiley & Sons, Inc., 605 Third Avenue, New York, N.Y. 10016, and priced at \$21 per copy.

(c) *Copies on file.* A copy of the specifications and standards listed in paragraph (a) of this section shall be kept on file by the manufacturer, together with the approved plans, specifications and certificate of approval. It is the manufacturer's responsibility to have the latest issue, including addenda and changes, of these specifications and standards on hand when manufacturing or reconditioning equipment under this specification subpart.

(1) The military specifications and standards may be obtained from the Commanding Officer, Naval Supply Depot, 5801 Tabor Avenue, Philadelphia, Pa. 19120.

(2) The Federal standards may be obtained from the Business Service Center, General Services Administration, Washington, D.C. 20407.

§ 160.062-2 Types.

(a) The hydraulic releases referred to under § 160.062-1(a)(1) are of the diaphragm-spring plunger type, which releases a buoyant load under hydrostatic pressure.

(b) All hydraulic releases given an approval under this subpart shall be designed and tested to operate with spring-tensioned grippers. Such grippers shall be considered as a part of each approval.

(c) Alternate designs will be given special consideration, but the expense of their preliminary investigation at a Government Laboratory shall be borne by the manufacturer.

§ 160.062-3 Materials, construction, workmanship, and performance requirements.

(a) *General.* The materials, construction, workmanship, and performance requirements shall conform to the requirements of the specifications listed in § 160.062-1(a)(1) except as otherwise provided by this subpart. In addition, all metals and materials used in a hydraulic release must be compatible with each other so that the final assembly under conditions of use is not subject to such deleterious effects as galvanic corrosion, freezing, or buckling of moving parts, or loosening and tightening of joints due to differences in coefficients of thermal expansion. Galvanizing or other forms of metallic coating on the parts of a hydraulic release are not acceptable. The criteria for accepting any combination of materials shall be determined by testing or by the data stated in § 160.062-1(b).

(b) *Buoyant load capacity.* A hydraulic release working in conjunction with its spring-tensioned gripper must demonstrate that it can release buoyant loads between the limits of 200 pounds and 3,750 pounds and within the range of depths specified by paragraph (c) of this section.

(c) *Release depth.* A hydraulic release shall automatically release the buoyant loads described in paragraph (b) of this section at depths between 5 feet to 15 feet prior to being tested for either the temperature or the corrosion resistance tests of 160.062-4(c)(2). After exposure to these temperature and corrosion tests, a hydraulic release shall release the buoyant loads of paragraph (b) of this section between the depths of 5 feet to 25 feet.

§ 160.062-4 Inspections and tests.

(a) *General.* Marine inspectors shall be assigned to make factory inspections of hydraulic releases, as described in paragraph (d) of this section for sampling and testing. In addition, the Commander of the Coast Guard District may detail a marine inspector at any time to visit any place where approved hydraulic releases are manufactured or reconditioned to observe production methods and to conduct any inspections or tests which may be deemed advisable. The marine inspector shall be admitted to any place in the factory or place where work is done on hydraulic releases or

their components. In addition, the marine inspector may take samples of assembled hydraulic releases or parts or materials used in their construction for further examination, inspection, or tests. The manufacturer shall provide a suitable place and the apparatus necessary for the performance of the tests which are conducted at the place of manufacture by the marine inspector.

(b) *Classification of tests.* The sampling, inspections, and tests conducted upon hydraulic releases shall fall within one of the following general classifications, as described hereafter:

- (1) Preapproval tests.
- (2) Factory inspections and tests.
- (3) Spot check tests.
- (4) Periodic servicing tests.

(c) *Preapproval testing.* The "Visual and dimensional examination" referred to in Table 160.062-4(c) shall be conducted by a marine inspector at the factory. The "Physical and operational tests" of that table shall be conducted at a Government laboratory designated by the Commandant.

TABLE 160.062-4(c)—PREAPPROVAL TESTS¹

Number of specimens	Name of tests	Reference
4	Visual and dimensional examination.	Paragraph 4.2.1, 4.2.2, and 4.3 of MIL-R-15041C.
4	Physical and operational tests.	Paragraph 4.2.1, 4.2.3, and 4.4 of MIL-R-15041C.

¹ These tests are called "Lot acceptance tests," in Military Specification MIL-R-15041C.

(1) *Visual and dimensional examination.* The marine inspector shall examine the 4 hydraulic release samples of the preapproval sample for their visual and dimensional characteristics. If all 4 of the devices are in agreement with the manufacturer's plans previously reviewed by the Commandant, the 4 devices will be accepted and are to be assembled for further testing under the "Physical and operational tests" of subparagraph (2) of this paragraph.

(2) *Physical and operational tests.* Each hydraulic release selected under Table 160.062-4(c) for the "Physical and operational tests" shall undergo each of the tests described in this paragraph without renewal of parts or repairs between the tests. The tests shall be conducted in the following sequence:

(i) *Submergence test.* A hydraulic release shall be tested by applying buoyant loads of its designed capacity to its spring-tensioned gripper as required under § 160.062-3(b) while the device is submerged in water or in a water-filled pressure testing tank. A hydraulic release shall show by its submergence test that it meets the buoyant capacity and release depth requirements of § 160.062-3(b) and (c) by automatically tripping and releasing its load.

(ii) *Temperature test.* After its submergence test, a hydraulic release sample shall be placed in a cold box at minus 30 degrees F. for 4 hours. Upon completion of this conditioning, the sample de-

vice shall be opened for inspection and shall show no significant change in the position of the hydraulic or manual control as a result of the low temperature exposure.

(iii) *Corrosion resisting test.* After the completion of its temperature test, a hydraulic release sample shall be exposed to a 20 percent salt spray test for 160 continuous hours in accordance with Federal Test Method Standard No. 151. At the conclusion of this test, the sample device shall be entirely serviceable and shall show a minimal amount of corrosion.

(iv) *Second temperature test.* After its corrosion resisting test, a hydraulic release sample shall undergo a repeat of the temperature test, subdivision (ii) of this subparagraph.

(v) *Second submergence test.* The final test of a hydraulic release sample shall be a repeat of the submergence test, subdivision (i) of this subparagraph.

(d) *Factory inspections and tests.* For purposes of sampling, a lot shall consist of not more than 500 hydraulic releases of the same model. Manufacturers of approved hydraulic releases shall maintain quality control of the materials used, manufacturing methods, workmanship, and the finished product as to produce hydraulic releases in conformity with the approvals previously issued by the Commandant.

(1) *Visual and dimensional examination.* A random sample of hydraulic releases shall be selected by a marine inspector at the factory in accordance with Table 160.062-4(d)(1) from each assembled lot. After the samples have been selected, they will undergo an examination of visual and dimensional characteristics by referring to their approved drawings with their acceptance based on Table 160.062-4(d)(1) and MIL-STD-105, and checking for compliance with specific details as described therein.

TABLE 160.062-4(d)(1)—SAMPLING FOR VISUAL AND DIMENSIONAL EXAMINATION¹

Number of release devices in inspection lot	Number of release devices in sample	Rejection number (defectives)
15 and under	All	1
16 to 25	15	1
26 to 40	25	1
41 to 110	35	2
111 to 180	50	2
181 to 300	75	3
301 to 500	110	4

¹ This table is derived from Table I of Paragraph 4.2.2 of Military Specification MIL-R-15041C.

(2) *Physical and operational tests.* If the sampling and examination of subparagraph (1) of this paragraph are satisfactory, the marine inspector shall select an additional random sample of hydraulic releases from the same assembled lot as described above. This second group of samples, of a number determined by Table 160.062-4(d)(2), shall be forwarded for testing at the manufacturer's expense to a Government laboratory designated by the Commandant. Each hydraulic release shall undergo each of the tests described in this paragraph without renewal of parts or repairs

between the tests. The tests shall be conducted in the following sequence:

(i) *Submergence test.* Same test as described in paragraph (c) (2) (i) of this section.

(ii) *Temperature test.* Same test as described in paragraph (c) (2) (ii) of this section.

(iii) *Corrosion resisting test.* Same test as described in paragraph (c) (2) (iii) of this section.

(iv) *Second temperature test.* Same test as described in paragraph (c) (2) (iv) of this section.

(v) *Second submergence test.* Same test as described in paragraph (c) (2) (v) of this section.

TABLE 160.062-4(d)(2)—SAMPLING FOR PHYSICAL AND OPERATIONAL TESTS¹

Number of release devices in inspection lot	Number release devices in sample	Rejection number (failures in the tests)
15 and under	4	1
16 to 25	5	1
26 to 40	7	1
41 to 110	10	1
111 to 180	12	1
181 to 300	16	1
301 to 500	20	1

¹ This table is derived from Table II of Paragraph 4.2.3 of Military Specification MIL-R-15041C.

(3) *Lot acceptance at a factory.* The submergence test of paragraph (c) (2) (i) shall be performed on each of the remaining hydraulic releases in a production lot after the selection of the lot samples required by subparagraph (2) of this paragraph. Such individual submergence tests may be performed at the factory in a pressure tank apparatus which simulates the hydrostatic pressure and the various tension loads on the hydraulic release. Those hydraulic releases which do not pass this submergence test shall be removed from the production lot as unacceptable, but may be reworked and included in a subsequent lot. After the completion of these individual submergence tests and after receipt of the Government laboratory's test report showing that the tests on the lot samples were satisfactorily met, the Commander of the Coast Guard District in which the factory is located shall have the manufacturer notified that this production lot of hydraulic releases meets the requirements of this specification subpart. After being marked as required by § 160.062-5, the manufacturer may sell such hydraulic releases as approved equipment.

(i) Hydraulic releases which have been rejected may not, unless subsequently accepted, be sold or offered for sale under representation as being in compliance with this specification or as being approved for use on vessels subject to inspection under this chapter.

(4) *Records and test reports.* The manufacturer shall maintain records and copies of test reports for each production lot of hydraulic releases manufactured for a period of five (5) years from the

date notified that a production lot meets the requirements in this subpart. These records and test reports, upon request, shall be made available to the marine inspector. The manufacturer will be provided with a copy of the Government laboratory's test report concerning each production lot of hydraulic releases submitted for testing.

(e) *Spot checks.* As one of the conditions in granting an approval for a hydraulic release under this subpart, the Coast Guard reserves the right to spot check at any time and at any place the product, parts, and complete assemblies of hydraulic releases covered by the approval. The spot check shall be by a marine inspector who shall be admitted to the place or places where work may be performed before, during, or after the manufacture of hydraulic releases or at any place where hydraulic releases may be assembled, reworked, repaired, or reconditioned by the manufacturer or any designated repair facility. A spot check includes having a marine inspector compare materials, parts, and workmanship and/or complete hydraulic releases with the manufacturer's approved plans, records and test reports to ascertain compliance with these requirements. The marine inspector may select samples of materials or parts used in the construction of hydraulic releases and complete hydraulic releases and may order or have performed any or all of the tests described in this section conducted on such devices or parts thereof. This work and any tests required shall be borne by the manufacturer without cost to the Coast Guard.

(f) *Periodic servicing and testing.* A hydraulic release, when used as a part of the installation of lifesaving equipment, will normally be in service for a period of 12 months which may be extended to 15 months as determined by the date shown on its inspection tag.

(1) After being removed from service, a hydraulic release may be returned to the manufacturer's factory of origin or to a repair facility designated by its manufacturer for repair or reconditioning and inspection, including tests and inspections supervised by marine inspectors.

(2) If a hydraulic release is of a type and design covered by a current certificate of approval and it is repaired or reconditioned and meets the requirements of this paragraph and it is provided with body markings and inspection tag as required by § 160.062-5, it may be used as approved equipment subject to the applicable regulations in this chapter.

(3) The manufacturer or his designated repair facility who repairs or reconditions hydraulic releases shall place such units in production lots of not less than 12 units nor more than 100 units. After the work required to assure that the hydraulic release is in good condition and capable of performing satisfactorily, such hydraulic release shall then be given the submergence test of paragraph (c) (2) (i) of this section. Any unit which fails the submergence test shall be reworked and the submergence test(s) re-

peated until it passes. Such submergence tests shall be witnessed by marine inspectors. The submergence test of each hydraulic release shall be performed in conjunction with a spring-tensioned gripe equivalent to that used in service with that particular unit. The submergence test may be performed with a pressure tank apparatus which simulates the hydrostatic pressure and the various tension loads on the hydraulic release. It shall be shown in the submergence test that a repaired or reconditioned hydraulic release will release a buoyant load within the ranges of its buoyant capacity and release depth as specified for a new device by § 160.062-3 (b) and (c).

(4) For each hydraulic release that passes the requirements of this section, the marine inspector will have affixed to the metal inspection tag on such release the test date, his initials, and the letters "USCG." Such marked releases may be returned to service.

§ 160.062-5 Markings.

(a) Hydraulic releases manufactured prior to the granting of a certificate of approval to the manufacturer may be permitted in service only to July 1, 1969. However, such hydraulic releases meeting the type and design requirements covered by a current certificate of approval may be repaired and/or reconditioned as provided in § 160.062-4(f) and be accepted as approved equipment when it bears the following markings:

(1) *Body marking.* The name of the manufacturer and the model designation are plainly visible.

(2) *Inspection tag markings.* Each hydraulic release repaired or reconditioned shall be provided with a 2" by 3½" stainless steel tag of a minimum thickness of 0.032 inches. This tag shall be permanently attached to a hydraulic release with a single stainless steel link made of wire 3/16" in diameter. This link shall provide nonrigid attachment of the tag to the hydraulic release. The top of the inspection tag shall be stamped in block characters not less than 1/16" in height with the manufacturer's name, Coast Guard approval number, the limits of buoyant capacity in pounds, the marine inspector's initials, and the letters "USCG." The remaining space on the tag will be used for the stamping of periodic servicing test dates and the marine inspector's initials as described in § 160.062-4(f).

(b) Hydraulic release manufactured under a certificate of approval issued under this subpart shall be provided with 2 sets of markings as follows:

(1) *Body marking.* The metal body of a hydraulic release shall be stamped in block characters not less than 1/8" in height on a plainly visible portion with the name of the manufacturer, the model designation, the limits of buoyant capacity in pounds, the method of manual release, the notation "DO NOT PAINT", Coast Guard approval number, the marine inspector's initials, and the letters "USCG".

SUBCHAPTER R—NAUTICAL SCHOOLS

PART 166—DESIGNATION AND APPROVAL OF NAUTICAL SCHOOL SHIPS

The authority note for Part 166 is amended to read as follows:

AUTHORITY: The provisions of this Part 166 issued under sec. 13, 38 Stat. 1169, as amended, sec. 7, 49 Stat. 1936, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 672, 689, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2).

PART 167—PUBLIC NAUTICAL SCHOOL SHIPS

1. The authority note for Part 167 is amended to read as follows:

AUTHORITY: The provisions of this Part 167 issued under R.S. 4405, as amended, 4462, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4450, as amended, 4453, as amended, 4488, as amended, sec. 1, 2, 49 Stat. 1544, 1545, as amended, sec. 3, 70 Stat. 152, sec. 3, 68 Stat. 675, sec. 8, 75 Stat. 403; 46 U.S.C. 391, 392, 404, 411, 239, 222, 481, 489, 363, 367, 390b, 50 U.S.C. 198, 33 U.S.C. 1007; E.O. 11239, July 31, 1965, 30 F.R. 9671, 3 CFR, 1965 Supp.

Subpart 167.35—Lifesaving Equipment

2. Subpart 167.35 is amended by inserting after § 167.35-2 a new § 167.35-3 reading as follows:

§ 167.35-3 Hydraulic releases.

(a) Hydraulic releases approved under Subpart 160.062 of Subchapter Q (Specifications) of this chapter, and spring-tensioned gripe may be permitted in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus. On and after July 1, 1969, only hydraulic releases approved under Subpart 160.062 of this chapter may be used.

(b) Existing hydraulic releases may be returned to their manufacturers or to repair facilities designated by their manufacturers for the purpose of determining compliance with Subpart 160.062 of this chapter. If such a release passes the periodic servicing and testing requirements in § 160.062-4(f) of this chapter and the reconditioning work (if any) is done to the satisfaction of the Officer in Charge, Marine Inspection, the complete body marking and inspection tagging required by § 160.062-5 of this chapter shall be placed on such a release indicating it is an approved item.

(c) A hydraulic release used in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus shall undergo the periodic servicing and testing required by Subpart 160.062 of this chapter every 12 months which may be extended to 15 months as determined by the date shown on its inspection tag. The springs of a spring-tensioned gripe used in such an installation shall be renewed when the accompanying hydraulic release is serviced and tested.

Subpart 167.65—Special Operating Requirements

3. Section 167.65-45 is amended by deleting obsolete information in paragraphs (c) and (d) and replacing them with a revised paragraph (c), by redesignating paragraph (e) as paragraph (d), so that paragraphs (c) and (d) read as follows:

§ 167.65-45 Notice to mariners; aids to navigation.

(c) Weekly Notices to Mariners (Worldwide coverage) are prepared jointly by the U.S. Naval Oceanographic Office, the U.S. Coast and Geodetic Survey and the U.S. Coast Guard. They include changes in aids to navigation in assembled form for the 1st, 3d, 5th, 7th, Greater Antilles Section, 8th, 11th, 12th, 13th, 14th, and 17th Coast Guard Districts. Foreign marine information is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Washington, D.C. 20390, Branch Oceanographic Offices, U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

(d) All nautical school ships shall have charts of the waters on which they operate available for convenient reference at all times.

PART 168—CIVILIAN NAUTICAL SCHOOL VESSELS

1. The authority note for Part 168 is amended to read as follows:

AUTHORITY: The provisions of this Part 168 issued under sec. 3, 54 Stat. 347, as amended, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 1333, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2).

Subpart 168.01—Authority and Purpose

2. Section 168.01-5 is amended to read as follows:

§ 168.01-5 Assignment of functions.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b)(1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By a rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions, powers, and duties as set forth in subsections 6(a)(4), 6(b)(1), and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(2) *Inspection tag markings.* Each hydraulic release shall be provided at its time of manufacture with a 2" by 3½" stainless steel tag of a minimum thickness of 0.032 inch. This tag shall be permanently attached to a hydraulic release with a single stainless steel link made of wire ⅜" in diameter. This link shall provide nonrigid attachment of the tag to the hydraulic release. The top of the inspection tag shall be stamped in block characters not less than ⅜" in height with the original lot number of the hydraulic release, its date of manufacture, and its release depth range in feet. The remaining space on the tag will be used for the stamping of periodic servicing test dates and the marine inspector's initials as described in § 160.062-4(f).

§ 160.062-6 Procedure for approval.

(a) *General.* Hydraulic releases for use on vessels subject to Coast Guard inspection are approved only by the Commandant, U.S. Coast Guard, Washington, D.C. 20591. Application for approval and correspondence pertaining to this specification shall be addressed to the Commander of the Coast Guard District in which the factory is located.

(b) *Manufacturer's plans and specifications.* Before any approval action is taken on a proposed hydraulic release, four (4) sets of all assembly and detailed plans and specifications shall be submitted for review to the Commandant through the Commander of the Coast Guard District in which the device is to be manufactured. These items will be reviewed and the manufacturer notified of any revisions that are required before production commences of the preapproval samples.

(c) *Preapproval samples.* When the Commander of the Coast Guard District has been notified that the plans and specifications are satisfactory, a marine inspector will be detailed to the factory to observe the production facilities and manufacturing methods and to select at random from not less than fifteen (15) hydraulic releases already manufactured, a sample of eight (8) specimens for the preapproval tests described in § 160.062-4(c). The four (4) specimens required for the "Physical and operational tests" under § 160.062-4(c) will be forwarded prepaid by the manufacturer to the Commandant for the necessary testing at a Government laboratory in accordance with the schedule outlined in § 160.062-4(c). Costs of these laboratory tests of the preapproval sample shall be borne by the manufacturer. A copy of the marine inspector's report of the results of the "Visual and dimensional examination" of § 160.062-4(c) shall be forwarded to the Commandant.

(d) *Approval.* If all is satisfactory, an approval number will be assigned to the manufacturer for the hydraulic release submitted, and a certificate of approval issued describing the approval granted together with limitations, if any, which are applicable.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders, rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

SUBCHAPTER 5—NUMBERING OF UNDOCUMENTED VESSELS, STATISTICS ON NUMBERING, AND "BOATING ACCIDENT REPORTS" AND ACCIDENT STATISTICS

PART 170—GENERAL PROVISIONS

1. The authority note for Part 170 is amended to read as follows:

AUTHORITY: The provisions of this Part 170 issued under secs. 13, 17, 54 Stat. 166, as amended, sec. 7, 72 Stat. 1757, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 5261, 526p, 527d, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2).

Subpart 170.01—Authority and Purpose

2. Section 170.01-5 is amended to read as follows:

§ 170.01-5 Assignment of functions.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b) (1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By a rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions, powers, and duties as set forth in subsections 6(a) (4), 6(b) (1), and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders, rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

PART 171—STANDARDS FOR NUMBERING

1. The authority note for Part 171 is amended to read as follows:

AUTHORITY: The provisions of this Part 171 issued under sec. 7, 72 Stat. 1757, sec. 6(b) (1),

80 Stat. 938; 46 U.S.C. 527d, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Additional authority cited in parentheses following sections affected.

Subpart 171.10—Application for Number

§ 171.10-20 [Amended]

2. Section 171.10-20 *Renewal of numbers* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Order 167-32, September 23, 1958, 23 F.R. 7605."

PART 172—INTERPRETIVE RULINGS—FEDERAL BOATING ACT AND ACT OF APRIL 25, 1940, AS AMENDED

1. The authority note for Part 172 is amended to read as follows:

AUTHORITY: The provisions of this Part 172 issued under sec. 552, 80 Stat. 383, as amended, secs. 2, 633, 63 Stat. 496, 545, sec. 6(b) (1), 80 Stat. 938; 5 U.S.C. 552, 14 U.S.C. 2, 633, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2).

Subpart 172.01—General Provisions

§ 172.01-5 [Canceled]

2. Section 172.01-5 *Assignment of functions* is canceled because it has served its purpose.

PART 173—BOATING ACCIDENTS, REPORTS, AND STATISTICAL INFORMATION

The authority note for Part 173 is amended to read as follows:

AUTHORITY: The provisions of this Part 173 issued under secs. 13, 17, 54 Stat. 166, as amended, secs. 7, 10, 72 Stat. 1757, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 5261, 526p, 527d, 527g, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2).

SUBCHAPTER T—SMALL PASSENGER VESSELS (UNDER 100 GROSS TONS)

PART 175—GENERAL PROVISIONS

1. The authority note for Part 175 is amended to read as follows:

AUTHORITY: The provisions of this Part 175 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Additional authority cited in parentheses following sections affected.

Subpart 175.01—Authority

§ 175.01-1 [Amended]

2. Section 175.01-1 *General* is amended by changing in paragraph (a) the phrase from "Secretary of the Treasury in Treasury Department Order 167-20, dated June 18, 1956 (21 F.R. 4894)" to "Secretary of Transportation by a rule in 49 CFR 1.4(a) (2)"; and in paragraph (b) by changing the phrase from "Secretary of the Treasury in Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), 167-20, dated June 18, 1956 (21 F.R. 4894), CGFR 56-28, dated July 24, 1956 (21 F.R. 5659)" to "Secretary of Transportation by a rule in 49 CFR 1.4(a) (2)."

Subpart 175.05—Application

§ 175.05-1 [Amended]

3. Section 175.05-1 *Vessels subject to the requirements of this subchapter* is amended by deleting from the authority citations following paragraphs (c) and (e) the reference "Treasury Department Order 120, July 31, 1950, 15 F.R. 6521."

Subpart 175.10—Definitions of Terms Used in This Subchapter

§ 175.10-13 [Amended]

4. Section 175.10-13 *Headquarters* is amended by adding at the end thereof the ZIP number "20591."

5. Subpart 175.10 is amended by adding after § 175.10-37 a new § 175.10-38 reading as follows:

§ 175.10-38 Auxiliary sailing vessel.

This term means a vessel capable of being propelled by mechanical means and/or by sails.

Subpart 175.25—Special Consideration

§ 175.25-1 [Amended]

6. Section 175.25-1 *By Officer in Charge, Marine Inspection* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857."

PART 176—INSPECTION AND CERTIFICATION

1. The authority note for Part 176 is amended to read as follows:

AUTHORITY: The provisions of this Part 176 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4464, as amended; 46 U.S.C. 391, 392, 399, 404, 435, 451. Additional authority cited in parentheses following sections affected.

Subpart 176.01—Certificate of Inspection

§ 176.01-25 [Amended]

2. Section 176.01-25 *Passengers permitted* is amended by deleting from the authority citation following paragraph (a) the reference "Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857."

§ 176.01-30 [Amended]

3. Section 176.01-30 *Permit to carry excursion party* is amended by deleting from the authority citation following paragraph (e) the reference "Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857."

Subpart 176.05—Inspection for Certification

4. Section 176.05-5 is amended to read as follows:

§ 176.05-5 Initial inspection for certification.

(a) The initial inspection shall include an inspection of the structure, machinery, and equipment, including the outside of the vessel's bottom and unfired pressure vessels.

(b) In the case of a vessel being newly constructed or converted, the initial inspection may consist of a series of inspections during the construction or conversion.

(c) The inspection shall be such as to insure that the arrangement, materials and scantlings of the structure, piping, main and auxiliary machinery, electrical installations, lifesaving appliances, fire extinguishing equipment, and all other equipment comply with the regulations in this subchapter to the extent they are applicable to the vessel being inspected, and are in accordance with such approved plans as may be required by Subpart 177.05 of this subchapter. The inspection shall also be such as to insure that the materials, workmanship and condition of all parts of the vessel and its machinery and equipment are in all respects satisfactory for the service intended, and that the vessel is in possession of a valid certificate issued by the Federal Communications Commission, if required.

Subpart 176.25—Material Inspections

§ 176.25-1 [Amended]

5. Section 176.25-1 *Inspection standards* is amended by deleting from the authority citation following paragraph (a) the reference "Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857."

6. Section 176.25-20 is amended by amending the authority citation at the end of the section and by adding a new paragraph (c), which read as follows:

§ 176.25-20 Lifesaving equipment—S.

(c) A hydraulic release used in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus shall undergo the periodic servicing and testing required by Subpart 160.062 of Subchapter Q (Specifications) of this chapter every 12 months which may be extended to 15 months as determined by the date shown on its inspection tag. The springs of a spring-tensioned gripe used in such an installation shall be renewed when the accompanying hydraulic release is serviced and tested.

(R.S. 4488, as amended; 46 U.S.C. 481)

7. Section 176.25-22 is amended by amending the authority citation at the end of the section and by adding a new paragraph (c), which read as follows:

§ 176.25-22 Lifesaving equipment—L.

(d) A hydraulic release used in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus shall undergo the periodic servicing and testing required by subpart 160.062 of Subchapter Q (Specifications) of this

chapter every 12 months which may be extended to 15 months as determined by the date shown on its inspection tag. The springs on a spring-tensioned gripe used in such an installation shall be renewed when the accompanying hydraulic release is serviced and tested.

(R.S. 4488, as amended; 46 U.S.C. 481)

§ 176.25-25 [Amended]

8. Section 176.25-25 *Fire extinguishing equipment—S* is amended by changing in paragraph (c) the name from "Interstate Commerce Commission" to "Department of Transportation"; and in the authority citation at the end of the section by deleting the reference "Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857."

§ 176.25-27 [Amended]

9. Section 176.25-27 *Fire extinguishing equipment—L* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857."

§ 176.25-40 [Amended]

10. Section 176.25-40 *Miscellaneous systems and equipment* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857."

PART 177—CONSTRUCTION AND ARRANGEMENT

The authority note for Part 177 is amended to read as follows:

AUTHORITY: The provisions of this Part 177 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 481.

PART 178—WATERTIGHT INTEGRITY AND SUBDIVISION

The authority note for Part 178 is amended to read as follows:

AUTHORITY: The provisions of this Part 178 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 435, 481.

PART 179—STABILITY

The authority note for Part 179 is amended to read as follows:

AUTHORITY: The provisions of this Part 179 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 435, 481.

PART 180—LIFESAVING EQUIPMENT

1. The authority note for Part 180 is amended to read as follows:

AUTHORITY: The provisions of this Part 180 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 399, 404, 435, 481. Additional authority cited in parentheses following sections affected.

Subpart 180.10—Primary Lifesaving Equipment Required

2. Section 180.10-1 is amended by adding a new paragraph (b) reading as follows:

§ 180.10-1 General.

(b) The term "primary lifesaving equipment" means a lifeboat or an acceptable substitute. The acceptable substitute may include liferafts, lifeboats, rescue boats, and buoyant apparatus under certain conditions. Life preservers and ring buoys are not included in the definitions of "primary lifesaving equipment."

3. Section 180.10-5 is amended by adding a new paragraph (b), reading as follows:

§ 180.10-5 Requirements for vessels in ocean or coastwise service.

(b) After July 1, 1968, all lifeboats and buoyant apparatus shall be international orange in color.

4. Section 180.10-15 is amended by adding a new paragraph (b), reading as follows:

§ 180.10-15 Requirements for vessels in Great Lakes service.

(b) After July 1, 1968, all lifeboats and buoyant apparatus shall be international orange in color.

5. Section 180.10-20 is amended by adding a new paragraph (b), reading as follows:

§ 180.10-20 Requirements for vessels in lakes, bays, and sounds service.

(b) After July 1, 1968, all lifeboats and buoyant apparatus shall be either international orange or white in color.

Subpart 180.20—Stowage and Marking of Lifesaving Appliances

6. Section 180.20-1 is amended by adding a new paragraph (c) reading as follows:

§ 180.20-1 Stowage of lifesaving appliances.

(c) (1) Hydraulic releases approved under Subpart 160.062 of Subchapter Q (specifications) of this chapter, and spring-tensioned gripes may be permitted

in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus. On and after July 1, 1969, only hydraulic releases approved under Subpart 160.062 of this chapter may be used.

(2) Existing hydraulic releases may be returned to their manufacturers or to repair facilities designated by their manufacturers for the purpose of determining compliance with Subpart 160.062 of this chapter. If such a release passes the periodic servicing and testing requirements in § 160.062-4(f) of this chapter and the reconditioning work (if any) is done to the satisfaction of the Officer in Charge, Marine Inspection, the complete body marking and inspection tagging required by § 160.062-5 of this chapter shall be placed on such a release indicating it is an approved item.

Subpart 180.25—Life Preservers

7. Section 180.25-5 is amended by adding a new paragraph (b) reading as follows:

§ 180.25-5 Number required.

(b) In addition to the life preservers required by paragraph (a) of this section, all vessels on an international voyage and carrying more than 12 passengers shall be provided with approved type life preservers for 5 percent of the persons carried.

PART 181—FIRE PROTECTION EQUIPMENT

1. The authority note for Part 181 is amended to read as follows:

AUTHORITY: The provisions of this Part 181 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 435, 481. Additional authority cited in parentheses following sections affected.

Subpart 181.30—Portable Fire Extinguishers

§ 181.30-5 [Amended]

2. Section 181.30-5 *Approved extinguishers* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Order 120, July 31, 1950, 15 F.R. 6521."

PART 182—MACHINERY INSTALLATION

1. The authority note for Part 182 is amended to read as follows:

AUTHORITY: The provisions of this Part 182 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 411, 435, 481. Additional authority cited in parentheses following sections affected.

Subpart 182.20—Machinery Using Diesel Fuel

§ 182.20-45 [Amended]

2. Section 182.20-45 *Ventilation of compartments containing diesel machinery* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Order 120, July 31, 1950, 15 F.R. 6521."

§ 182.20-50 [Amended]

3. Section 182.20-50 *Ventilation or venting of compartments containing diesel fuel tanks* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Order 120, July 31, 1950, 15 F.R. 6521."

PART 183—ELECTRICAL INSTALLATION

The authority note for Part 183 is amended to read as follows:

AUTHORITY: The provisions of this Part 183 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 411, 435, 481.

PART 184—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

1. The authority note for Part 184 is amended to read as follows:

AUTHORITY: The provisions of this Part 184 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended; 46 U.S.C. 391, 392, 404, 435. Additional authority cited in parentheses following sections affected.

Subpart 184.15—Navigation Lights and Shapes, Whistles, Fog Horns, and Fog Bells

2. Subpart 184.15 is amended by adding after § 184.15-5 a new § 184.15-10 reading as follows:

§ 184.15-10 Light screens.

(a) Light screens when required by the applicable Rules of the Road for port and starboard side lights shall be painted with a glossy black paint and shall project not less than three (3) feet forward of the center of the light source.

PART 185—OPERATIONS

1. The authority note for Part 185 is amended to read as follows:

AUTHORITY: The provisions of this Part 185 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 375, 416, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended; 46 U.S.C.

391, 392, 404, 435. Additional authority cited in parentheses following sections affected.

Subpart 185.22—Patrolmen

§ 185.22-1 [Amended]

2. Section 185.22-1 *Duties* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Order 167-38, October 26, 1959; 24 F.R. 8857."

PART 186—MANNING

1. The authority note for Part 186 is amended to read as follows:

AUTHORITY: The provisions of this Part 186 issued under sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Additional authority cited in parentheses following sections affected.

Subpart 186.10—Licenses

2. Section 186.10-1(c) is amended by revising the text to read as follows:

§ 186.10-1 Licenses required.

(c) (1) A license which authorizes the holder to serve as an operator of a mechanically propelled vessel subject to the regulations in this subchapter will also authorize the holder to serve as operator of a non-self-propelled vessel subject to such regulations under the same conditions as if the vessel were mechanically propelled.

(2) A license which authorizes the holder to serve as an operator of a sail vessel subject to the regulations in this subchapter will also authorize the holder to serve as operator of a non-self-propelled vessel subject to such regulations under the same conditions as if the vessel were sail propelled.

(3) A license which authorizes the holder to serve as an operator of an auxiliary sail vessel subject to the regulations in this subchapter will also authorize the holder to serve as operator of a mechanically propelled vessel, a sail vessel, and a non-self-propelled vessel subject to such regulations under the same conditions as if the vessel were an auxiliary sail vessel.

(R.S. 4426, as amended, 4463, as amended, secs. 7, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 404, 222, 526f, 526p)

PART 187—LICENSING

1. The authority note for Part 187 is amended to read as follows:

AUTHORITY: The provisions of this Part 187 issued under secs. 7, 17, 54 Stat. 165, as amended, 166, as amended, sec. 3, 70 Stat. 152, sec. 6(b) (1), 80 Stat. 938; 46 U.S.C. 526f, 526p, 390b, 49 U.S.C. 1655(b); 49 CFR 1.4(a) (2). Interpret or apply R.S. 4417a, as amended, 4426, as amended; 46 U.S.C. 391a, 404. Additional authority cited in parentheses following sections affected.

Subpart 187.20—Specific Requirements for Operators on Other Than Ocean and Coastwise Waters

2. Section 187.20-5(b) is amended to read as follows:

RULES AND REGULATIONS

§ 187.20-5 General requirements.

(b) An applicant for a license as operator shall submit satisfactory evidence of experience as follows:

(1) For operator of mechanically propelled vessels, sailing vessels, or non-self-propelled vessels, he shall submit satisfactory evidence of at least 12 months' experience in the operation of the type of vessel specified in the application.

(2) For operator of auxiliary sailing vessels, he shall submit satisfactory evidence of at least 18 months' experience in the operation of mechanically propelled vessels, sailing vessels and auxiliary sailing vessels, of which at least 12 months' experience has been in the operation of sailing vessels or auxiliary sailing vessels.

3. Section 187.20-10 is amended by adding a new paragraph (b) reading as follows:

§ 187.20-10 Examination for operators of mechanically propelled vessels.

(b) Although the applicants will be examined only in the Rules of the Road applicable to the waters upon which they are operating, it will be incumbent upon them should they at any time operate on waters for which the Rules of the Road differ, to familiarize themselves with the appropriate rules.

4. Subpart 187.20 is amended by inserting after § 187.20-15 a new § 187.20-17 reading as follows:

§ 187.20-17 Examination for operators of auxiliary sailing vessels.

(a) The examination will consist of questions on the following:

- (1) The Rules of the Road applicable to the waters over which the applicant operates.
- (2) Fire protection and extinguishment.
- (3) Lifesaving equipment.
- (4) The operation of propelling machinery, particularly the safe and proper handling of gasoline and gasoline engines.
- (5) The operation and navigation of auxiliary sailing vessels carrying passengers.
- (6) Simple first aid.
- (7) Rules and regulations of this subchapter applicable to vessels operating in other than ocean and coastwise service.

(b) Although the applicants will be examined only in the Rules of the Road applicable to the waters upon which they are operating, it will be incumbent upon them, should they at any time operate on waters for which the Rules of the Road differ, to familiarize themselves with the appropriate rules.

Subpart 187.25—Specific Requirements for Ocean Operators

5. Section 187.25-1(d) is amended by changing the phrase from "21 years" to "19 years" so that it reads as follows:

§ 187.25-1 General application.

(d) *Minimum age.* Any person who has attained the age of 19 years and is qualified in all other respects shall be eligible for a license.

6. Section 187.25-5 is amended to read as follows:

§ 187.25-5 Service requirements, mechanically propelled vessels.

(a) The minimum service required to qualify an applicant for examination for a license as operator of mechanically propelled vessels in ocean service is:

(1) One year's service as a licensed motorboat operator of motorboats carrying six or less passengers for hire on ocean or coastwise waters; or,

(2) Two years' deck department service in the operation of ocean or coastwise motorboats or small motor vessels; or,

(3) One year's service as able seaman on ocean or coastwise steam or motor vessels, together with 1 year's deck department service in the operation of ocean or coastwise motorboats or small motor vessels; all of which service shall have been acquired while holding a merchant mariner's document endorsed as "able seaman, any waters, unlimited," or as "able seaman, any waters, 12 months."

(b) All service required by this section shall consist of actual service performed. Accordingly, seasonal service shall only be credited for the actual time served.

7. Subpart 187.25 is amended by inserting after § 187.25-10 a new § 187.25-11 reading as follows:

§ 187.25-11 Service requirements, auxiliary sailing vessel.

(a) The minimum service required to qualify an applicant for examination for a license as operator of auxiliary sailing vessels in ocean service is:

(1) One year's service as a licensed motorboat operator on ocean or coastwise waters and 2 years' service in the operation of ocean or coastwise sailing vessels; or,

(2) 18 months' deck department service in the operation of ocean or coastwise motorboats or small motor vessels and 2 years' service in the operation of ocean or coastwise sailing or auxiliary sailing vessels; or,

(3) One year's deck department service in the operation of ocean or coastwise motorboats or small motor vessels while holding a motorboat operator's license or a license as operator of mechanically propelled vessels and 2 years' service in the operation of ocean or coastwise sailing or auxiliary sailing vessels.

(4) One year's service in the operation of ocean or coastwise sailing or auxiliary sailing vessels while holding a license as operator of mechanically propelled vessels in ocean service; or,

(5) Six months' service in the deck department of mechanically propelled vessels in ocean service while holding a license as operator of sailing vessels in ocean service.

8. Subpart 187.25 is amended by inserting after § 187.25-20 a new § 187.25-21 reading as follows:

§ 187.25-21 Examination for operator of auxiliary sailing vessels in ocean service.

(a) An applicant for a license as operator of ocean auxiliary sailing vessels of less than 100 gross tons shall be required to pass a satisfactory examination as to his knowledge of the subjects listed in this paragraph:

(1) Use of a nautical chart and the meaning of the various symbols and abbreviations thereon; determining and laying off compass courses and distances on a chart, and allowing for set and drift of currents; fixing a vessel's position by bearings of fixed object(s).

(2) International and Inland Rules of the Road.

(3) Practical application of variation and deviation of the magnetic compass and simple methods of determining the compass error.

(4) Rudimentary seamanship, including:

(i) The use and construction of a sea anchor.

(ii) Temporary repairs to the hull in the event of springing a leak.

(iii) Man overboard procedure in the handling of the boat and recovering the person.

(iv) Proper anchoring, mooring and unmooring procedures.

(v) Handling vessel in heavy weather.

(vi) The setting and taking in of a fore and aft sail and others relating to the handling of sails and sailing vessels.

(5) Aids to navigation, including the basic buoyage system of the United States.

(6) Local winds, weather, and currents.

(7) Local navigational features and conditions.

(8) Simple first aid, including artificial respiration.

(9) Elementary signals, including:

(i) Storm signals.

(ii) Distress signals.

(10) The use and reading of weather bulletins.

(11) The use and reading of an aneroid barometer.

(12) Lifesaving and firefighting equipment including precautions to be taken against fire, explosion from oil or gasoline and methods of dealing with fire, the use of fire extinguishers, and the handling of the vessel after fire is discovered.

(13) Rules and regulations of this subchapter applicable to ocean and coastwise vessels.

(14) The operation of propelling machinery, particularly the safe and proper handling of gasoline and gasoline engines.

(15) Such further examination as the Officer in Charge, Marine Inspection, may consider necessary to establish the applicant's proficiency for the route to be navigated.

(b) If the applicant is a holder of a valid license as operator of mechanically propelled vessels in ocean service, he will be required to pass a satisfactory examination in the following subjects:

(1) International and Inland Rules of the Road.

(2) The setting and taking in of a fore and aft sail and others relating to the handling of sails and sailing vessels.

(c) If the applicant is the holder of a valid license as operator of ocean sailing vessels, he will be required to pass an examination in the following subjects:

(1) International and Inland Rules of the Road.

(2) The operation of propelling machinery, particularly the safe and proper handling of gasoline and gasoline engines.

Subpart 187.30—Action Against Licenses

§ 187.30-1 [Amended]

9. Section 187.30-1 *General application* is amended by deleting from the authority citation at the end of the section the reference "Treasury Department Order 167-9, August 3, 1954, 19 F.R. 5195."

SUBCHAPTER U—OCEANOGRAPHIC VESSELS

PART 188—GENERAL PROVISIONS

Subpart 188.01—Authority and Purpose

Section 188.01-5 is amended to read as follows:

§ 188.01-5 Assignment of functions.

(a) The Department of Transportation Act (Public Law 89-670, 80 Stat. 931-950, 49 U.S.C. 1651-1659), transferred to and vested in the Secretary of Transportation " * * * all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury" (subsection 6(b)(1), 49 U.S.C. 1655(b)). This transfer is subject to certain conditions, modifications, and exceptions as set forth in such act. By a rule in 49 CFR 1.4(a) the Secretary of Transportation delegated to the Commandant, U.S. Coast Guard, authority to exercise certain functions, powers, and duties as set forth in subsections 6(a)(4), 6(b)(1) and 6(g) of such act (49 U.S.C. 1655), subject to conditions, exceptions and modifications as described in 49 CFR Part 1. By a rule in 49 CFR 1.9 the Secretary of Transportation continued in effect actions taken prior to April 1, 1967.

(b) The Commandant, U.S. Coast Guard, in a notice dated March 31, 1967, and effective April 1, 1967 (32 F.R. 5611), approved the continuation of orders, rules, regulations, policies, procedures, privileges, waivers, and other actions, which had been made, allowed, granted, or issued prior to April 1, 1967, and provided that they shall continue in effect according to their terms until modified, terminated, repealed, superseded, or set aside by appropriate authority.

PART 189—INSPECTION AND CERTIFICATION

Subpart 189.25—Inspection for Certification

Section 189.25-15(a) is amended by adding a new subparagraph (8) reading as follows:

§ 189.25-15 Lifesaving equipment.

(a) * * *

(8) A hydraulic release used in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus shall undergo the periodic servicing and testing required by Subpart 160.062 of Subchapter Q (Specifications) of this chapter every 12 months which may be extended to 15 months as determined by the date shown on its inspection tag. The springs of a spring-tensioned gripe used in such an installation shall be renewed when the accompanying hydraulic release is serviced and tested.

(R.S. 4405, as amended, 4462, as amended, sec. 5, 79 Stat. 424, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 445, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2))

PART 192—LIFESAVING EQUIPMENT

Subpart 192.15—Stowage and Marking of Lifeboats, Liferafts, Lifeboats, and Buoyant Apparatus

Section 192.15-10 is amended by adding a new paragraph (e) reading as follows:

§ 192.15-10 Stowage.

(e) *Hydraulic releases.* (1) Hydraulic releases approved under Subpart 160.062 of Subchapter Q (Specifications) of this chapter, and spring-tensioned gripes may be permitted in the installation of any liferaft, inflatable liferaft, lifeboat, or buoyant apparatus. On and after July 1, 1969, only hydraulic releases approved under Subpart 160.062 of this chapter may be used.

(2) Existing hydraulic releases may be returned to their manufacturers or to repair facilities designated by their manufacturers for the purpose of determining compliance with Subpart 160.062 of this chapter. If such a release passes the periodic servicing and testing requirements in § 160.062-4(f) of this chapter and the reconditioning work (if any) is done to the satisfaction of the Officer in Charge, Marine Inspection, the complete body marking and inspection tagging required by § 160.062-5 of this chapter shall be placed on such a release indicating it is an approved item.

(R.S. 4405, as amended, 4462, as amended, sec. 5, 79 Stat. 424, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 445, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2))

PART 195—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

Subpart 195.20—Navigation Lights and Shapes, Signal Lights, Whistles, Foghorns, Fog Bells, and Gongs

Subpart 195.20 is amended by adding after § 195.20-10 a new § 195.20-15 reading as follows:

§ 195.20-15 Light screens.

(a) Light screens required by the applicable Rules of the Road for port and starboard side lights shall be painted

with a glossy black paint and shall project not less than three (3) feet forward of the center of the light source.

(R.S. 4405, as amended, 4462, as amended, sec. 5, 79 Stat. 424, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 445, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2))

PART 196—OPERATIONS

Subpart 196.05—Notice to Mariners and Aids to Navigation

Section 196.05-1 is amended by deleting obsolete information from paragraphs (c) and (d) and by replacing them with a revised paragraph (c) reading as follows:

§ 196.05-1 Duty of officers.

(c) Weekly Notices to Mariners (worldwide coverage) are prepared jointly by the U.S. Naval Oceanographic Office, the U.S. Coast and Geodetic Survey and the U.S. Coast Guard. They include changes in aids to navigation in assembled form for the 1st, 3d, 5th, 7th, 13th, 14th, and 17th Coast Guard Districts. Foreign marine information is also included in these notices. These notices are available without charge from the U.S. Naval Oceanographic Office, Washington, D.C. 20390, Branch Oceanographic Offices, U.S. Collector of Customs of the major seaports in the United States and are also on file in the U.S. Consulates where they may be inspected.

(d) [Deleted]

(R.S. 4405, as amended, 4462, as amended, sec. 5, 79 Stat. 424, sec. 6(b)(1), 80 Stat. 938; 46 U.S.C. 375, 416, 445, 49 U.S.C. 1655(b); 49 CFR 1.4(a)(2))

Subpart 196.40—Markings on Vessels

In the printing of the text of § 196.40-5(b) in the FEDERAL REGISTER of January 27, 1968 (33 F.R. 1165), the text became garbled and referenced material was changed, and therefore § 196.40-5(b) is amended to read as follows:

§ 196.40-5 Markings required.

(b) The markings described in this paragraph are required for undocumented vessels and are in addition to the motorboat registration number required under the Federal Boating Act of 1958.

(1) *Name of vessel.* At least 6 inches above the motorboat registration number on both bows, and on the stern. The letters shall meet the requirements of paragraph (a) of this section.

(2) *Hailing port.* On the stern. The letter shall meet the requirements which apply to paragraph (a) of this section.

Dated: April 3, 1968.

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

Incorporation by reference provisions approved by the Director of the Federal Register on April 11, 1968.

[F.R. Doc. 68-4226; Filed, Apr. 11, 1968; 8:45 a.m.]

