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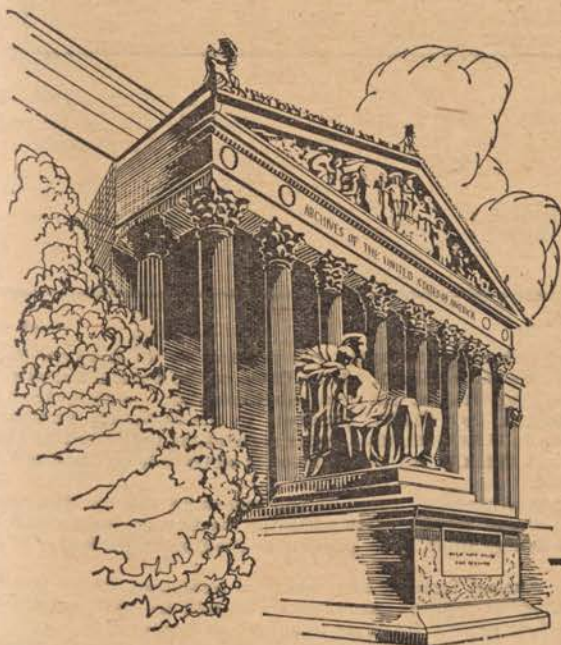
Saturday, May 11, 1968 • Washington, D.C.

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Agricultural Stabilization and
Conservation Service
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Atomic Energy Commission
Civil Aeronautics Board
Coast Guard
Commerce Department
Commodity Credit Corporation
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Federal Communications Commission
Federal Housing Administration
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5-Year Compilations of Presidential Documents

Supplements to Title 3

of the

Code of Federal Regulations

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SUPPLEMENT TO APPENDIX

The Appendix to Subpart A, Part 15, Subtitle A, Title 7, CFR, is hereby amended by adding the following Supplement No. 3 thereto.

Supplement No. 3. Programs and activities of the Department of Agriculture covered by Title VI of the Civil Rights Act of 1964:

Association Loans made out of the Agricultural Credit Insurance Fund under sections 306(a)(1) and 309(f)(1) of the Consolidated Farmers Home Administration Act of 1961, 7 U.S.C. 1926, 1929.

Farm Ownership Loans made out of the Agricultural Credit Insurance Fund under sections 303 and 309(f)(1) of the Consolidated Farmers Home Administration Act of 1961, 7 U.S.C. 1923, 1929, to install or improve recreational facilities.

Labor Housing Loans made out of the Rural Housing Insurance Fund under sections 514(a) and 517 (b) and (c) of the Housing Act of 1949, 42 U.S.C. 1484, 1487.

Rural Rental and Cooperative Housing Loans made out of the Rural Housing Insurance Fund under sections 515(b) and 517 (b) and (c) of the Housing Act of 1949, 42 U.S.C. 1485, 1487.

(Sec. 602, 78 Stat. 252, § 15-1(b) of Subpart A to Part 15, Subtitle A, Title 7, CFR, and letter of Mar. 25, 1968, from the Attorney General to General Counsel, Department of Agriculture)

Effective date. This Supplement No. 3 to the Appendix to Subpart A, Part 15, Subtitle A, Title 7, CFR, shall become effective upon its publication in the FEDERAL REGISTER.

Dated: April 30, 1968.

JOHN A. BAKER,
Acting Secretary.

[F.R. Doc. 68-5666; Filed, May 10, 1968;
8:50 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 730—RICE

Subpart—1968-69 Marketing Year

DETERMINATION OF COUNTY NORMAL YIELDS FOR 1968 CROP

The regulations contained in § 730.1509 are issued pursuant to and in conformity

with the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended. Section 301(b)(13), subparagraphs (D) and (F), of the Act provide definitions for county normal yields as follows:

(D) "Normal yield" for any county, in the case of rice * * *, shall be the average yield per acre of rice * * *, for the county during the 5 calendar years immediately preceding the year for which such normal yield is determined * * *, adjusted for abnormal weather conditions and for trends in yields. If for any such year data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations issued by the Secretary, taking into consideration the yields obtained in surrounding counties during such year and the yield in years for which data are available, shall be used as the actual yield for such year.

(F) In applying subparagraphs (D) and (E), if on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause, the yield for any year of such five-year period is less than 75 per centum of the average, 75 per centum of such average shall be substituted therefor in calculating the normal yield per acre. If, on account of abnormally favorable weather conditions, the yield for any year of such five-year period is in excess of 125 per centum of the average, 125 per centum of such average shall be substituted therefor in calculating the normal yield per acre.

Prior to the issuance of the regulations for determining county normal yields for 1968 and the determination of county normal yields thereunder, public notice (32 F.R. 14331) was given in accordance with (5 U.S.C. 553). No data, views, or recommendations pertaining thereto were submitted pursuant to such notice. Since farmers will be harvesting rice in areas prior to the date that county normal yields would ordinarily become effective (30 days after publication in the FEDERAL REGISTER), it is hereby found that the proclamations and determinations herein shall become effective upon the date of filing of this document with the Director, Office of the Federal Register.

Section 730.1509 is issued to provide the regulations for determining county normal yields and to proclaim the yields for the 1968 crop of rice determined thereunder.

§ 730.1509 County normal yield for 1968 crop rice.

(a) *Regulations.* County normal yields for 1968 crop rice shall be determined by computing the average yield per harvested acre of rice for each county producing rice during the years 1963 through 1967, adjusted for abnormal weather conditions and other uncontrollable natural causes and for trends in yields. Where data for any year are not available, or there was no actual yield, an appraised yield for such

year shall be determined on the basis of the yields obtained in surrounding counties during such year and the yield in years for which data are available. Adjustments for abnormal weather conditions and other uncontrollable natural causes shall be as follows: For any annual yield, including an appraised yield, which is less than 75 per centum of the 5-year (1963-67) average yield, 75 per centum of such average shall be substituted therefor; and for any annual yield, including an appraised yield, which is in excess of 125 per centum of the 5-year (1963-67) average yield, 125 per centum of such average shall be substituted therefor. The adjustment for trends in yields shall be made by adopting as the county normal yield the simple average of (1) the 1963-67 average yield per harvested acre of rice for the county, adjusted for abnormal weather conditions and other uncontrollable natural causes as provided in the preceding sentence, and (2) the 1966-67 average yield per harvested acre of rice for the county, similarly adjusted, except that no trend adjustment shall be made unless the 2-year adjusted average is higher than the 5-year adjusted average. Notwithstanding the adjustments as indicated above, no county normal yield shall be less than the unadjusted 5-year (1963-67) average yield.

(b) *Statistical data.* Section 301(c) of the Agricultural Adjustment Act of 1938, as amended, provides that "The latest available statistics of the Federal Government shall be used by the Secretary in making the determinations required to be made by the Secretary under this act." In accordance therewith, the annual yields of rice for counties in the States of Arkansas, California, Louisiana, Mississippi, Missouri, and Texas used in the determination of county normal yields in this section shall be the latest official yields determined by the Statistical Reporting Service of the Department, on the basis of its estimate of harvested acres and production of rice in applicable counties of those States during each of the years 1963 through 1967, except that if such a yield for any year is not available an appraised yield shall be used for such year. In the minor rice-producing States of Florida, Illinois, North Carolina, Oklahoma, South Carolina, and Tennessee where no official estimates of rice yields were available, the annual rice yields for the years 1963 through 1967 used in determining the county normal yields in this section for the applicable counties in these States shall be those obtained by special surveys covering all farms producing rice in any of the calendar years 1963 through 1967.

(c) *Proclamation of county normal yields.* County normal yields for 1968 crop rice, determined in accordance with paragraphs (a) and (b) of this section, are as follows:

RULES AND REGULATIONS

ARKANSAS				MISSOURI			
County	Normal yield per harvested acre (pounds)	County	Normal yield per harvested acre (pounds)	County	Normal yield per harvested acre (pounds)	County	Normal yield per harvested acre (pounds)
Arkansas	4,480	Lafayette	3,330	Butler	4,345	Ripley	4,438
Ashley	4,335	Lawrence	4,477	Lewis	2,800	St. Charles	4,110
Chicot	4,128	Lee	4,064	Lincoln	2,900	Scott	4,742
Clark	3,675	Lincoln	4,434	Marion	4,308	Stoddard	4,630
Clay	4,370	Little River	4,207	Mississippi	3,100		
Conway	3,940	Lonoke	4,424	New Madrid	4,483	State	4,433
Craighead	4,648	Miller	3,431	Pemiscot	4,429		
Crittenden	3,908	Mississippi	4,450				
Cross	4,448	Monroe	4,372				
Dallas	3,602	Perry	3,890				
Desha	4,287	Phillips	4,012				
Drew	4,204	Poinsett	4,697				
Faulkner	3,823	Prairie	4,390				
Grant	3,170	Pulaski	4,066				
Greene	4,318	Randolph	4,412				
Hot Springs	3,846	St. Francis	4,109				
Independence	4,270	White	4,142				
Jackson	4,275	Woodruff	4,177				
Jefferson	4,296	State	4,381				
CALIFORNIA				NORTH CAROLINA			
Butte	5,044	Riverside	4,100	Brunswick	1,260		
Calusa	5,104	Sacramento	5,120	Hyde	1,790		
Fresno	4,409	San Joaquin	5,205	State	1,663		
Glenn	5,110	Stanislaus	4,779				
Imperial	4,000	Sutter	5,232				
Kern	4,528	Tulare	4,112				
Kings	2,250	Yolo	5,190				
Madera	4,385	Yuba	4,935				
Merced	4,885						
Placer	4,566	State	5,072				
FLORIDA				OKLAHOMA			
Collier	1,182	Martin	900	McCurtain	3,359		
Hendry	2,168	Palm Beach	911				
Hillsborough	1,200	State	1,170				
Lee	1,182						
ILLINOIS				SOUTH CAROLINA			
Adams	3,000			Berkeley	2,473	Jasper	2,223
LOUISIANA (PARISHES)				Charleston	2,000	Kershaw	1,562
Acadia	3,762	Morehouse	4,310	Collecton	2,241		
Allen	3,672	Ouachita	3,230	Georgetown	1,000	State	2,115
Ascension	3,149	Pointe		Horry	1,500		
Assumption	2,970	Coupee	3,278				
Avoyelles	3,675	Rapides	3,887				
Beauregard	3,007	Richland	3,500				
Bossier	3,000	St. Charles	2,300				
Calcasieu	3,200	St. James	3,520				
Cameron	3,622	St. John the Baptist	3,170				
Catahoula	4,198	St. Landry	3,970				
Concordia	3,772	St. Martin	3,590				
East Carroll	3,868	St. Mary	3,102				
Evangeline	3,900	St. Tammany	2,100				
Franklin	3,640	Tensas	4,075				
Grant	3,760	Terrebonne	2,800				
Iberie	3,290	Vermilion	3,666				
Iberville	3,392	West Baton Rouge	3,660				
Jefferson		West Carroll	4,108				
Davis	3,825	State	3,677				
Lafayette	3,618						
Lefourche	1,900						
Madison	4,238						
MISSISSIPPI				TENNESSEE			
Boliver	4,112	Sharkey	4,330	Dyer	3,880	Lauderdale	3,935
Coahoma	4,212	Sunflower	4,261	Fayette	2,300	State	3,924
De Soto	3,952	Tallahatchie	4,094				
Hancock	2,500	Tate	4,211				
Humphreys	4,078	Tunica	3,920				
Issaquena	3,000	Washington	4,358				
Leflore	4,082						
Panola	4,006	State	4,143				
Quitman	3,808						
TEXAS				MISSOURI			
Austin	5,008	Liberty	4,165	Butler	4,345	Ripley	4,438
Bowie	4,183	Matagorda	5,034	Lewis	2,800	St. Charles	4,110
Brazoria	4,030	Newton	3,802	Lincoln	2,900	Scott	4,742
Calhoun	4,680	Orange	3,280	Marion	4,308	Stoddard	4,630
Chambers	4,175	Polk	2,790	Mississippi	3,100		
Colorado	5,155	Travis	4,443	New Madrid	4,483		
Fort Bend	4,635	Victoria	5,012	Pemiscot	4,429		
Galveston	4,080	Walker	2,690				
Hardin	3,870	Waller	5,010				
Harris	4,505	Washington	3,180				
Jackson	5,090	Wharton	5,155				
Jasper	3,550						
Jefferson	3,875	State	4,552				
Lavaca	4,850						

(Secs. 301, 375, 52 Stat. 38, as amended by 70 Stat. 212, 52 Stat. 66, as amended; 7 U.S.C. 1301, 1375)

Effective date: Upon filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 7, 1968.

E. A. JAEENKE,

Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 68-5658; Filed, May 10, 1968; 8:49 a.m.]

SUBCHAPTER E—PUBLIC RECORDS

[Amdt. 1]

PART 798—AVAILABILITY OF INFORMATION TO THE PUBLIC

Miscellaneous Amendments

The ASCS regulations, 7 CFR, Part 798, relating to availability of information to the public, are amended as follows to cover all lists of names and addresses maintained by ASCS, to clarify the obtaining of copies of requested records,

and to specify all fees and charges required by ASCS in accordance with the fee schedule issued by the Director, Office of Plant and Operations, USDA (32 F.R. 9732):

1. Paragraphs (b) and (d) of § 798.6 are amended to read as follows:

§ 798.6 Procedure for requesting records.

(b) *How to request records.* Any person may request a record in writing or verbally. The request must identify the record sought in sufficient detail to enable identification and location of the record. Requests for lists of names and addresses maintained by ASCS must be in writing, state the purpose for which the list will be used, and contain a statement that the lists will not be used by the requester, or be made available to other persons, for commercial purposes, such as solicitations. Payments of appropriate fees shall accompany the request.

(d) *Obtaining copies of requested records.* (1) If copies of directives and final decisions, determinations, and opinions are not available for purchase at the office to which request is made, such office shall give the requester the name and address of the office holding the record. Copies of national directives and CCC Contract Disputes Board final decisions and opinions shall be obtained from the appropriate Washington division. (Copies of final decisions and opinions of the Board of Contract Appeals of the Department of Agriculture, which succeeded the CCC Contract Disputes Board on Jan. 26, 1968, shall be obtained from the Office of the Secretary of the Board of Contract Appeals.) Copies of field directives and supplements to national directives and Marketing Quota Review Committee final determinations and opinions shall be obtained from the appropriate field office.

(3) Copies of documents, forms or other identifiable records shall be reproduced by the office to which request is made or such office shall give the requester the name and address of the office holding the record.

2. Section 798.7 is revised to read as follows:

§ 798.7 Fees.

In accordance with the fee schedule issued by the Director, Office of Plant and Operations, the following fees and charges shall apply for providing ASCS publications, furnishing copies and making searches of official ASCS records, and performing other similar services rendered by ASCS.

(a) Informational materials such as press releases, pamphlets, speeches, and newsletter and printed summary reports and statistical summaries issued primarily for public use are available to the requester without cost.

(b) One copy of directives or blank forms required by ASCS for program administration or participation shall be furnished without cost to participants upon request.

(c) Directives, indexes, CCC Board dockets, CCC Contract Disputes Board decisions, and Marketing Quota Review Committee determinations are available for inspection to the requester without cost.

(d) A fee of \$0.25 per page shall be charged for photocopies of identifiable records, such as FEDERAL REGISTER reprints, notices, checklists, Administrator's memorandums, and selected pages from handbooks.

(e) A fee of \$0.05 per page shall be charged for printed copies, such as blank forms, FEDERAL REGISTER reprints, and directives except handbooks. (See paragraph (h) of this section for fees to be charged for handbooks.)

(f) A copy certification service is not provided by ASCS since copies furnished are either printed or photocopies. However, an authentication service (with Department Seal affixed) is provided for a fee of \$2 for each record. This fee is in addition to other applicable fees.

(g) A fee of \$0.50 shall be charged for handling requests by mail or which must be sent to another ASCS office. This fee is in addition to the fees required to be charged by paragraphs (d) through (f) of this section.

(h) Except as provided in paragraph (b) of this section, fees charged for national and field internal operating handbooks and bin site directories shall be as follows:

(1) \$2.50 for the first copy of a handbook and \$1 for each additional copy. The term "copy of a handbook" includes all amendments to the handbook available at the time of purchase. It does not include field supplementation to national handbooks. Amendments shall be furnished separately for the requester to assemble.

(2) \$0.05 per page not to exceed \$2.50 for the first copy and \$1 for each additional copy for field supplementation to national handbooks and amendments to handbooks issued after the date of purchase of a handbook under subparagraph (1). Such amendments shall not be furnished automatically by ASCS. The requester must request them.

(i) Fees for searching for requested records shall be charged as follows whether or not the record is found.

- (1) 30 minutes or less—None.
- (2) 31 to 60 minutes—\$4.
- (3) More than 60 minutes—\$1 for each 15 minutes or fraction thereof.

(j) Charges for computer-stored data which can be produced through existing computer programs shall be on a negotiated basis. Such charges shall consist of machine, computer, personnel, and material costs. Negotiated charges shall be approved by the appropriate deputy administrator, ASCS.

(k) The fees shown on the reverse of Form ASCS-441, Order Aerial Photographs, shall be charged for aerial photographs.

(l) The fees shown in the following table shall be charged for lists of names and addresses maintained by ASCS, such as farmers, warehousemen, and ginners, except that ASCS county offices may furnish lists of their committeemen or employees without cost to the requester. A minimum fee for any list for which a charge is required shall be \$5. Fees for any additional information posted manually to a list shall be in addition to the fee for the list and shall be computed at the same rates as shown in paragraph (i) of this section.

Type of list	Charge per name when prepared:		
	By automatic addressing machine	By hand addressing machine	Manually
Complete list (no selection).....	Cents 4	Cents 8	Cents 16
Selected list (requester must specify basis for selection).....	6	10	18

(m) Payment of a fee required by this section may be waived if:

(1) The individual collection is less than \$1.

(2) The requester is a representative of a State, local, or foreign government, university, college, secondary school, library, or hospital, and payment of the fee would not be in the best interest of the program.

(3) The total cost of collecting the fees would be an unduly large part of the receipts from the activity.

(5 U.S.C. 552, 559)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 7, 1968.

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

[F.R. Doc. 68-5659; Filed, May 10, 1968; 8:49 a.m.]

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

[Lemon Reg. 320]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.620 Lemon Regulation 320.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1927, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended mar-

keting agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 7, 1968.

(b) Order. (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period May 12, 1968, through May 18, 1968, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 255,750 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: May 8, 1968.

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

[F.R. Doc. 68-5664; Filed, May 10, 1968; 8:50 a.m.]

Chapter XI—Consumer and Marketing Service (Marketing Agreements and Orders: Miscellaneous Commodities), Department of Agriculture

PART 1201—TYPE 62 SHADE-GROWN CIGAR-LEAF TOBACCO GROWN IN DESIGNATED PRODUCTION AREA OF FLORIDA AND GEORGIA

Subpart—Modifications

1968-69 FISCAL PERIOD

Findings. (1) Pursuant to the Amended Marketing Agreement and Amended Order No. 195 (7 CFR Part 1201) regulating the handling of Type 62 shade-grown cigar-leaf tobacco grown in designated production area of Florida and Georgia, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of the recommendation of the Control Committee established under the aforesaid amended marketing agreement and amended order, and other available information, it is hereby found that the handling of tobacco leaves, as herein-after provided, will tend to effectuate the declared policy of the act.

(2) New varieties have been developed which produce desirable quality leaves somewhat higher on the stalk than do old varieties, and the current crop consists principally of such new varieties. Thus, increasing for such crop the number of leaves per plant which may be handled should continue to have the same effect as in the past of limiting the handling of tobacco leaves to those of the better qualities. Statistics show that cigar consumption has increased in recent months compared with a year earlier. Also, increasing the number of higher quality leaves that may be handled should tend to improve export demand for Type 62 tobacco. In view of the improved varieties and possible increase in the demand situation, the greater quantity of tobacco leaves of desirable quality which may be handled, or be available for handling, as a result of this action should augment overall returns to growers.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time when the recommendation and information upon which this action is based became available and the time when this section must become effective in order to effectuate the declared policy of the act are insufficient; the harvesting of the 1968 crop will begin shortly and growers need to make plans in connection with harvesting the crop; this action, which will permit the handling of a greater number of good quality tobacco leaves and thereby tend to enhance total

returns to growers, should be taken in time to assure equitable treatment to all growers; it is necessary to make this modification effective as soon as possible so as to afford producers and other interested persons maximum time for arranging and conducting their operations accordingly under the amended marketing agreement and order; compliance with this section will not require any special preparation on the part of persons affected thereby which cannot be completed by the effective time thereof; this modification relieves restrictions on the handling of Type 62 shade-grown cigar-leaf tobacco and should become effective as herein provided; and no useful purpose would be served by postponing such effective date beyond that hereinafter provided.

§ 1201.401 Modification for the 1968-69 fiscal period.

In accordance with § 1201.52(b), the number "18" appearing in § 1201.53 is modified for the 1968-69 fiscal period to read "19."

NOTE: The number "19" in § 1201.53, as it appears in the Code of Federal Regulations (Title 7, Parts 1200 to 1499, as of Jan. 1, 1967) is in error. The number should read "18".

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

Dated: May 8, 1968, to become effective May 9, 1968.

STEPHEN E. WRATHER,
Director, Tobacco Division,
Consumer and Marketing Service.

[F.R. Doc. 68-5695; Filed, May 10, 1968;
8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Texas Flaxseed Bulletin, 1968 Supplement]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1968 Texas Flaxseed Purchase Program

A special purchase program has been authorized for 1968 crop flaxseed produced in designated Texas counties. This subpart contains provisions applicable to the 1968 program and together with the provisions contained in CCC Texas Flaxseed Bulletin (26 F.R. 3979, 29 F.R. 6245) constitutes the 1968 Texas Flaxseed Purchase Program.

§ 1421.3107 Purchase prices, premiums, and discounts.

(a) **1968 county purchase prices.** Basic purchase prices per bushel of eligible flaxseed of the 1968 crop which is produced in the counties listed below and which is delivered to authorized dealers under this program for the account of CCC will be at the rate established for the county where the flaxseed is delivered. The basic purchase prices for flaxseed grading No. 1 and containing

from 9.1 to 9.5 percent moisture are as follows:

TEXAS			
County	Rate per bushel	County	Rate per bushel
Atascosa	\$2.76	Hidalgo	\$2.72
Bee	2.85	Jackson	2.76
Bell	2.69	Jim Wells	2.84
Bexar	2.75	Karnes	2.82
Caldwell	2.73	Lamar	2.59
Calhoun	2.78	Live Oak	2.83
Comal	2.73	McMullen	2.78
DeWitt	2.77	Matagorda	2.77
Dimmit	2.65	Nueces	2.87
Duval	2.79	Refugio	2.86
Frio	2.72	San Patricio	2.87
Goliad	2.83	Victoria	2.80
Gonzales	2.75	Wharton	2.79
Guadalupe	2.74	Wilson	2.79

(b) **1968 terminal market purchase prices.** The basic purchase price shall be \$2.98 per bushel for flaxseed grading No. 1 and containing from 9.1 to 9.5 percent moisture delivered by rail or truck to authorized dealers at the Corpus Christi and Houston, Tex., terminal markets. There shall be deducted from such rate the transportation cost, if any, as determined by the Kansas City ASCS Commodity Office, for moving the flaxseed to a tidewater facility located within the switching limits of the terminal market to which it was delivered. In determining the purchase price for flaxseed delivered by truck to authorized dealers at such terminal markets, there shall also be deducted from the terminal rate 4.25 cents per bushel.

(c) **Premium for low moisture content.** A premium of 1 cent per bushel shall be applied to eligible flaxseed which grades No. 1 or No. 2 and contains 9 percent or less moisture.

(d) **Grade discounts.** The following discounts shall be applied to eligible flaxseed which grades No. 2 or Sample Grade:

(1) No. 2—6 cents per bushel.
(2) Sample Grade—6 cents per bushel plus the following discounts, as applicable:

(i) **Moisture:**

Percent	Cents
9.6-10.0	1
10.1-10.5	2
10.6-11.0	3
Above 11.0	13

¹ Plus 1 cent for each one-tenth percent of moisture in excess of 11 percent.

(ii) **Test weight—**3 cents for each one-half pound or fraction thereof of test weight below 47 pounds.

(iii) **Other factors:** Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of flaxseed, such as (but not limited to) heat damage, musty and sour. Such discounts will be established not later than the time delivery of flaxseed to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at ASCS county offices.

(Sec. 4, 62 Stat. 1070, as amended; sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053,

1054, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1447, 1421)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 7, 1968.

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

[F.R. Doc. 68-5110; Filed, May 10, 1968;
8:49 a.m.]

[CCC Grain Price Support Regs., 1968 and
Subsequent Crops Wheat Supplement]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1968 and Subsequent Crops Wheat Loan and Purchase Program

These regulations supersede the 1966 and Subsequent Crops Wheat Loan and Purchase Program regulations (31 F.R. 9414), and any amendments thereto, and any prior continuing wheat price support program regulations with respect to price support programs for the 1968 and any subsequent crop of wheat.

Sec.	
1421.2101	Purpose.
1421.2102	Eligible wheat.
1421.2103	Determination of quality.
1421.2104	Determination of quantity.
1421.2105	Warehouse receipts.
1421.2106	Fees and charges.
1421.2107	Warehouse charges.
1421.2108	Maturity of loans.
1421.2109	Settlement.
1421.2110	Support rates.

AUTHORITY: The provisions of this subpart issued under sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 107, 401, 63 Stat. 1051, 1054; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421.

§ 1421.2101 Purpose.

This supplement contains program provisions which, together with the General Regulations Governing Price Support for the 1964 and Subsequent Crops (Revision 1) (31 F.R. 5941) and any amendments thereto or revisions thereof (such regulations are referred to in this subpart as "General Regulations"), and the annual crop year supplement issued with respect to the crop of wheat for which price support is being requested, apply to price support loans and purchases for the 1968 and subsequent crops of wheat.

§ 1421.2102 Eligible wheat.

(a) *General.* To be eligible for a loan or for purchase, the wheat (1) may be of any class, (2) must be merchantable for food, feed, or other uses as determined by CCC, (3) must not contain mercurial compounds or other substances poisonous to man or animals, (4) must not contain one or more rodent pellets, or comparable amounts of other excreta, per pint of wheat (liquid measure), or 1 percent or more by weight of kernels visibly damaged by weevils or other insects, and (5) must have been produced in the commercial wheat producing area.

(b) *Warehouse-stored grade loan requirements.* To be eligible for a ware-

house storage loan, the wheat must also meet the following requirements:

(1) The wheat must grade No. 5 or better except that it may grade Sample on the factors of (i) test weight, (ii) damaged kernels (total) with not more than 3 percent heat damage, (iii) foreign material, (iv) total defects with not more than 3 percent heat damage, or (v) any combination of subdivisions (i) through (iv) of this subparagraph.

(2) If of the class Mixed wheat, the wheat must consist of mixtures of grades of eligible wheat as specified in subparagraph (1) of this paragraph, provided such mixtures are the natural products of the field.

(3) The wheat may have the special grade designations "Garlicky" or "Smutty", or both.

(4) The wheat must not grade Ergoty or Treated.

(5) Wheat which grades "Weevily" is not eligible unless the warehouse receipt issued for such wheat is accompanied by a supplemental certificate which provides for the delivery by the warehouseman of wheat which does not grade "Weevily" and which is otherwise of an eligible grade and quality. When the warehouse receipt shows "Weevily," the grade, grading factors, and the quantity shown on the supplemental certificate must be as specified in § 1421.2105(c).

(6) Wheat which contains in excess of 13.5 percent moisture is not eligible unless the warehouse receipt issued for such wheat is accompanied by a supplemental certificate which provides for the delivery by the warehouseman of wheat containing not over 13.5 percent moisture which is otherwise of an eligible grade and quality. The grade, grading factors and the quantity shown on the supplemental certificate must be as specified in § 1421.2105(c).

§ 1421.2103 Determination of quality.

(a) *Regular grading factors.* The class, grade, grading factors and all other quality factors shall be based on the Official Grain Standards of the United States for Wheat whether or not such determinations are made on the basis of an official inspection. The cost of official grade determinations, when made, shall not be for the account of CCC.

(b) *Protein content determinations.* Producers may obtain official protein content determinations on wheat to be placed under warehouse-storage loans or stored in approved warehouses for later purchase by CCC and on wheat delivered from farm storage in satisfaction of a loan or for purchase by CCC. Producers may also obtain official protein determinations on wheat placed under farm-storage loans in accordance with paragraph (c) of this section. The cost of official protein content determinations shall not be for the account of CCC.

(c) *Protein determinations on farm-storage loan wheat.* If a producer at time of request for a farm-storage loan also requests that the premium for protein content be applied to the basic support rate, the county office will draw a representative sample of, and arrange for protein tests on, the wheat to be placed

under loan. The premium applicable to the values determined by such test shall be applied to the basic support rate at the time the loan is made, but settlement shall be based on the protein content determined upon delivery of the wheat to CCC. The producer who requests the protein premium on his farm storage wheat to be placed under loan shall be charged a fee of \$3.50 for each bin of wheat tested for protein content.

§ 1421.2104 Determination of quantity.

When the quantity is determined by weight, a bushel shall be 60 pounds of wheat free of dockage.

(a) *In warehouse.* The quantity of wheat in an approved warehouse on which a warehouse-storage loan may be made and the quantity delivered to or acquired by CCC in an approved warehouse shall be the net weight specified on the warehouse receipt, or on the supplemental certificate, if applicable. If the wheat has been dried or blended to reduce the moisture content, the quantity specified on the warehouse receipt or supplemental certificate, if applicable, shall be the quantity after drying or blending, and such quantity shall reflect a minimum shrink in the receiving weight of 1.2 times the percentage difference between the moisture content of the wheat when received and 13.5 percent.

(b) *On farm.* The quantity of wheat eligible to be placed under a farm storage loan shall be determined in accordance with § 1421.67. The quantity acquired by CCC from farm storage shall be determined by weight.

§ 1421.2105 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase must meet the requirements of this section.

(a) *Separate receipt.* A separate warehouse receipt must be submitted for each grade and quality of wheat.

(b) *Entries.* Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show: (1) Gross weight and net bushels, (2) class and subclass, (3) grade (including special grades), (4) test weight, (5) moisture content if over 13.5 percent, (6) dockage, (7) any other grading factor(s) when such factor(s) and not test weight determine the grade, (8) protein content when applicable, (9) whether the wheat arrived by rail, truck, or barge, and (10) the date the wheat was received or deposited in the warehouse.

(c) *Where warehouse receipt shows "Weevily" and/or moisture over 13.5 percent.* If a warehouse receipt tendered as security for a loan shows that the wheat grades "Weevily" or contains over 13.5 percent moisture, or both, the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.2102(b) (5) and (6) in order for the wheat to be eligible for price support. The grade, grading factors, and the quantity to be delivered must be shown on the supplemental certificate as follows:

(1) When the warehouse receipt shows "Weevily" and the wheat has been conditioned to correct the "Weevily" condition, the supplemental certificate must show the same grade without the "Weevily" designation and the same grading factors and quantity as shown on the warehouse receipt.

(2) When the warehouse receipt shows a moisture content of over 13.5 percent and the wheat has been dried or blended, the supplemental certificate must show the grade, grading factors, and quantity after drying or blending the wheat to a moisture content of not over 13.5 percent which shall reflect a drying or blending shrink as specified in § 1421.2104(a).

(3) The supplemental certificate must state that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt.

(4) In the cause of conditions specified in subparagraphs (1) and (2) of this paragraph, the grade, grading factors, and the quantity shown on the supplemental certificate shall supersede the entries for such items on the warehouse receipt.

(d) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 1421.2107.

(e) *Freight bill requirements.* Warehouse receipts representing wheat which has been shipped by rail or water from a country shipping point to a designated terminal point, or shipped by rail or water from a country shipping point to a storage point and stored intransit to a designated terminal point, must be accompanied by registered freight bills or by a certificate containing similar information. These registered freight bills or certificates must be representative as to origin and date of movement of the wheat and must reflect the total freight rate from origin to the designated terminal point including penalty for out-of-line haul, if any. The form of the certificate will be prescribed by the ASCS commodity office and shall be signed by the warehouseman and may be made a part of the supplemental certificate.

§ 1421.2106 Fees and charges.

The producer shall pay a loan service fee and delivery charge as specified in § 1421.60(b).

§ 1421.2107 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the wheat represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the wheat is deposited in the warehouse for storage. Warehouse receipts and the wheat represented thereby stored in approved warehouses operated by Eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Com-

mission. In no event shall a warehouseman be entitled to satisfy the lien by sale of the wheat when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—UGSA warehouses.* The table set forth in the annual crop year supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of wheat stored in an approved warehouse operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all the warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the beginning date to be used for computing the storage deduction on wheat stored in warehouses operating under the Uniform Grain Storage Agreement shall be the latest of the following: (1) The date the wheat was received or deposited in the warehouse, (2) the date storage charges start, or (3) the day following the date through which storage charges have been paid.

(c) *Deduction of storage charges, Eastern common carriers.* The table set forth in the annual crop year supplement will provide the deduction for storage charges to be made from the amount of the loan or purchase price in the case of wheat stored in an approved warehouse operated by an Eastern common carrier. Such deduction shall be based on entries shown on the warehouseman's supplemental certificate and delivery order. If written evidence is submitted with the supplemental certificate and delivery order that all warehouse charges except elevation charges have been prepaid through the applicable loan maturity date, no storage deduction shall be made. Where the producer presents evidence showing that the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges set forth in the table in the annual crop year supplement.

§ 1421.2108 Maturity of loans.

Loans mature on demand but not later than the date specified in the annual crop year supplement to the regulations in this subpart.

§ 1421.2109 Settlement.

Notwithstanding the provisions of § 1421.72(c), if the wheat delivered is of a quality which does not meet the sanitation requirements of § 1421.2102(a) (4), the wheat shall be sold for uses other than for human consumption and the settlement value shall be the same as the sales price, except that if CCC is unable to sell the wheat for the use specified above, the settlement value shall be the market value determined by CCC, as of the date of delivery.

§ 1421.2110 Support rates.

Basic terminal and county support rates for wheat and the schedule of pre-

miums and discounts shall be set forth in the annual crop year supplement to the regulations contained in this subpart. Farm stored wheat loans will be made at the applicable basic county support rate adjusted, where applicable, for the undesirable variety discount, the Weed Control discount and as provided in § 1421.2103(c). The support rate for warehouse-storage loans and for wheat acquired under a loan or by purchase shall be the applicable basic support rate adjusted in accordance with the provisions of this section, and the premiums and discounts in the annual crop year supplement on the basis of the quality factors on warehouse receipts or supplemental certificates in the case of wheat stored in or delivered to an approved warehouse or on such other form as CCC may prescribe in the case of wheat delivered to other than an approved warehouse except that if a protein determination is obtained as provided in § 1421.2103 (b), the premium for protein content may be based on such determination. Settlement of loans and purchases shall be made in accordance with the provisions of §§ 1421.72, 1421.2103(c), and 1421.2109.

(a) *Support rates at designated terminal markets.* (1) The basic support rates established for designated terminal markets apply to wheat which has been shipped on a domestic interstate freight rate basis. The basic support rate at the designated terminal market for any wheat shipped at other than the domestic interstate freight rate shall be reduced by the amount by which the freight paid is less than the domestic interstate freight rate.

(2) The basic support rates established for designated terminal markets also apply to wheat which has been shipped by rail or water from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges. If the amount of paid-in freight is insufficient to guarantee the minimum proportional domestic interstate freight rate, if any, from the terminal market to a recognized market determined by the ASCS commodity office, there shall be deducted from the applicable basic terminal support rate the amount by which the amount of freight actually paid in is less than the amount required to be paid in to guarantee outbound movement at the minimum proportional domestic interstate freight rate. If the wheat is stored at any designated terminal market and neither registered freight bills nor registered freight certificates are presented, the basic support rate shall be reduced by the actual amount of paid-in freight required to guarantee the proportional outbound rate from the terminal market to a recognized market determined by the ASCS commodity office.

(3) The support rate for wheat received by truck and stored at any designated terminal market shall be determined by deducting from the applicable basic support rate 2.5 cents per bushel plus the actual amount of paid-in freight required to guarantee the proportional

outbound rate from the terminal market to a recognized market determined by the ASCS commodity office.

(4) Notwithstanding the foregoing provisions of this paragraph, in determining the support rate for wheat shipped by rail or water and stored at any of the following terminal markets there shall be deducted from the applicable basic support rate, the transportation cost, if any may be incurred, as determined by the ASCS commodity office, for moving the wheat to a tidewater facility located within the switching limits of the terminal market to which it was delivered:

Long Beach, Los Angeles, Oakland, San Francisco, Stockton, and Wilmington, Calif.
Baton Rouge and New Orleans, La.
Baltimore, Md.
Duluth, Minn.
Astoria and Portland, Ore.
Albany and New York, N.Y.
Philadelphia, Pa.
Charleston, S.C.
Beaumont, Galveston, Houston, Corpus Christi, and Port Arthur, Tex.
Norfolk, Va.
Kalama, Longview, Seattle, Tacoma, and Vancouver, Wash.
Superior, Wis.

(5) Notwithstanding the foregoing provisions of this paragraph, in determining the support rate for wheat received by truck and stored at any of the terminal markets listed in subparagraph (4) of this paragraph, there shall be deducted from the applicable basic support rate an amount of 2.5 cents per bushel, plus the transportation cost, if any, as determined by the ASCS commodity office, for moving the wheat to a tidewater facility located within the switching limits of the terminal market to which it was delivered.

(b) *Support rates for wheat in approved warehouse storage at other than designated terminal markets.* Except for the States designated in paragraph (c) of this section, in determining the support rate for wheat which is shipped by rail or water and which is stored in approved warehouses (other than those situated in the designated terminal markets) there shall be deducted from the basic support rate for the appropriate designated terminal market, as determined by CCC, an amount equal to the transit balance, if any, of the through-freight rate from point of origin for such wheat to such terminal market: *Provided*, That on any wheat shipped at other than the domestic interstate freight rate, the basic support rate shall be further reduced by the amount by which the freight rate paid is less than the domestic interstate freight rate from the point of origin of such wheat to the point of destination or appropriate terminal market: *And provided further*, That in the case of wheat stored at any railroad transit point, taking a penalty by reason of out-of-line movement to the appropriate designated market, or for any other reason, there shall be added to such transit balance an amount equal to any out-of-line costs or other costs incurred in storing wheat in such position.

(c) *Support rates in approved warehouse storage determined by the ASCS*

commodity office. In the States of Delaware, Kentucky, Maryland, New Jersey, North Carolina, Tennessee, Virginia, and West Virginia, the ASCS commodity office shall, upon request of the county committee, determine the support rate for wheat stored in approved warehouses (except those situated at designated terminal markets) which was shipped by rail in the movement of natural market direction as approved by CCC, by adding to the basic county support rate for the county from which the wheat was shipped an amount per bushel equal to the receiving and loading-out charges computed in accordance with the applicable rates of the Uniform Grain Storage Agreement in effect at the time the loan is made and an amount equal to the transit value of the freight paid from the points of origin to markets designated by CCC. The warehouse receipts must be accompanied by the original paid freight bills or certificate signed by the warehouseman as set forth in § 1421.2105(e). If the wheat is stored in approved warehouses located at transit points, taking a penalty by reason of backhaul, or out-of-line of normal market movements, such penalty or other costs by reason of such movement as determined by CCC shall be deducted from the support rates as determined in this paragraph.

(d) *Support rates for wheat in approved country warehouse and farm storage.*

(1) The applicable basic support rate for farm-storage loans and wheat stored in approved country warehouse storage, except as otherwise provided in paragraphs (b) and (c) of this section and subparagraph 2 of this paragraph, shall be the basic county support rate established for the county in which the wheat is stored.

(2) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities having the same domestic interstate freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same basic county support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 7, 1968.

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

[F.R. Doc. 68-5661; Filed, May 10, 1968; 8:50 a.m.]

[Amdt. 2]

PART 1425—COOPERATIVE MARKETING ASSOCIATIONS

Subpart—Eligibility Requirements for Price Support

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation, published in 33 F.R. 4914, 5865 and containing eligibility requirements for cooperative mar-

keting associations to obtain price support are amended to make the revised regulations effective immediately and to authorize the Executive Vice President, CCC, under certain circumstances, to permit cooperative marketing associations to acquire or receive for marketing member owned commodities with respect to a crop of a commodity on which price support is sought in any quantity having a value greater than the value of the quantity of the commodity acquired or received from non-members for marketing.

The regulations are amended as follows:

1. The unnumbered opening paragraph of the regulations is amended by deleting the following words at the end thereof "for 1968 and any succeeding crop of a commodity".

2. Section 1425.11 is amended to read as follows:

§ 1425.11 Member business.

If price support is sought for a particular crop of a commodity, not less than 80 percent of such crop of the commodity that is acquired by or delivered to the association for marketing must be produced by its members or by members of its association members: *Provided*, That the Executive Vice President, CCC, may, for a period of 2 years or such lesser period of time as he determines appropriate, authorize an association to acquire or receive for marketing from its members a smaller quantity of such crop than 80 percent, but the quantity received from members must have a value greater than the value of the quantity acquired or received from non-members for marketing, if the association establishes to the satisfaction of the Executive Vice President, CCC, that such authorization is necessary for the efficient operation of the association and is in the best interest of the members of the association. Purchases of commodities by the association from CCC and deliveries of tung oil to the association pursuant to marketing contracts with CCC shall not be considered in determining the volume of member and nonmember business of the association.

Effective date: Upon publication in the FEDERAL REGISTER.

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

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

[F.R. Doc. 68-5643; Filed, May 10, 1968; 8:48 a.m.]

PART 1438—NAVAL STORES

Subpart—1968 Gum Naval Stores Price Support Loan Program

Statement with respect to the Gum Naval Stores Price Support Loan Program for the calendar year 1968, formulated by the Commodity Credit Corporation and the Agricultural Stabilization and Conservation Service (hereinafter referred to as "CCC" and "ASCS").

Sec.	
1438.1636	Administration.
1438.1637	Definitions.
1438.1638	Loan to ATFA.
1438.1639	Advances to producers.
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1438.1642	Redemption by ATFA.
1438.1643	Net gains.
1438.1644	Right of CCC upon maturity.
1438.1645	Personal liability.

AUTHORITY: The provisions of §§ 1438-1636 to 1438.1645 issued under sec. 4(d), 62 Stat. 1070, sec. 5(a), 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U.S.C. 714b, 15 U.S.C. 714c, 7 U.S.C. 1421, 1447.

§ 1438.1636 General statement and administration.

CCC and ASCS will make price support available to producers of gum naval stores during the calendar year 1968 through the American Turpentine Farmers Association Cooperative (hereinafter referred to as ATFA), under the terms and conditions in this statement. The Producer Associations Division, ASCS, will supervise the administration of the program. The Data Processing Center, Kansas City, Mo., will perform accounting functions.

§ 1438.1637 Definitions.

(a) "Eligible producer" means a producer who (1) is a member of ATFA in good standing under membership requirements approved by CCC (no producer who is otherwise eligible may be excluded from membership in ATFA), (2) is a participant in the 1968 Naval Stores Conservation Program of the U.S. Department of Agriculture or otherwise follows one or more forestry conservation practices established by State and Federal forestry services, as determined by ATFA, (3) has made satisfactory arrangements to pay any indebtedness to the U.S. Department of Agriculture or any of its agencies, as evidenced by the debt records maintained by the Agricultural Stabilization and Conservation County Committee of the U.S. Department of Agriculture, and (4) has executed, and has not breached his obligations under, the Producer's Marketing Agreement (ATFA Form 1-1968), or any other similar agreement.

(b) "Eligible naval stores" means eligible rosin and the rosin content in eligible oleoresin.

(c) "Eligible oleoresin" means oleoresin (1) which was produced in 1968 in the United States by an eligible producer, (2) which is free and clear from all liens and encumbrances, (3) the rosin content in which has not been theretofore delivered for an advance under this or any similar program and in which the beneficial interest is and always has been in the producer, and (4) which will yield rosin of the grades and quality prescribed in paragraph (d) of this section.

(d) "Eligible rosin" means gum rosin which (1) was processed by the Olustee or a similar method from eligible oleoresin, (2) grades "K" or better, (3) is free and clear from all liens and encumbrances, (4) has not previously been delivered for an advance under this or

any similar program, and in which the beneficial interest is and always has been in the producer: *Provided, That*, when a producer's eligible oleoresin was commingled in the processing operation with oleoresin produced in the United States by other producers, the rosin tendered for advance by the producer, as representing the processed equivalent of his eligible oleoresin, will be deemed to be, if otherwise eligible, eligible rosin produced by such producer, (5) is packed to a net weight of 517 pounds, in eligible metal drums, (6) is transparent, (7) is free from visible foreign materials and contains no extraneous matter resulting from chemical or other treatment of the rosin, or of the oleoresin or the trees from which it came, and (8) conforms as to softening point to not less than Federal Specifications LLL-R-626b, to wit: 158 degrees Fahrenheit (American Society for Testing and Materials Method No. E-28-58T). Rosin must be federally inspected and weighed or the weights checked prior to delivery for an advance.

(e) "Eligible metal drums" means drums conforming to the specifications for metal drums approved by CCC, obtainable from and on file in the office of ATFA.

§ 1438.1638 Loan to ATFA.

Under a Loan Agreement, CCC will make a loan to ATFA which will enable ATFA to make price support advances or to make price support advances available to eligible producers on eligible naval stores. As security for such loan ATFA will pledge such naval stores to CCC. The loan will be in an amount equal to (a) the amount of the price support advances made by ATFA to producers, except that loans will be made only on full drums of eligible naval stores, (b) the administrative and operating expenses, approved by CCC, incurred by ATFA in making advances to producers and in making such advances available, and in the handling, preservation, and redemption of pledged naval stores, and (c) storage charges or other charges on pledged naval stores.

§ 1438.1639 Advances to producers.

ATFA will make advances to eligible producers on eligible naval stores only when such naval stores have been (a) processed (except where CCC and ATFA determine that unprocessed rosin content in oleoresin may be offered for advance), (b) placed in storage in the custody of an approved warehouseman who has entered into and is fully complying with a Warehouse Agreement (ATFA Form 2-1968) with ATFA, or in the custody of ATFA acting under a Storage Agreement with CCC, and (c) offered for advance on a Producer's Offer (ATFA Form 4). No warehouseman will be authorized to store unprocessed rosin except upon approval by CCC of ATFA's written recommendation therefor and written demonstration by ATFA that there exists an immediate and substantial need for such storage. If there are any liens or encumbrances on the naval

stores offered for advance, proper waivers are required on a Lienholders' Waiver and Agreement (ATFA Form 3). All processing charges, including the cost of the eligible metal drums for rosin, and all storage and other warehouse charges to the date of tender for advance will be borne by the producer.

§ 1438.1640 Rate of advance to producers.

ATFA will make advances to eligible producers on eligible rosin or rosin content only, based on the support level of \$35.71 per standard barrel (435 lbs. net weight each) of oleoresin (crude pine gum), processed basis. Although no advance is made on turpentine, an allowance is made for the estimated 1968 market value of the turpentine content in a barrel of oleoresin in determining the advance rate for rosin or rosin content. The price support advance rates on rosin are \$10.01 for grade WG, \$10.66 for grades X and WW, and \$9.21 for grades N, M, and K, per hundred pounds net packed in eligible metal drums. CCC reserves the right to increase or decrease grade premiums and discounts whenever market conditions warrant. ATFA will advance to any eligible producer on the basis of the applicable advance rates in effect on the date of the applicable Producer's Offer.

§ 1438.1641 Maturity of Loan.

The loan made by CCC to ATFA will be due and payable upon demand.

§ 1438.1642 Redemption by ATFA.

ATFA's right to redeem naval stores pledged by ATFA to CCC shall be subject to the terms and conditions of the Loan Agreement and any Amendments thereto. Redemption shall be made upon application to CCC therefor, prior to maturity of the loan, and upon payment of the redemption cost. The redemption cost will be determined by CCC and will be the amount outstanding under the Loan Agreement, including any unpaid accrued expenses and charges, plus interest, applied ratably to the naval stores to be redeemed. Any naval stores redeemed will not be thereafter eligible for price support.

§ 1438.1643 Net gains.

ATFA will disburse in cash on a fair and equitable basis to participating producers all net gains, less cost of disbursements, resulting from ATFA's sale of redeemed naval stores, unless a disposition other than cash disbursement has been approved by CCC. For example, when net gains are insufficient to justify disbursement expense, ATFA may upon request to and approval of CCC, utilize such net gains for and in behalf of all of its producer-members.

§ 1438.1644 Right of CCC upon maturity.

Upon maturity and nonpayment of the loan, CCC will take title to any unredeemed naval stores, without a sale thereof, and CCC will have no obligation to pay or account to ATFA for any market value which such naval stores may

have in excess of the amount of the loan, plus interest and charges.

§ 1438.1645 Personal liability.

Any fraudulent representation by ATFA or the producer in the program documents will render it or him subject to criminal prosecution under applicable law, and personally liable for the amount by which the proceeds received upon the disposition of the naval stores involved are less than the amount of indebtedness incurred by ATFA with respect to such naval stores.

Effective date: Date of filing with Office of Federal Register.

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

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

[F.R. Doc. 68-5662; Filed, May 10, 1968; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 68-EA-40, Amdt. 39-596]

PART 39—AIRWORTHINESS DIRECTIVES

McCauley Propellers

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to publish an Airworthiness Directive which will require an inspection of the propeller hub and an alteration of the dowel and stud holes of certain model McCauley propellers installed on certain Continental engines.

There have been cases of cracking of the propeller hubs and in some instances, complete hub failure resulting from such cracks. Failure of the hub can result in power loss and structural damage from a released blade. Since this condition is likely to exist in other propellers of the same type design, an Airworthiness Directive is being issued to require an inspection of the propeller hub and an alteration to the stud holes and alignment dowel holes in the propeller hub.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89, 31 F.R. 13697, § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

McCauley—Applies to the following models with hub serial numbers whose first two digits are 62, 63, 64, or 65: D2A34C49, D2A34C49-A, installed on Continental I0-470-S engines. D2AF34C54, D2AF34C54-A, installed on Continental T810-470-D engines. 2AF34C55, 2AF34C55-A, 2AF34C55-B, 2AF34C55-C, 2AF34C55-D, 2AF34C55E, 2AF34C55-F, 2AF34C55-G, installed on Continental I0-470-L engines. D2AF34C60, D2AF34C60-A, D2AF34C60-B, installed on Continental I0-360-A engines.

To detect and prevent formation of cracks and possible hub failure, accomplish the following on propellers with 1,200 hours' or more time in service within the next 25 hours' time in service after the effective date of this AD, unless previously accomplished:

(a) Remove propeller from aircraft and disassemble. Remove hub alignment dowels and hub mounting studs from hub.

(b) Inspect dowel and stud holes and adjacent areas for cracks by penetrant method. Replace before further flight any cracked hub with an approved replacement hub or hub which has been inspected and altered according to this AD.

(c) Remove sharp corners formed where the hub mounting stud holes and hub alignment dowel pin holes intersect the inside of the propeller hub, in accordance with instructions in McCauley Service Manual or an alteration approved by the Chief, Engineering and Manufacturing Branch, Eastern Region.

Propellers with 1,200 hours' or more time in service which have been inspected according to paragraph (b) within 300 hours' time in service prior to the effective date of this AD, but which have not been modified according to paragraph (c), need not comply with this AD until 300 hours' time in service from such previous inspection.

This amendment is effective May 11, 1968.

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

Issued in Jamaica, N.Y., on May 3, 1968.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 68-5624; Filed, May 10, 1968; 8:46 a.m.]

[Docket No. 8743, Amdt. 39-599]

PART 39—AIRWORTHINESS DIRECTIVES

Pilatus Model PC-6 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive (AD) requiring installation of fixed wing spoilers on the trailing edges of the wings on Pilatus Model PC-6 Series airplanes was published in 33 F.R. 3642.

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

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

PILATUS. Applies to Model PC-6 Series airplanes.

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

To prevent horizontal stabilizer stall, install fixed wing spoilers on the trailing edges of the wings in accordance with Pilatus Service Bulletin No. 76, dated November 1967, or later Federal Air Office approved revision or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region.

This amendment becomes effective June 10, 1968.

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

Issued in Washington, D.C., on May 6, 1968.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 68-5625; Filed, May 10, 1968; 8:46 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Subtitle A—Office of the Secretary of Commerce

PART 10—PROCEDURES FOR THE DEVELOPMENT OF VOLUNTARY PRODUCT STANDARDS

Miscellaneous Amendments

On August 22, 1967, the Department of Commerce gave public notice (32 F.R. 12059) of its intention to amend the procedures for the Development of Voluntary Product Standards. Interested parties were afforded a 30-day period within which to file written comments, suggestions, or objections with respect to this proposal. On the basis of requests received by the Department, the period for filing written comments was subsequently extended until October 31, 1967 (32 F.R. 13385).

The amendments proposed by the Department were designed to provide for the more effective development of standards relating to the weights, measures, or quantities in which consumer commodities are offered for sale at retail, in accordance with the responsibilities assigned to the Secretary of Commerce by section 5(d) of the Fair Packaging and Labeling Act (Public Law 89-755, 80 Stat. 1299). Similarly, it was the Department's purpose to clarify its procedures and render them more explicit so that their application to all voluntary product standards might be more easily understood. Thus it was intended, for example, to eliminate any interpretation that the procedures contained a requirement that performance criteria be included in packaging standards and other voluntary product standards if, in the judgment of the Department, such criteria would be inappropriate, impractical, or technically infeasible.

A number of comments and suggestions have been received in response to the Department's proposal. The Department

has fully considered each of these comments and has carefully reconsidered the proposed amendments. As a result of this consideration, Part 10 of Title 15 of the Code of Federal Regulations is hereby amended as follows:

1. In § 10.2, paragraph (a) is revised to read as follows:

§ 10.2 Development of proposed standard.

(a) A proposed standard as submitted to the Department:

(1) Shall be based on adequate technical information, or, in the case of size standards (including standards covering the quantities for packaged consumer commodities), on adequate marketing information, or both, as determined to be appropriate by the Department;

(2) Shall not be contrary to the public interest;

(3) Shall be technically appropriate and be such that conformance or non-conformance with the standard can be determined by inspection or other procedures which may be utilized by an individual or testing facility competent in the particular field;

(4) Shall follow the form prescribed by the National Bureau of Standards (copies of the recommended form may be obtained upon request from the Office of Engineering Standards Services, National Bureau of Standards, Washington, D.C. 20234);

(5) Shall include performance requirements if such are deemed by the Department to be feasible, practical, and appropriate; and

(6) May include, but not be limited to, dimensions, sizes, material specifications, product requirements, design stipulations, component requirements, test methods, and testing equipment descriptions. The appropriateness of the inclusion in a standard of any particular item listed in this subparagraph shall be determined by the Department.

2. Section 10.5 is revised to read as follows:

§ 10.5 Procedure for acceptance of recommended standard.

(a) Upon receipt from the Standard Review Committee of a recommended standard and report, the Department shall give appropriate public notice and distribute the recommended standard for acceptance unless—

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

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

(ii) Would be technically inadequate; or

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

(2) The Department determines that all criteria and procedures set forth herein have not been met satisfactorily

or that there is a legal impediment to the recommended standard.

(b) Distribution for acceptance or rejection for the purpose of determining general concurrence will be made to a list compiled by the Department, which, in the judgment of the Department, shall be representative of producers, distributors, users, and consumers.

(c) Distribution for comment will be made to any party filing a written request with the Department, and to such other parties as the Department may deem appropriate, including testing laboratories and interested State and Federal agencies.

(d) The Department will analyze the recommended standard and the responses received under paragraphs (b) and (c) of this section. If such analysis indicates that the recommended standard is supported by a consensus, it will be published as a Voluntary Product Standard by the Department, provided that all other requirements listed in these procedures have been satisfied.

(e) The following definitions shall apply to the terms used in this section:

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

(2) "General concurrence" means acceptance among those responding to the distribution made under paragraph (b) of this section in accordance with the conditions set forth in paragraph (f) of this section.

(3) "Substantive objection" means a documented objection based on grounds that one or more of the criteria set forth in these procedures has not been satisfied.

(4) "Average industry acceptance" means a percentage equal to the sum of the percentages of acceptance obtained from responses to distribution of the recommended standard in the producer segment, the distributor segment, and the user and consumer segment, divided by three. No consideration will be given to volume of production or volume of distribution in determining average industry acceptance.

(5) "Producer segment" means those persons who manufacture or produce the product covered by the standard.

(6) "Distributor segment" means those persons who distribute at wholesale or retail the product covered by the standard.

(7) "User and consumer segment" means those persons who use or consume the product covered by the standard.

(8) "Acceptance by volume of production" means the weighted percentage of acceptance of those responding to the distribution in the producer segment. The weighting of each response will be made in accordance with the volume of production represented by each respondent.

(9) "Acceptance by volume of distribution" means the weighted percentage of acceptance of those responding to the distribution in the distributor segment. The weighting of each response will be

made in accordance with the volume of distribution represented by each respondent.

(f) A recommended standard shall be deemed to be supported by general concurrence whenever:

(1) An analysis of the responses to the distribution under paragraph (b) of this section indicates:

(i) An average industry acceptance of not less than 75 percent;

(ii) Acceptance of not less than 70 percent by the producer segment, the distributor segment, and the user and consumer segment, each segment being considered separately; and

(iii) Acceptance by volume of production and acceptance by volume of distribution of not less than 70 percent in each case, provided that the Department shall disregard acceptance by volume of production or acceptance by volume of distribution or both unless, in the judgment of the Department, accurate figures for the volume of production or distribution are reasonably available and an evaluation of either or both of such acceptances is deemed necessary by the Department; or

(2) The Department determines that publication of the standard is appropriate under the procedures set forth in paragraph (g) of this section and, in addition, an analysis of the responses to the distribution under paragraph (b) of this section indicates:

(i) An average industry acceptance of not less than 66⅔ percent;

(ii) Acceptance of not less than 60 percent by the producer segment, the distributor segment, and the user and consumer segment, each segment being considered separately; and

(iii) Acceptance by volume of production and acceptance by volume of distribution of not less than 60 percent in each case, provided that the Department shall disregard acceptance by volume of production or acceptance by volume of distribution or both unless, in the judgment of the Department, accurate figures for the volume of production or distribution are reasonably available and an evaluation of either or both of such acceptances is deemed necessary by the Department.

(g) A recommended standard which fails to achieve the acceptance requirements of paragraph (f) (1) of this section, but which satisfies the acceptance criteria of paragraph (f) (2) of this section, will be returned to the Standard Review Committee for reconsideration. The Committee, by the affirmative vote of not less than three-quarters of all members eligible to vote, may resubmit the recommended standard without change to the Department with a recommendation that the standards be published as a Voluntary Product Standard. The Department shall then conduct a public rule-making hearing in accordance with the requirements of law as set forth in section 553 of Title 5, United States Code, to assist it in determining whether publication of the standard is in the public interest. If the Department

determines that publication of the standard is in the public interest, the standard will be published as a Voluntary Product Standard. The Department may, at any time after receiving the recommended standard from the Standard Review Committee, and prior to publishing the standard, make editorial or other minor changes deemed necessary to reduce ambiguity or improve clarity within the standard: *Provided, however*, That no substantive changes shall be made in the standard.

3. Section 10.5a is added to read as follows:

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

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

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

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

(3) Take such other action as it may deem necessary or appropriate under the circumstances.

4. Section 10.11 is revised to read as follows:

§ 10.11 Effect of procedures.

These procedures supersede all commodity standards procedures previously issued by the Department of Commerce or any of its offices or bureaus, but current commodity standards published under any such superseded procedures will remain in effect as Voluntary Product Standards. Nothing contained in these procedures shall be deemed to apply to the development, publication, revision, amendment, or withdrawal of any standard which is not identified as a "Voluntary Product Standard" by the Department. The authority of the Department with respect to engineering standards activities generally, including the authority to publish appropriate recommendations not identified as "Voluntary Product Standards", is not limited in any way by these procedures.

(Sec. 2, 31 Stat. 1449, as amended, sec. 1, 64 Stat. 371; 15 U.S.C. 272. Reorganization Plan No. 3 of 1946, Part VI)

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

Issued: May 8, 1968.

JOHN F. KINCAID,
Assistant Secretary for
Science and Technology.

[F.R. Doc. 68-5720; Filed, May 10, 1968; 8:51 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 34-8308]

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

Fees for Brokers and Dealers Not Members of National Securities Association

On April 10, 1968, in Securities Exchange Act Release No. 8293, and the FEDERAL REGISTER of April 16, 1968 (33 F.R. 5808), the Securities and Exchange Commission published a proposal: (1) To amend Rule 15b9-1 (17 CFR 240.15b9-1); (2) to adopt Rule 15b9-2 (17 CFR 240.15b9-2); (3) to adopt and amend related forms; and (4) to rescind subparagraph (a) (5) of Rule 15b8-1 (17 CFR 240.15b8-1(a)(5)) and rescind Rule 15b8-2 (17 CFR 240.15b8-2). No comments or suggestions were received, and therefore, the Commission has effected the changes as stated below.

Sections 15(b) (8) and 15(b) (9) under the Securities Exchange Act of 1934 authorize the Commission to collect such reasonable fees and charges as may be necessary to defray the costs of additional regulatory duties required to be performed with respect to brokers and dealers who are registered with the Commission¹ but are not members of the National Association of Securities Dealers, Inc. ("NASD").² Pursuant to the above sections the Commission has amended Rule 15b9-1 (17 CFR 240.15b9-1), to deal with initial fees, and adopted a new rule, 15b9-2 (17 CFR 240.15b9-2), providing for annual fees. In order to simplify the fee rules, the new rules prescribe the fee structure and the actual fees will be set each year in the applicable forms required to be filed. The Commission also rescinded two existing fee rules, 15b8-1(a) (5) (17 CFR 240.15b8-1(a)(5)) and 15b8-2 (17 CFR 240.15b8-2), which were applicable in previous years.

Initial Fees—Rule 15b9-1 (17 CFR 240.15b9-1), as amended. Amended Rule 15b9-1 (17 CFR 240.15b9-1) provides for the initial fees required to be paid by nonmember broker-dealers. The initial fee for the broker-dealer is set forth on Form SECO-5 (17 CFR 249.505). The fee for broker-dealers is \$150. Under the

amended rule, a broker or dealer is required to pay the initial fee within 45 days after he becomes registered unless within that time he had made a bona fide application for membership to the NASD. The amended rule provides that a broker or dealer who is not a member of the NASD may not transact business unless he has complied with the initial fee rule. Amended Rule 15b9-1 (17 CFR 240.15b9-1) also provides for an initial fee to be paid by brokers or dealers whose membership in the NASD (or application for membership) has been denied, withdrawn or terminated. Under such circumstances the broker or dealer would have to pay the initial fee unless he immediately discontinued his securities activities and filed a Form BDW (17 CFR 249.502a) (Notice of Withdrawal From Registration) within 45 days of such denial, withdrawal, or termination.

The initial fee for associated persons is set forth on Form SECO-2 (17 CFR 249.502) and remains at \$25.

The Commission now informally requires a form similar to Form SECO-2F (17 CFR 249.502a) to be filed for associated persons who confine their securities activities to areas outside the jurisdiction of the United States and who do not deal or act for any U.S. resident or national. The initial fee of \$25 did not have to be paid for such persons. This fee exemption has been continued and provided for in paragraph (c) (2) of Rule 15b9-1 (17 CFR 240.15b9-1(c)(2)), as amended.

Annual Fees—Rule 15b9-2 (17 CFR 240.15b9-2). Rule 15b9-2 (17 CFR 240.15b9-2) provides for an annual assessment for nonmember brokers or dealers which is comprised of (1) a base fee applicable to all such brokers or dealers; (2) a fee for each associated person engaged, directly or indirectly, in securities activities for or on behalf of the broker or dealer prior to May 15 during the fiscal year, at any time in which the broker or dealer was a nonmember broker or dealer; and (3) a fee for each office of the broker or dealer which was maintained prior to May 15 during the fiscal year, at any time in which the broker or dealer was a nonmember broker or dealer.

Each fiscal year the fees will be set forth on the Form SECO-4 (17 CFR 249.504 et seq.) for that particular year. This year's assessment, as set forth on Form SECO-4-68 (17 CFR 249.504b), would be the same as last year. The assessment includes a base fee of \$100, a fee of \$5 for associated persons, and a \$30 office fee. The fees are due on June 1, and checks should be made payable to "Treasurer of the United States". The checks should be mailed to the Office of the Comptroller, U.S. Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549.

The new rule also applies to brokers or dealers who are members of the NASD on May 15 of the particular year, but who were nonmembers for a period of at least 90 days during the fiscal year. Under this

¹ Hereinafter referred to as "registered brokers and dealers".

² The NASD is the only such association registered under section 15A of the Securities Exchange Act.

provision the fee is based on the amount of time during the year that a broker-dealer was a nonmember. The rule provides for a reduction to half fees for brokers or dealers who were nonmembers for less than 180 days during the fiscal year.

Two exemptions in the annual fee rule correspond to provisions in the initial fee rule. One of these provisions exempts from the annual fees those brokers or dealers who make a bona fide application for membership to the NASD within 45 days of their registration with the Commission as a broker or dealer and who become members of the NASD. The second provision provides an exemption from the annual fee requirements for a broker or dealer, whose application for membership in the NASD has been denied or withdrawn or whose membership has been terminated for any reason, if he immediately discontinues his securities activities and files a Form BDW (17 CFR 249.501a) (Notice of Withdrawal From Registration) within 45 days of such denial, withdrawal or termination.

In general the fee provisions of Rules 15b9-1 (17 CFR 240.15b9-1) and 15b9-2 (17 CFR 240.15b9-2) would accomplish the following results:

PAYMENT OF INITIAL FEES

1. Registered brokers or dealers who make a bona fide application for membership to the NASD within 45 days of the effective date of their registration with the Commission as a broker or dealer and who become members of the NASD pay no SECO fees.

2. Brokers or dealers whose application for membership in the NASD has been denied or withdrawn are required to pay the initial fee within 45 days of such denial or withdrawal unless they file a Form BDW (17 CFR 249.501a) within such 45 days.

3. Brokers or dealers whose membership in the NASD has been terminated for any reason are required to pay the initial fee within 45 days of such termination unless they discontinue their securities activities immediately and file a Form BDW (17 CFR 249.501a) within such 45 days.

PAYMENT OF ANNUAL FEES

1. Registered brokers or dealers who have been nonmembers for at least 45 days on May 15 (but less than 180 days) are required to pay half the annual fee for that fiscal year.³

2. Registered brokers or dealers who have been nonmembers for at least 90 days (but less than 180 days) during the fiscal year are required to pay half the annual fee for that fiscal year. This would be the result even though the broker or dealer was a member of the NASD on May 15.³

3. Registered brokers or dealers who have been nonmembers for 180 days or more during the fiscal year are required to pay the full annual fee for that fiscal

year. This would be the result even though the broker or dealer was a member of the NASD on May 15.³

Rule 15b9-2 (17 CFR 240.15b9-2) exempts from the annual fee provisions members of a national securities exchange who (1) carry no customer accounts and (2) derive less than \$1,000 income from over-the-counter securities transactions. Each such broker or dealer must nevertheless file Form SECO-4 (17 CFR 249.504 et seq.) as appropriate and indicate therein whether he claims this exemption.

The rule limits to \$15,000 the total to be paid by any one broker or dealer for the base fee and the fee for associated persons, but the office fee is not included in the \$15,000 limitation.

Commission Action. The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, and particularly sections 15(b)(8), 15(b)(9), and 23(a) thereof, deeming such action necessary and appropriate in the public interest and for the protection of investors and to prescribe reasonable fees pursuant to sections 15(b)(8) and 15(b)(9) for registered brokers and dealers not members of a registered national securities association, and also deeming such action necessary for the execution of the functions vested in the Commission by the Act, hereby amends Parts 240 and 249 of Chapter II of Title 17 of the Code of Federal Regulations by amending Rule 15b9-1 (17 CFR 240.15b9-1), by adopting Rule 15b9-2 (17 CFR 240.15b9-2), by rescinding Rules 15b8-1(a)(5) (17 CFR 240.15b8-1(a)(5)) and 15b8-2 (17 CFR 240.15b8-2), and by adopting Forms SECO-2F (17 CFR 249.502a) and SECO-4-68 (17 CFR 249.504b), and by amending Form SECO-5 (17 CFR 249.505); *Provided, however*, That the rescission of Rules 15b8-1(a)(5) (17 CFR 240.15b8-1(a)(5)) and 15b8-2 (17 CFR 240.15b8-2) shall not relieve any person of the obligation to pay the fees which are due and payable under such provisions. The Commission finds, pursuant to section 4(c) of the Administrative Procedure Act (5 U.S.C., sec. 553(c)), that in order to allow adequate time for collection of the annual fees provided for in Rule 15b9-2 (17 CFR 240.15b9-2) and the orderly collection of the initial fees provided for in Rule 15b9-1 (17 CFR 240.15b9-1), the Commission may, and hereby does, for good cause declare the above actions effective May 20, 1968. The text of the new and amended rules is as follows:

§ 240.15b9-1 Initial fees for registered brokers or dealers not members of a registered national securities association and their associated persons.

(a) Every broker or dealer who becomes registered as a broker or dealer with the Commission and who does not make a bona fide application for membership to a registered national securities association within 45 days of such registration shall, within such 45-day period, file Form SECO-5 (§ 249.505 of

this chapter) and pay to the Commission the fee prescribed by the form.

(b) Every registered broker or dealer whose application for membership in a registered national securities association has been denied or withdrawn, or whose membership has been terminated for any reason, and who has not immediately discontinued his securities activities and filed a Form BDW (§ 249.501a of this chapter) (Notice of Withdrawal From Registration) within 45 days after such denial, withdrawal, or termination, shall, within such 45-day period, file Form SECO-5 (§ 249.505 of this chapter) and pay to the Commission the fee prescribed by the form.

(c) Every nonmember broker or dealer who is required to file a Form SECO-2 (§ 249.502 of this chapter) by section 15b8-1 (§ 240.15b8-1 of this chapter) shall pay to the Commission the fee prescribed by the form, *Provided, however*, That no fee need be paid as to (1) any Form SECO-2 (§ 249.502 of this chapter) filed for any associated person for whom a Form SECO-2 (§ 249.502 of this chapter) previously had been filed by such nonmember broker or dealer, or (2) any Form SECO-2F (§ 249.502a of this chapter) filed for any person who confines his securities activities to areas outside the United States, its territories and possessions, and who does not deal with or act for any U.S. resident or national wherever located.

(d) No nonmember broker or dealer shall effect any transaction in, or induce the purchase or sale of, any security, otherwise than on a national securities exchange, unless he has complied with the applicable provisions of this section.

(e) For the purpose of this section:

(1) The term "nonmember broker or dealer" shall mean any broker or dealer, including a sole proprietor, registered under section 15 of the Act, who is not a member of a national securities association registered with the Commission under section 15A of the Act.

§ 240.15b9-2 Annual fees for registered brokers and dealers not members of a registered national securities association.

(a) **Applicability.** This section shall apply to every nonmember broker or dealer who, on May 15 of any particular year, has been a nonmember broker or dealer for a period of at least 45 days immediately prior to such date, and any other broker or dealer registered with the Commission on May 15 of any particular year who has been a nonmember broker or dealer for a period of at least 90 days after July 1 of the previous year.

(b) **Fees.** On or before June 1 of each year every broker or dealer to whom this section applies shall file the Form SECO-4 (17 CFR 249.504 et seq.) provided for the particular fiscal year and pay the total fees prescribed by the Form. Such fees shall include: (1) A base fee applicable to all such brokers or dealers; (2) a fee for each associated person engaged, directly or indirectly, in securities activities for or on behalf of the broker or dealer prior to May 15 during the fiscal

³ For new brokers or dealers this is in addition to the initial fee imposed by Rule 15b9-1 (17 CFR 240.15b9-1), as amended.

⁴ Forms filed as part of the original document.

year, at any time in which the broker or dealer was a nonmember broker or dealer: *Provided, however*, That the fee shall not be paid for any person who confines his securities activities to areas outside the United States, its territories and possessions, and who does not deal with or act for any U.S. resident or national wherever located; and (3) a fee for each office of the broker or dealer which was maintained prior to May 15 during the fiscal year, at any time in which the broker or dealer was a nonmember broker or dealer.

(c) *Reductions.* Brokers or dealers who were nonmember brokers or dealers for less than 180 days shall pay one-half the fees required by this section.

(d) *Limitations.* In no case shall the total fees required by paragraphs (b) (1) and (b) (2) of this section exceed \$15,000.

(e) *Penalties.* Every broker or dealer who fails to pay fees as and when required by this section shall pay an additional fee of \$100 to defray the administrative costs incurred as a result of such failure.

(f) *Exemptions.* A broker or dealer shall not be required to pay the fees required by this section if:

(1) He has made a bona fide application for membership to a registered national securities association within 45 days of his becoming registered with the Commission as a broker or dealer and such application for membership is still pending on May 15 of the particular year in which the fees are due; or

(2) (i) His application for membership in a registered national securities association has been denied or withdrawn, or his membership has been terminated for any reason, (ii) he has immediately discontinued all securities activities; and (iii) he has filed Form BDW (§ 249.501a of this chapter). (Notice of Withdrawal From Registration) within 45 days after such denial, withdrawal, or termination; or

(3) (i) He is a member of a national securities exchange, (ii) he carries no accounts for customers, and (iii) his annual gross income derived from purchases; sales and exchanges of securities otherwise than on a national securities exchange is an amount no greater than \$1,000. Such a member of a national securities exchange shall, however, file the Form SECO-4 (§ 249.504 of this chapter, et seq.) provided for the particular fiscal year.

(g) *Definitions.* For the purpose of this section:

(1) The term "associated person" shall mean any partner, officer, director, or branch manager of a broker or dealer (or any person occupying a similar status or performing similar functions), or any natural person directly or indirectly controlling or controlled by such broker or dealer (other than one whose functions are clerical or ministerial), and any broker or dealer conducting business or a sole proprietor.

(2) The term "nonmember broker or dealer" shall mean any broker or dealer, including a sole proprietor, registered

under section 15 of the Act, who is not a member of a national securities association registered with the Commission under section 15A of the Act.

(3) The term "office" shall mean every place or establishment which is owned or controlled by a broker or dealer in or from which the broker or dealer engages in the securities business. Every broker or dealer shall be deemed to have at least one office.

§ 249.505 Initial assessment and information form.

Copies of Form SECO-5 (§ 249.505 of this chapter) (Initial Assessment and Information Form) have been filed with the original of this document and are available at the Commission's Headquarters Office at 500 North Capitol Street, Washington, D.C. 20549, and will be furnished to interested persons upon request.

§ 249.504b 1968 Assessment and information form.

Copies of Form SECO-4-68 (§ 249.504b of this chapter) (1968 Assessment and Information Form) have been filed with the original of this document and are available at the Commission's Headquarters Office at 500 North Capitol Street, Washington, D.C. 20549, and will be furnished to interested persons upon request.

§ 249.502a Certification for associated persons engaged in securities activities outside the jurisdiction of the United States.

Copies of Form SECO-2F (§ 249.502a of this chapter) (Certification for Associated Persons Engaged in Securities Activities Outside the Jurisdiction of the United States) have been filed with the original of this document and are available at the Commission's Headquarters Office at 500 North Capitol Street, Washington, D.C. 20549, and will be furnished to interested persons upon request.

(Secs. 15(b)(8), 15(b)(9), and 23(a); 78 Stat. 572-3, 48 Stat. 901, as amended, 15 U.S.C. 78o, 78w)

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

MAY 8, 1968.

[F.R. Doc. 68-5628; Filed, May 10, 1968; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 68-111]

PART 16—LIQUIDATION OF DUTIES

Countervailing Duties, Canned Tomato Paste From France; Correction

MAY 6, 1968.

The last paragraph of T.D. 68-111, which was published in the FEDERAL

REGISTER on April 19, 1968 (33 F.R. 6010), is hereby corrected to read:

The table in § 16.24(f) of the Customs Regulations is amended by inserting the following item in the proper alphabetical order:

Country	Commodity	Treasury decision	Action
France...	Canned tomato paste.	68-111	Bounty declared—Rate.

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 68-5657; Filed, May 10, 1968; 8:49 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

Diluted Fruit Juice Beverages; Order Establishing Identity Standards for Diluted Orange Juice Beverages

Correction

In F.R. Doc. 68-5427 appearing at page 6865 in the issue of Tuesday, May 7, 1968, the following correction should be made: Delete the twenty-second line of the center column, page 6866, and substitute "of orange juice (single strength basis)."

SUBCHAPTER C—DRUGS

PART 130—NEW DRUGS

Reporting of Adverse Drug Experiences

The Food and Drug Administration published in the FEDERAL REGISTER of June 6, 1967 (32 F.R. 8080), a requirement (21 CFR 130.13a) for reporting, on form FD-1639, adverse experiences in new-drug applications and in reports submitted under the provisions of §§ 130.13 and 130.35 of the new-drug regulations. On the basis of experience with this requirement, the Commissioner of Food and Drugs finds that:

1. Since many of the new-drug applications submitted after June 6, 1967, are for drugs that have been under investigation for several years, the information to complete form FD-1639 may not be readily available.

2. The reporting of adverse experiences in a new-drug application on form FD-1639 for phase 1 and phase 2 investigations (see paragraph 10a of form FD-1571 set forth in § 130.3(a)(2)) is unnecessary because these phases are primarily for the purpose of determining human toxicity, metabolism, absorption, elimination, pharmacological action, preferred route of administration, and safe dosage range and cover the

initial trials of a limited number of patients. Information on adverse experiences gained in phases 1 and 2 would be for a different purpose from that gained from information derived from the use of the drug when administered in appropriate dosages and specified conditions.

3. Reporting on form FD-1639 is unnecessary for adverse reactions brought to an applicant's attention by virtue of their being reported in the published scientific literature.

Therefore, the Commissioner concludes that § 130.13a should be revised as set forth below. Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 505(j), 701(a), 52 Stat. 1053, 1055, 76 Stat. 782-83; 21 U.S.C. 355(j), 371(a)) and under the authority delegated to the Commissioner (21 CFR 2.120), § 130.13a is revised to read as follows:

§ 130.13a Reporting of adverse drug experiences.

(a)(1) All adverse experiences with drugs for human use reported as part of a new-drug application under § 130.4, as part of a supplemental new-drug application under § 130.9, or as part of the reporting requirements concerning experience with drugs for which an approval is in effect prescribed by § 130.13, shall also be reported on form FD-1639, Drug Experience Report, obtainable with instructions from the Food and Drug Administration, Department of Health, Education, and Welfare, Washington, D.C. 20204.

(2) It is unnecessary, however, for form FD-1639 to be:

(i) Used in reporting adverse experience information obtained in phase 1 and phase 2 of an investigation (phases 1 and 2 are described in paragraph 10a of form FD-1571 set forth in § 130.3(a)(2)).

(ii) Submitted for adverse reactions reported in the published scientific literature.

(iii) Submitted until July 1, 1968, for reporting adverse experiences described in new-drug applications, supplements, and in periodic reports of experience with marketed drugs if such experience occurred prior to August 5, 1967.

(3) For reports of the kinds required within 15 days, as prescribed by § 130.13 (b)(2), describing adverse reactions occurring after August 5, 1967, and for all such submissions received on or after July 1, 1968, adverse experiences shall be reported on form FD-1639. Adverse experiences with marketed drugs as a result of an investigational use other than a phase 1 study shall be reported on form FD-1639 under the conditions described in this paragraph. If desirable, such forms may be used on a per patient basis rather than on an adverse experience basis.

(b) For the purpose of such report, the terms "drug experience," "adverse drug

experience," and "adverse reaction" mean any adverse experience associated with the use of the drug, whether or not considered drug-related, and include any side effect, injury, toxicity, or sensitivity reaction, or significant failure of expected pharmacological action.

This order revising a procedural new-drug regulation is nonrestrictive in nature; therefore, 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*.

(Secs. 505(j), 701(a), 52 Stat. 1053, 1055, 76 Stat. 782-83; 21 U.S.C. 355(j), 371(a))

Dated: May 2, 1968.

JAMES L. GODDARD,

Commissioner of Food and Drugs.

[F.R. Doc. 68-5649; Filed, May 10, 1968; 8:48 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

SUBCHAPTER A—GENERAL

[Dept. Reg. 108.584]

PART 5—ORGANIZATION

PART 6—AVAILABILITY OF RECORDS OF THE DEPARTMENT OF STATE

Parts 5 and 6, Chapter I, of Title 22 of the Code of Federal Regulations are revised to read as follows:

Sec.

5.1 Introduction.

5.2 Central and field organization, established places at which, the officers from whom, and the methods whereby the public may secure information, make submittals, or request, or obtain decisions; and statements by which its functions are channeled and determined.

5.3 Rules of procedure, description of forms available or the places at which forms may be obtained, and instructions as to the scope and content of all papers, reports, or examinations.

5.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the agency.

AUTHORITY: The provisions of this Part 5 issued under sec. 4, Act of May 26, 1949, 63 Stat. 111, as amended, 22 U.S.C. 2658; Act of August 31, 1951, 65 Stat. 290, 31 U.S.C. 483a; Executive Order 10501 of November 10, 1953, as amended; 5 U.S.C. 552.

§ 5.1 Introduction.

The sections in this Part 5 are issued pursuant to section 3 of the Administrative Procedure Act, 5 U.S.C. 552, effective July 4, 1967.

§ 5.2 Central and field organization, established places at which, the officers from whom, and the methods whereby the public may secure information, make submittals, or request, or obtain decisions; and statements of the general course and method by which its functions are channeled and determined.

(a) The following statements of the central and field organization of the Department of State and its Foreign Service posts are hereby prescribed:

(1) The central organization of the Department of State was issued as Public Notice No. 267, 32 F.R. 8923, June 22, 1967.

(2) The foreign field organization of the Department of State was issued as Public Notice No. 254, 32 F.R. 3712, March 3, 1967.

(3) The domestic field organization of the Department of State was issued as Public Notice No. 268, 32 F.R. 8925, June 22, 1967.

(b) As used in the following sections, the term "Department of State" includes all offices within the Department in Washington, its domestic field offices in the United States, all Foreign Service posts throughout the world, and U.S. missions to international organizations unless otherwise specified.

(c) Any person desiring information concerning a matter handled by the Department of State, or any person desiring to make a submittal or request in connection with such a matter, should communicate either orally or in writing with the appropriate office. If the office receiving the communication does not have jurisdiction to handle the matter, the communication, if written, will be forwarded to the proper office, or, if oral, the person will be advised how to proceed. When the submittal or request consists of a formal application for one of the documents, privileges, or other benefits provided for in the laws administered by the Department of State, or in the regulations implementing these laws, the instructions on the form as to preparation and place of submission should be followed. In such cases, the provisions of this part referring to the particular regulation concerned should be consulted.

§ 5.3 Rules of procedure, description of forms available or the places at which forms may be obtained, and instructions as to the scope and content of all papers, reports, or examinations.

Rules of procedure regarding the following listed matters may be consulted under the corresponding regulations referenced in § 5.4, or obtained upon application to the offices listed below. Forms pertaining to the following listed matters, and instructions relating thereto may also be obtained at the offices indicated below.

Subject matter	Office	Address
Appointment of Foreign Service Officers.	Board of Examiners for the Foreign Service.	Department of State, Annex 8, 1900 E Street NW., Washington, D.C. 20520.
Authentication and other services.	Records Services Division.	Department of State, Room 1237, 2201 C Street NW., Washington, D.C. 20520.
Claims and stolen property.	Legal Adviser.	Department of State, 2201 C Street NW., Washington, D.C. 20520.
International educational and cultural exchange program.	Bureau of Educational and Cultural Affairs.	Department of State, 2201 C Street NW., Washington, D.C. 20520.
International traffic in arms.	Office of Munitions Control.	Department of State, Annex 6, Room 103, 2121 Pennsylvania Avenue NW., Washington, D.C. 20520.
Nationality and passports.	Passport Office.	Department of State, Annex 17, Room 102, 17th and H Streets NW., Washington, D.C. 20524.
Protection and welfare of U.S. citizens, shipping and seamen, and other consular services abroad.	Office of Special Consular Services.	Department of State, 2201 C Street NW., Washington, D.C. 20520.
Visa issuance.	Visa Office.	Department of State, Annex 2, 515 22d Street NW., Washington, D.C. 20520.

§ 5.4 Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretation of general applicability formulated and adopted by the agency.

(a) The regulations of the Department of State required to be published under the provisions of the Administrative Procedure Act are found in the Code of Federal Regulations and the FEDERAL REGISTER. Any person desiring information with respect to a particular procedure should examine the pertinent regulation cited hereafter.

(b) The following are citations to regulations within the scope of this section.

- (1) Acceptance of Gifts and Decorations from Foreign Governments. 22 CFR 3 et seq.
- (2) Employee Responsibility and Conduct. 22 CFR 10 et seq.
- (3) Appointment of Foreign Service Officers. 22 CFR 11 et seq.
- (4) Fees for Services in the United States, fees and Charges, Foreign service. 22 CFR 21 et seq.; 22 CFR 22 et seq.
- (5) Claims and Stolen Property. 22 CFR 31 et seq.
- (6) Issuance of Visas. 22 CFR 41-42 et seq.
- (7) Nationality and Passports. 22 CFR 50 et seq.
- (8) International Educational and Cultural Exchanges. 22 CFR 61 et seq.
- (9) Protection and Welfare of Americans Abroad. 22 CFR 71 et seq.
- (10) Shipping and Seamen Abroad. 22 CFR 81 et seq.
- (11) Other Consular Services Abroad. 22 CFR 91 et seq.
- (12) Economic, Commercial and Civil Air Functions Abroad. 22 CFR 101 et seq.
- (13) International Traffic in Arms. 22 CFR 121 et seq.
- (14) Certificates of Authentication. 22 CFR 131 et seq.
- (15) Civil Rights. 22 CFR 141 et seq.
- (16) Department of State Procurement. 41 CFR 6-1 et seq.

(c) These regulations are supplemented from time to time by amendments appearing initially in the FEDERAL REGISTER.

- Sec.
- 6.1 Definitions.
 - 6.2 Availability of records.
 - 6.3 Availability of statements of policy interpretations, manuals, instructions.
 - 6.4 Records which may be exempt from disclosure.
 - 6.5 Authority to release and certify, or to withhold records.
 - 6.6 Public reading room.
 - 6.7 Manner of requesting records.

- Sec.
- 6.8 Schedule of fees and method of payment for services rendered.
 - 6.9 Access to classified foreign policy records for nonofficial research purposes.

AUTHORITY: The provisions of this Part 6 issued under sec. 4, Act of May 26, 1949, 63 Stat. 111, as amended 22 U.S.C. 2658; Act of Aug. 31, 1951, 65 Stat. 290, 31 U.S.C. 483a; Executive Order 10501 of Nov. 10, 1953, as amended; 5 U.S.C. 552.

§ 6.1 Definitions.

As used in this part, the following definitions shall apply:

(a) The term "identifiable" means, in the context of a request for a record, a reasonably specific description of the particular record sought, such as date, format, and subject matter, which will permit its location.

(b) The term "record" includes all books, papers, maps, photographs, or other documentary material, or copies thereof, regardless of physical form or characteristics, made in or received by the Department of State, and preserved as evidence of its organization, functions, policies, decisions, procedures, operations, or other activities.

§ 6.2 Availability of records.

(a) All identifiable records of the Department of State shall be made available to the public upon compliance with the procedures established in this part, except to the extent a record is determined by the Deputy Legal Advisor for Administration to be exempt from disclosure.

(b) Unclassified information, documents, and forms which have previously been provided to the public as part of the normal services of the Department of State will continue to be made available without regard to the following sections.

§ 6.3 Availability of statements of policy, interpretations, manuals, instructions.

Statements of policy, interpretations, administrative manuals (or portions thereof), opinions, orders, and instructions to staff which affect any member of the public will be made available to the public for inspection and copying in the public reading room, except to the extent they are determined by the Deputy Legal Advisor to be exempt from disclosure.

§ 6.4 Records which may be exempt from disclosure.

The following categories are examples of records maintained by the Department of State which may be exempted from disclosure:

(a) *Records required to be withheld by Executive order or other authority, relating to national defense or foreign policy.* Included in this category are records required by Executive Order 10501, as amended, to be kept secret in the interests of national defense or foreign policy. Disclosure of records in this category will be made to the public only in the manner established by § 6.9.

(b) *Records related solely to internal personnel rules and practices.* Included in this category are internal rules and practices relating to management operations which cannot be disclosed to the public without substantial prejudice to the effective performance of a significant function of the Department of State.

(c) *Records specifically exempted from disclosure by statute.* Included in this category are records relating to the officers and employees of the Foreign Service, including efficiency records (sec. 612 of the Foreign Service Act of 1946, as amended, 22 U.S.C. 986), and the records of the Department of State or of diplomatic and consular officers of the United States pertaining to the issuance or refusal of visas or permits to enter the United States (sec. 222(f) of the Immigration and Nationality Act, 8 U.S.C. 1202(f)).

(d) *Information given in confidence.* Included in this category are records reflecting commercial and financial information, as well as other information, obtained from any person and customarily regarded as privileged and confidential by the person from whom they were obtained.

(e) *Interagency or intragency memorandums or letters.* Included in this category are records such as interagency communications and internal drafts, memorandums between officials and agencies, opinions and interpretations prepared by staff or consultants; records of the deliberations of staff personnel; and records whose premature disclosure would interfere with the achievement of the purpose for which they were being prepared.

(f) *Personnel, medical, and other files.* Included in this category are personnel and medical files and other files containing private or personnel information which, if disclosed to the public, would amount to a clearly unwarranted invasion of the privacy of any person to whom the information pertains.

(g) *Investigatory files.* Included in this category are files compiled for the enforcement of all laws, or prepared in connection with Government litigation and adjudicative proceedings, except for those portions of such files which are by law available to persons in litigation with the Department, in which case such portions will be made available to such litigants.

§ 6.5 Authority to release and certify, or to withhold records.

(a) Except as provided in § 6.9, authority is hereby delegated to the Chief, Records Services Division, to furnish copies of records to any person entitled thereto pursuant to these regulations, and upon request to provide certified copies thereof in accordance with Part 131 of this chapter.

(b) A determination by the Deputy Legal Adviser for Administration to deny a request to make a record available is final, and no appeal will be received by the Department of State from such a determination. This determination shall be in written form, clearly stating the basis upon which the record has been withheld.

§ 6.6 Public reading room.

A public reading room or area where the records described in § 6.3 shall be made available is located in the Department of State, 2201 C Street NW., Washington, D.C. The receptionist will refer the applicant to the proper room. Fees will not be charged for access by the public to this room or the records contained therein, but fees in accordance with § 6.8 will be charged for furnishing copies thereof.

§ 6.7 Manner of requesting records.

(a) Identifiable records may be requested by the public in person from 10 a.m. to 4 p.m., Department of State, 2201 C Street NW., Washington, D.C., where the receptionist will refer the applicant to the proper office for service and the necessary forms for making a request. Requests by mail should be addressed to the Chief, Records Services Division, Department of State, Washington, D.C. 20520.

(b) In view of the decentralized nature of the files of the Department of State, it will generally not be possible to make the requested records available immediately upon request. Records will be made available as promptly as is reasonable under the particular circumstances involved.

(c) Original or record copies of records will not be permitted to leave the custody of the lawful custodian thereof. Copies, duly certified upon request, will be furnished in lieu thereof in accordance with established fees.

(d) Requests relating to records of any other Federal agency, copies of which are on file in the Department of State, will normally be referred to that agency for consideration.

(e) The burden of adequately identifying the record so requested lies with the requesting person. Such person may seek appropriate assistance from the Chief, Records Services Division, or a member of his staff, in identifying the record sought.

§ 6.8 Schedule of fees and method of payment for services rendered.

(a) The following specific fees shall be applicable with respect to services rendered to members of the public under this part:

- | | |
|---|---------|
| (1) Searching for records, per hour or fraction thereof. (This charge must accompany request and will be retained whether or not an identifiable records is located.) | \$3.50 |
| (2) Other facilitative services and index assistance—minimum charge, per hour or fraction thereof | 3.50 |
| (3) Copies made by photostat or otherwise (per page) | .40 |
| (4) Certification of each record as a true copy | .75 |
| (5) Certification of each record as a true copy, under seal of Department | 1.00 |
| (6) For each signed statement of negative result of search for record | 1.00 |
| (7) For each signed statement of non-availability of record | No fee. |

(b) Fees for services performed other than under this part, as described in § 6.2(b), will be charged in accordance with Parts 21 and 22 of this chapter.

(c) When no specific fee has been established for a service, or the request for a service does not fall under one of the above categories due to the amount or size or type thereof, the Chief, Records Services Division is authorized to establish an appropriate fee pursuant to the criteria established in Bureau of the Budget Circular No. A-25, entitled "User Charges."

(d) When a request for identifiable records is made by mail pursuant to § 6.7(a), it should be accompanied by remittance of the total fee chargeable, as well as a self-addressed stamped envelope, if special mail services are desired.

(e) Fees must be paid in full prior to issuance of requested copies. If uncertainty as to the existence of a record, or as to the number of sheets to be copied or certified, precludes remitting the exact fee chargeable with the request, the Department of State will inform the interested party of the exact amount required.

(f) Remittances shall be in the form either of a personal check or bank draft drawn on a bank in the continental United States, a postal money order, or cash. Remittances shall be made payable to the order of the Department of State. The Department will assume no responsibility for cash which is lost in the mail.

(g) A receipt for fees paid will be given only upon request. Refund of fees paid for services actually rendered will not be made.

§ 6.9 Access to classified foreign policy records for nonofficial research purposes.

(a) *General policy.* (1) The Department permits access to its classified foreign policy records by individuals engaged in private research as liberally as possible, consistent with the national interest, the maintenance of friendly relations with other nations, the efficient operation of the Department, and the administrative feasibility of servicing requests for access to records.

(2) Former incumbents of senior positions within the Department shall be accorded access to records relating to their own activities, except in those cases where the Secretary of State de-

termines that such access would not serve the national interest. Such persons enjoying access to sensitive materials may be required to submit their notes for clearance by the Department prior to the publication of any manuscript prepared as a result of such access.

(b) *Three periods with respect to access by nonofficial researchers to the foreign policy records of the Department—*

(1) *Closed period.* The foreign policy records of the Department are in general closed to access by nonofficial researchers in advance of the publication of the Department's documentary series entitled "Foreign Relations of the United States." The beginning date of the closed period will be advanced automatically as the annual "Foreign Relations" volumes are released. Copies of identifiable unclassified foreign policy records of this period may be obtained in accordance with the procedures set forth in the preceding sections of this part.

(2) *Open period.* The open period is the period up to 30 years from the current year. The foreign policy records of the Department for the open period are in the National Archives and may be consulted under regulations issued by the National Archives.

(3) *Restricted period.* The restricted period is the period between the open period and the closed period. Access to foreign policy records in the restricted period shall be confined to qualified researchers demonstrating a scholarly or professional need for the information contained in such records. Access to these records of the restricted period will be granted only to U.S. citizens. Copies of identifiable unclassified foreign policy records of this period may be obtained in accordance with the procedures set forth in the preceding sections of this part.

(c) *Special restrictions on access to classified records in addition to the general restrictions listed in paragraph (b) of this section.* (1) The use of classified records or information therefrom is subject to the Department's security regulations.

(2) Access to certain types of foreign policy records will not be given if their publication, in whole or in part, would be contrary to the interests of national defense or foreign policy, such as (i) materials which might tend to prejudice the conduct of foreign relations by the U.S. Government; (ii) materials embodying opinions or comments which might give needless offense to other nations or individuals abroad; and (iii) materials which would violate a confidence reposed in the Department of State.

(3) In general, foreign policy records originated by a foreign government or another agency of the U.S. Government and not yet published or opened to access by that government or agency, will not be made available to researchers without the consent of the government or agency concerned.

(d) *Application for nonofficial access to foreign policy records in the restricted and closed periods—*(1) *Submission of application.* A written application for

access to foreign policy records in the restricted and closed periods shall be submitted to the Director, Historical Office, Department of State, Washington, D.C. 20520.

(2) *Information to be furnished in application.* The application shall contain a description of the nature and scope of the proposed study and the types of records required. Administrative considerations make it necessary for the researcher to confine his request to records on specific topics. The applicant also shall provide data establishing his citizenship, academic background and research experience. The application shall be accompanied by appropriate references or, preferably by letters of recommendation.

(3) *Departmental action on the application.* The Director of the Historical Office shall determine the nature and extent of access to be granted, and any special restrictions to be placed on the use of the information, and shall notify the applicant whether access to the desired records can be granted. If access is granted, the Director will then make any necessary arrangements for the applicant to consult the records, subject to such conditions as may be agreed upon.

(e) *Clearance of notes or materials resulting from nonofficial use of records for research purposes.* The researcher who has been granted access to classified foreign policy records shall be required to agree, in advance of his access to records, to submit to the Director of the Historical Office for purpose of review, all such notes or manuscripts as the researcher may prepare from the records. The Director of the Historical Office shall review and then transmit the cleared notes or manuscripts to the researcher, deleting such items as the Department may deem necessary to withhold.

Part 133, Research in Department of State Records, is deleted from Chapter 1 of Title 22 of the Code of Federal Regulations.

For the Secretary of State.

[SEAL] IDAR RIMESTAD,
Deputy Under Secretary
for Administration.

May 3, 1968.

[P.R. Doc. 68-5632; Filed, May 10, 1968;
8:47 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Department of Housing and Urban Development

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER C—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

Subpart A—Eligibility Requirements

In § 203.20 paragraph (a) is amended to read as follows:

§ 203.20 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 6¾ percent per annum with respect to mortgages insured on or after May 7, 1968.

In § 203.74 paragraph (a) is amended to read as follows:

§ 203.74 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, but in no case shall the interest rate exceed 6¾ percent per annum with respect to loans insured on or after May 7, 1968.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

SUBCHAPTER D—RENTAL HOUSING INSURANCE

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

Section 207.7 is amended to read as follows:

§ 207.7 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 6¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after May 7, 1968.

(b) Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

SUBCHAPTER E—COOPERATIVE HOUSING INSURANCE

PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Projects

Section 213.10 is amended to read as follows:

§ 213.10 Maximum interest rate.

(a) The mortgage or a supplementary loan shall bear interest at the rate agreed

upon by the mortgagee and the mortgagor, or the lender and the borrower, but in no case shall the interest rate exceed 6¾ percent per annum with respect to mortgages or supplementary loans receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after May 7, 1968.

(b) Interest shall be payable in monthly installments on the principal amount of the mortgage or supplementary loan outstanding on the due date of each installment.

Subpart C—Eligibility Requirements—Individual Properties Released from Project Mortgage

In § 213.511 paragraph (a) is amended to read as follows:

§ 213.511 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 6¾ percent per annum with respect to mortgages insured on or after May 7, 1968.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

Subpart C—Eligibility Requirements—Projects

In § 220.501 paragraph (a) is amended by deleting § 207.7 from the listed exceptions as follows:

§ 220.501 Incorporation by reference.

(a) * * *

Sec.
207.7 Maximum interest rate.

Section 220.510 is revoked as follows:

§ 220.510 Maximum interest rate. [Revoked]

Section 220.576 is amended to read as follows:

§ 220.576 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, but in no case shall the interest rate exceed 6¾ percent per annum with respect to loans receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after May 7, 1968.

(b) Interest shall be payable in monthly installments on the principal amount of the loan outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

RULES AND REGULATIONS

SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

Subpart C—Eligibility Requirements—Moderate Income Projects

In § 221.518 paragraph (a) is amended to read as follows:

§ 221.518 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 6¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after May 7, 1968, except that in cases involving rent supplement payments where the application for insurance was received by the Commissioner prior to May 7, 1968, an interest rate in excess of 6 percent per annum shall be permissible only with the prior approval of the Commissioner. Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 221, 68 Stat. 599, as amended; 12 U.S.C. 1715i)

SUBCHAPTER I—HOUSING FOR ELDERLY PERSONS

PART 231—HOUSING MORTGAGE INSURANCE FOR THE ELDERLY

Subpart A—Eligibility Requirements

In § 231.1 paragraph (a) is amended by deleting § 207.7 from the listed exceptions as follows:

§ 231.1 Incorporation by reference.

(a) * * *

Sec.

207.7 Maximum interest rate.

Section 231.2a is revoked as follows:

§ 231.2a Maximum interest rate. [Revoked]

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 231, 73 Stat. 665; 12 U.S.C. 1715v)

SUBCHAPTER J—MORTGAGE INSURANCE FOR NURSING HOMES

PART 232—NURSING HOMES MORTGAGE INSURANCE

Subpart A—Eligibility Requirements

In § 232.29 paragraph (a) is amended to read as follows:

§ 232.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 6¾ percent per annum with respect to mortgages receiv-

ing initial endorsement (or endorsement in cases involving insurance upon completion) on or after May 7, 1968.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 232, 73 Stat. 663; 12 U.S.C. 1715w)

SUBCHAPTER L—CONDOMINIUM HOUSING INSURANCE

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

Subpart A—Eligibility Requirements—Individually Owned Units

In § 234.29 paragraph (a) is amended to read as follows:

§ 234.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 6¾ percent per annum with respect to mortgages insured on or after May 7, 1968.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or applies sec. 234, 75 Stat. 160; 12 U.S.C. 1715y)

SUBCHAPTER V—LAND DEVELOPMENT INSURANCE

PART 1000—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

Subpart A—Eligibility Requirements

Section 1000.50 is amended to read as follows:

§ 1000.50 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 6¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after May 7, 1968.

(Sec. 1010, 79 Stat. 464; 12 U.S.C. 1749j)

SUBCHAPTER W—GROUP PRACTICE FACILITIES INSURANCE

PART 1100—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

Subpart A—Eligibility Requirements

Section 1100.45 is amended to read as follows:

§ 1100.45 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, but in no case shall the interest rate exceed 6¾ percent per annum with respect to mortgages receiving initial endorsement (or endorsement in cases involving insurance upon completion) on or after May 7, 1968.

(b) Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 1101, 80 Stat. 1355, 1274; 12 U.S.C. 1749aaa-1 et seq.)

Issued at Washington, D.C., May 7, 1968.

PHILIP N. BROWNSTEIN,
Federal Housing Commissioner.

[F.R. Doc. 68-5635; Filed, May 10, 1968; 8:47 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER H—INTERNAL REVENUE PRACTICE

PART 601—STATEMENT OF PROCEDURAL RULES

Miscellaneous Amendments

Correction

In F.R. Doc. 68-5382 appearing at page 6819 in the issue for Saturday, May 4, 1968, make the following change: Directly following the 8th line in § 601.106(b), add "proposed determination of tax liability."

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 68-54]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Lake Okeechobee, Fla.

1. The Florida State Road Department by letter dated June 9, 1967, requested the Jacksonville District, Corps of Engineers, to permit the closing of the Bell Glade Dike drawbridge across the navigation channel between Torrey Island and the lake shore near Bell Glade, Fla., on State Road 717 from 7 p.m. to 7 a.m., daily. A public notice dated January 26, 1968, setting forth the proposed revision of the regulations governing this drawbridge was issued by the Jacksonville District, Corps of Engineers, and was made available to all persons known to have an interest in this subject. No objections were submitted in response to this proposal, therefore, the revision is accepted. The purpose of this document is to amend the requirements in 33 CFR 117.245(h) (28) and to prescribe special regulations for the operation of the Bell Glade Dike drawbridge across the navigation channel, Lake Okeechobee between Torrey Island and the lake shore near Bell Glade, Fla.

2. By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by 14 U.S.C. 632 and 49 CFR 1.4(a) (3), the text of 33 CFR 117.245(h) (28) shall read as follows and shall be effective on and after 30 days after date of publication of this document in the FEDERAL REGISTER:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

(h) Waterways discharging into Atlantic Ocean south of Charleston.

(28) Bell Glade Dike Bridge, Fla.; Florida State Road Department bridge on State Road 717 across the navigation channel, Lake Okeechobee between Torrey Island and the lake shore near Bell Glade, Fla. The draw need not be opened for the passage of vessels between 7 p.m. and 7 a.m., daily.

(Sec. 5, 28 Stat. 362, as amended; 33 U.S.C. 499; 49 CFR 1.4(a)(3)(v); 32 F.R. 5606)

Dated: May 3, 1968.

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

[F.R. Doc. 68-5623; Filed, May 10, 1968;
8:46 a.m.]

Chapter IV—St. Lawrence Seaway Development Corporation

PART 401—SEAWAY REGULATIONS AND RULES

Miscellaneous Amendments

The amendments contained herein are of a miscellaneous nature and apply to Subpart A—Regulations and Subpart B—Rules, of 33 CFR Part 401. The St. Lawrence Seaway Development Corporation is acting jointly with The St. Lawrence Seaway Authority of Canada in issuing these regulations, pursuant to provisions of the Corporation's enabling act (33 U.S.C. 981 et seq.). The present amendments were first published in the FEDERAL REGISTER on April 4, 1968, in a notice of proposed rule making (33 F.R. 5367-5368).

After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the regulations and rules as so published are hereby adopted by the Corporation, subject to one change in § 401.102-3 (on draft markings) where the sentence structure has been rearranged for greater clarity.

Subpart A—Regulations and Subpart B—Rules of 33 CFR Part 401, as revised by 28 F.R. 3754-62 and amended by 29 F.R. 5034-35, 30 F.R. 6580-81, 31 F.R. 8062-64, and 32 F.R. 6394-96 are further amended as follows:

I. The regulations of Subpart A pertaining to transit of the Seaway in § 401.3, the reporting of accidents in § 401.11 and discharge of refuse in § 401.21 are amended by deleting § 401.3(c) and revising § 401.3(b) to indicate that it is no longer necessary to have maximum sized vessels apply for special instructions to transit Seaway

facilities; by setting forth clearer requirements in § 401.11 (a) and (b) for reporting vessel accidents in the course of a previous voyage; and by adding a provision in § 401.21 against the emission of excessive smoke by vessels to reemphasize the need to abate air pollution as well as water and land pollution. These amendments are as follows:

§ 401.3 Transit of the Seaway.

(b) Subject to these regulations, every vessel that does not exceed 730 feet in overall length and 75 feet 6 inches in extreme breadth, including permanent fenders, may transit during the navigation season.

(c) [Deleted]

§ 401.11 Accidents.

(a) Where a vessel on the Seaway is involved in an accident which might affect its ability to transit safely and expeditiously, the Master of the vessel shall report the accident to the nearest Seaway station immediately if the vessel can make radio contact with the station or forthwith as soon as the vessel can make radio contact with the station in any other case.

(b) Where a vessel approaching the Seaway with intent to transit has been involved in an accident in the course of its last voyage that might affect its ability to transit safely and expeditiously, the Master of the vessel shall report the accident to the nearest Seaway station before entering the Seaway.

§ 401.21 Discharge of refuse.

No vessel in transit shall emit sparks or excessive smoke or discharge oil, oil sludge, or other flammable or dangerous substance, or garbage, ashes, ordure, litter, or other materials, and no person shall deposit any such substance or material in waters or on land or structures under the jurisdiction of the Authority.

II. The rules of Subpart B respecting Condition of Vessels, §§ 401.102-1 to 401.102-25, are amended by deleting § 401.102-25 (on midship draft markings) and revising § 401.102-3 (on draft markings) to consolidate the two sections and relieve the requirement for midship draft markings on vessels not exceeding 350 feet of length; by adding and correcting cross-references to other sections in §§ 401.102-4 (on masts) and 401.102-7 (on fender requirements) respectively and, in the latter section, by substituting a reference to "explosive or hazardous" cargoes rather than "dangerous" cargoes respecting the requirement for non-metallic fenders; and by changing the radio range in § 401.102-10 (on radio-telephone equipment) from "25 miles" to "30 miles"; as follows:

§ 401.102-3 Draft markings.

Vessels in excess of 65 feet in overall length must be correctly and distinctly marked at the bow and stern to show exact draft fore and aft. Effective Janu-

ary 1, 1969, vessels in excess of 350 feet in overall length must be marked on both sides with midship draft markings. A Seaway officer may require the Master of any vessel to produce satisfactory evidence that draft markings are correct.

§ 401.102-4 Masts.

No vessel shall transit any part of the Seaway if a mast on the vessel extends more than 117 feet above water level, and no vessel shall transit the Lachine Canal if a mast on the vessel extends more than 59 feet above water level. (See § 401.104-8 with regard to required advance information on the height of masts.)

§ 401.102-7 Fender requirements.

Vessels carrying explosive or hazardous cargo must be equipped with fenders as specified in § 401.105-7, and fenders or other devices must be provided where any structural part of a vessel protrudes so as to endanger Seaway installations.

§ 401.102-10 Radiotelephone equipment.

All vessels, other than pleasure craft of less than 65 feet in overall length, must be equipped with VHF (very high frequency) radiotelephone equipment, in addition to the MF (medium frequency) equipment otherwise required. The radio transmitters must have sufficient power output to enable the vessel to communicate with Authority stations from a distance of 30 miles and must be fitted to operate from the wheelhouse and to communicate on 156.6, 156.7, and 156.8 Mcs.

§ 401.102-25 [Deleted]

III. The rules of Subpart B respecting Radio Communications, §§ 401.103-1 to 401.103-8, are amended by revising § 401.103-2 (on radiotelephone frequencies) to add channel designations for all frequency designations, and indicate that an additional emergency frequency will be monitored; § 401.103-3 (on location of stations) to include call signs as well as call letters for each Seaway station; § 401.103-4 (on calling-in) to provide for full rather than an abbreviated reporting at additional designated calling-in points (CIP 11 upbound and 6 downbound); and by revising the last sentence of § 401.103-8 (on communication at Canadian Sault Ste. Marie Canal) as follows:

§ 401.103-2 Radiotelephone frequencies.

The Seaway stations operate on the following assigned VHF frequencies:

156.8 Mcs (channel 16) Safety and calling.
156.7 Mcs (channel 14) Working (Canadian stations).
156.6 Mcs (channel 12) Working (Eisenhower station).

The Seaway stations maintain a listening watch, for emergency only, on 2182 Kcs (channel 51) and 2003 Kcs (channel 52).

§ 401.103-3 Location of stations.

The Seaway stations are for vessel traffic control purposes only, and are located as follows:

Call letters	Call sign	Location
VDX20	Seaway Beauharnois	Upper Beauharnois Lock (Dispatch Area No. 1)
KEF	Seaway Eisenhower	Eisenhower Lock (Dispatch Area No. 2)
VDX21	Seaway Iroquois	Iroquois Lock (Dispatch Area No. 3)
VDX22	Seaway Welland	Welland Canal Headquarters (Dispatch Area No. 4)

§ 401.103-4 Calling-in.

Vessels intending to or in transit must report on the assigned frequency to the designated station when opposite Calling-in Points 2, 7, 11, and 15, when upbound, and 16, 14, 10, and 6, when downbound, and except as provided hereunder, the following information will be given:

Name of Vessel.
Position.
Destination.
Sailing draft fore and aft.
Cargo.

At all other Calling-in Points, vessels must report the name of the vessel and its position, and it shall report its destination, sailing draft and cargo only in the event these have changed since the last report.

§ 401.103-8 Communication at Canadian Sault Ste. Marie Canal.

Vessels intending to enter the Canadian Sault Ste. Marie Canal will be directed to the Canal by arrangement with the lockmaster at the U.S. St. Mary's Falls Canal, normally by means of visual signals. The Radio Station at the Canadian Sault Ste. Marie Canal is VDX23—2182 Kcs (channel 51) and 2003 Kcs (channel 52).

IV. The rules of Subpart B respecting Transit Instructions, §§ 401.104-1 to 401.104-48 are amended by revising § 401.104-1 (navigation season) to change the closing date for the main line canals of the St. Lawrence River Section from "December 3" to "December 6"; § 401.104-2 (on special instructions) to remove the requirement for vessels of maximum size consistent with the change being made in § 401.3 of Subpart A; by inserting the words "Seaway Station" in § 401.104-8 (on furnishing information re masts) for the words "dispatcher or officer in charge" to avoid an implication that the information is to be given to a lockmaster; and by revising § 401.104-25 (Mooring table) to reflect additional tie-up facilities on the mooring table for Welland Canal; as follows:

§ 401.104-1 Navigation season.

Unless in the opinion of the Authority weather and ice conditions do not allow, navigation on the Seaway will open and will close on the following dates in each year:

	Open	Close
Welland and Third Welland Canals	Apr. 1	Dec. 15
Sault Ste. Marie Canal (Canada)	Apr. 4	Dec. 12
South Shore, Beauharnois, Wiley, Dondero, and Iroquois Canals	Apr. 15	Dec. 6
Lachine and Cornwall Canals	do.	Nov. 30

§ 401.104-2 Special instructions.

Special instructions must be applied for to the Authority in connection with the intended transit of vessel of unusual design, hulks, sections of vessels, large dredges and all vessels in tow, and such vessels shall not transit except in strict compliance with such instructions.

§ 401.104-3 Furnishing information re masts.

Vessels, whose masts extend more than 110 feet above water level, shall not transit any part of the Seaway until precise information concerning the height of the masts has been furnished to the Seaway Station; and vessels, whose masts extend more than 54, shall not transit the Lachine Canal until the same condition has been fulfilled.

§ 401.104-25 Mooring table.

WELLAND CANAL									
	1	2	3	4	5	6	7	Guard gate	8
Locks:									
Upbound	S	P	P	P	P	P	P		S
Downbound	P	S	S	P	P	P	S		P
Tieup walls:									
Upbound	S	S	S	S			S	S	S or P
Downbound	P	P	P				S	P	S

V. The rules of Subpart B respecting Pleasure Craft, §§ 401.107-1 to 401.107-8 are amended by revising § 401.107-6 to reflect the imposition of lockage charges on the Welland Canal and a charge of \$3 for pleasure craft tickets at the Welland Canal; as follows:

§ 401.107-6 Pleasure craft toll tickets.

Tolls, in accordance with the St. Lawrence Seaway Tariff of Tolls, shall be paid by pleasure craft for the transit of each Seaway lock, other than locks on the Lachine, Cornwall, Third Welland, and Sault Ste. Marie (Canada) Canals, by means of \$2 or \$3 tickets that may be purchased at The St. Lawrence Seaway Authority, Corner of Pitt and Second Streets, Cornwall, Ontario, or from the St. Lawrence Seaway Development Corporation, Seaway Circle, Massena, N.Y. Tickets may also be purchased from pleasure craft organizations or yacht clubs that have obtained them from the Authority.

(68 Stat. 93-97, 33 U.S.C. 981-990, as amended)

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION,
[SEAL] JOSEPH H. MCCANN,
Administrator.

[F.R. Doc. 68-5627; Filed, May 10, 1968; 8:46 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS

Yellowstone National Park, Wyoming

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended, 16 U.S.C. 3) and the Act of May 7, 1894 (28 Stat. 73, as amended, 16 U.S.C. 26), 245 DM-I (27 F.R. 6395), National Park Service Order No. 34 (31 F.R. 4255), Regional Director, Midwest Region Order No. 4 (31 F.R. 5769) as amended, § 7.13 of Title 36 of the Code of Federal Regulations is amended as set forth below.

The purpose of this revision is to eliminate or revoke portions of the Special Regulations that are no longer necessary for Yellowstone National Park as they are covered within the provisions of Parts 2 and 4 of this chapter.

It has been determined that advance publication of these amendments and a delayed effective date are impractical, unnecessary, and contrary to the public interest since these amendments constitute either purely technical changes or will relax restrictions upon the public. In order that the public may have the benefits derived from this revision as soon as possible, this amendment shall take effect immediately upon its publication in the FEDERAL REGISTER.

(5 U.S.C. 553; 39 Stat. 535; 16 U.S.C. 3 and 28 Stat. 73; 16 U.S.C. 26)

The following paragraphs or subparagraphs of § 7.13 of Title 36 of the Code of Federal Regulations are hereby revoked.

§ 7.13 Yellowstone National Park.

(b) Traffic control. * * *

(3) [Revoked]

(4) [Revoked]

(5) [Revoked]

(6) * * *

(ii) [Revoked]

(h) Dogs and cats. * * *

(2) * * *

(iii) [Revoked]

(j) [Revoked]

ROBERT R. LOVEGREN,
Acting Superintendent,
Yellowstone National Park.

[F.R. Doc. 68-5622; Filed, May 10, 1968; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

**Necedah National Wildlife Refuge,
Wis.**

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

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

WISCONSIN

NECEDAH NATIONAL WILDLIFE REFUGE

Sport fishing on the Necedah National Wildlife Refuge, Wis., is permitted only on the areas designated by signs as open to fishing. The open area comprising 500 acres is delineated on a map avail-

able at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(1) Open season: Daylight hours June 1, 1968, through September 30, 1968.

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

The provisions of this special regulation supplement the regulations which govern fishing on wildlife areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 33, and are effective through September 30, 1968.

DAVID J. BROWN,

Refuge Manager, Necedah National Wildlife Refuge, Necedah, Wis. 54646.

MAY 6, 1968.

[F.R. Doc. 68-5620; Filed, May 10, 1968; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

SPECIAL REGULATIONS RELATING TO PARKS AND MONUMENTS

Fire Island National Seashore; Proposed Revision to Vehicular Use Regulations

Notice is hereby given that, pursuant to the authority vested in the Secretary of the Interior by section 3 of the Act of August 25, 1916, as amended (39 Stat. 535, 16 U.S.C. 3), and in order to carry out the purposes of the Act of September 11, 1964 (78 Stat. 928, 16 U.S.C. 459e), authorizing the establishment of the Fire Island National Seashore, it is proposed to revise § 7.20, Part 7, Chapter I, Title 36, Code of Federal Regulations as hereinafter set forth.

When § 7.20 was originally adopted in the August 19, 1967, publication of the *FEDERAL REGISTER* on page 11988, it was pointed out that the effectiveness of this section would be evaluated during the heavy use season of 1967, and necessary changes as a result of the evaluation would be proposed before the next season, the summer of 1968.

This proposed revision reflects the changes recommended after a careful evaluation by the National Park Service, the Fire Island National Seashore Advisory Commission, local authorities and the letters of private citizens. The purpose of this revision remains the same as the original § 7.20 to protect the Federal lands and interests in lands within Fire Island National Seashore, to protect members of the public using such properties and to provide such use of seashore lands by motor vehicles for recreational and other purposes as will not conflict with the conservation of the natural resources of the area.

The proposed revision will result in the following basic changes: (1) Establish times and periods of travel for motor vehicles (including public utility vehicles) operating on all seashore lands, (2) recognize building contractor vehicles as qualifying for a permit under specified conditions, (3) clarify the authority of the Superintendent of Fire Island National Seashore to approve or deny permit applications, and (4) place limitations on travel by commercial passenger vehicles over two sections of federally controlled seashore land.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed regulations to the Superintendent, Fire Island

National Seashore, Box 229 (8 West Main Street) Patchogue, N.Y. 11772, within 15 days after the publication of this notice in the *FEDERAL REGISTER*.

(5 U.S.C. 553; 39 Stat. 535; 16 U.S.C. 3)

THOMAS F. NORRIS, JR.,
Assistant Superintendent,
Fire Island National Seashore.

Section 7.20, Part 7 of Chapter I, Title 36 of the Code of Federal Regulations is proposed to be revised as follows:

§ 7.20 Fire Island National Seashore.

(a) *Operation of motor vehicles*—(1) *Definitions*. The following terms or phrases, when used in this section, have the meanings hereinafter respectively ascribed to them:

(i) *Seashore lands*. Any lands owned or hereafter acquired by the United States or in which the United States possesses or hereafter acquires a proprietary interest.

(ii) *Motor vehicle*. Any self-propelled land vehicle.

(iii) *Official vehicle*. Any motor vehicle while in use for official business of the U.S. Government, the State of New York, the county of Suffolk and of towns, villages, and communities situated on Fire Island, or while in use for hearse, ambulance, fire or other emergency or disaster purposes.

(iv) *Public utility vehicle*. Any motor vehicle owned or operated by a public utility or a public service company franchised or licensed to supply Fire Island residents with electricity, water, telephone, bottled gas, or other public utility service while in use for supplying such services.

(v) *Service vehicle*. Any motor vehicle owned or operated by or on behalf of an individual, partnership, or corporation while in use for furnishing Fire Island residents maintenance or repair services, including, but not limited to, installation or repair of household appliances, plumbing, carpentry, and painting.

(vi) *Building contractor vehicle*. Any motor vehicle owned or operated by or on behalf of an individual, partnership, or corporation while in use for landscaping or construction within the several established communities on Fire Island.

(vii) *Schoolbus*. Any motor vehicle owned or operated by or on behalf of a school district or other public or private entity maintaining elementary or secondary schools, while in use for transporting elementary or secondary school children of Fire Island residents and their teachers to and from school activities.

(viii) *Dune crossing*. An access way over a primary or transverse dune designated and marked as a dune crossing.

(ix) *Superintendent*. The Superintendent of the Fire Island National Seashore or his authorized representative.

(2) *Permits*. No motor vehicles, other than official vehicles and schoolbuses, shall be operated across seashore lands except under permit issued by the Superintendent.

(i) The Superintendent is authorized to establish a system of permits consistent with the requirements of these regulations. Any person, firm, corporation, or partnership may apply to the Superintendent for a permit using a form to be provided for that purpose. Before granting the permit, the Superintendent shall consider whether or not the nature and extent of the intended use is consistent with the purposes of these regulations, which are to protect the seashore lands and interests therein, to protect the health and safety of members of the public using the seashore, and to provide for the recreational use of motor vehicles for activities such as sports fishing and hunting in areas and at times which do not conflict with the conservation of the natural resources of the seashore. On this basis, the Superintendent may approve the application, deny the application or grant the application with appropriate limitations and restrictions.

(ii) Permits may be issued for periods of 1 day or longer, depending upon the reasonable requirements of the applicant, but not to extend beyond December 31 of the year of issuance.

(iii) No permit shall be issued for any motor vehicle having a manufacturer's rated capacity in excess of 1 ton: *Provided*, That application may be made to the Superintendent for a special trip permit for a vehicle of greater capacity to carry heavier loads for which water transportation is not available or feasible.

(iv) No permit shall be issued for any motor vehicles not equipped, in the judgment of the Superintendent, to travel over sand.

(v) Special permits may be issued to those persons who have satisfied the Superintendent that, by reason of their advanced age or infirmity, they require the use of a motor vehicle.

(vi) Permits shall be carried by the operator of a vehicle on Fire Island at all times and displayed upon request.

(vii) No permit will be issued by the Superintendent for any motor vehicle until the applicant has first secured from the towns of Brookhaven and/or Islip an appropriate permit covering the same activity, vehicular use, and area of use for which a seashore permit is requested.

(3) *Authorized and prohibited travel*. (i) Except as otherwise specifically provided in this section, travel on all seashore land by motor vehicles is restricted as follows:

(a) From May 15 through September 14, inclusive; daily from 6 p.m. of 1 day through 9 a.m. of the following day

but not from 9 a.m. Saturday through 6 p.m. Sunday.

(b) From September 15 through November 10, inclusive; daily at any hour, but not from 9 a.m. Saturday through 6 p.m. Sunday.

(c) From November 11 through May 14, inclusive; daily at any hour.

(ii) Travel on seashore land by official vehicles and schoolbuses is permitted at all times.

(iii) Travel on seashore lands by public utility vehicles is permitted upon the issuance of a Special Use Permit, which shall be subject to the times of travel provided for in subdivision (i) of this subparagraph, and such other terms and conditions respecting the use of seashore lands as the Superintendent may determine necessary for the protection of the seashore and the safety of visitors thereto.

(iv) Travel on seashore lands by service vehicles is permitted between Robert Moses State Park and the westerly boundary of Smith Point County Park, subject to the times of travel provided for in subdivision (i) of this subparagraph, except that such travel between the easterly boundary of Ocean Ridge and the westerly boundary of Smith Point County Park is restricted to providing service to owners and occupants of houses situated therein.

(v) Travel on seashore lands by building contractor's vehicles is permitted between Robert Moses State Park and the westerly boundary of Smith Point County Park, subject to the times of travel provided for in subdivision (i) of this subparagraph, except, that from May 15 through September 14, inclusive, travel is permitted only upon issuance of a limited term permit by the Superintendent.

(vi) Travel on seashore lands by motor vehicles for hire is permitted except that use by such vehicles between the easterly boundary of Point O'Woods and the westerly boundary of Cherry Grove is restricted to the times of travel provided for in subparagraph (i), above, and except that use by such vehicles between the easterly boundary of Ocean Ridge and the westerly boundary of the Smith Point County Park, in providing service to persons in the exercise of their prior existing rights of ingress and egress, is restricted to the times of travel provided for in subdivision (i) of this subparagraph.

(vii) Travel on seashore lands by all other motor vehicles between the easterly boundary of Ocean Ridge and the westerly boundary of Smith Point County Park is prohibited, except under prior existing rights of ingress and egress. However, during the period of September 15 through May 14 such vehicles may, for recreation purposes, travel over seashore lands on the beach along the Atlantic Ocean between Smith Point County Park and Long Cove. No such vehicle may travel farther inland from the ocean than the base of the dunes.

(viii) Any motor vehicles having a valid permit may be operated at all times on seashore lands lying between the east-

erly boundary of Smith Point County Park and Moriches Inlet.

(4) *Rules of travel.* (i) So far as practicable, motor vehicles shall be operated only on the beach in established tracks. When two motor vehicles approach from opposite directions in the same track both operators shall reduce speed and the operator with the water to his left shall yield right-of-way by turning out of the track to the right.

(ii) No motor vehicles shall be operated on any portion of a dune except at posted dune crossings.

(iii) Except as otherwise provided in this section, no person shall operate a motor vehicle on seashore lands at a speed that is greater than that established by the applicable sections of the existing Islip and Brookhaven town ordinances. Upon approaching or passing within 100 feet of a person or persons on the beach, or when passing through or over any authorized dune crossing, speed shall be reduced to 5 miles per hour.

(ix) The Superintendent may designate routes of travel across seashore lands by the posting of appropriate signs. Where routes are so designated, motor vehicles shall be operated only within the designated routes.

(v) In an emergency, the Superintendent may suspend, for such period or periods as he shall deem advisable, any or all of the foregoing restrictions on motor vehicle travel, and he may announce such suspension by whatever means are available. In the event of high winds and waves, storms, or other adverse weather conditions, the Superintendent may close all or any portion of the seashore lands to motor vehicle travel for such period as he shall deem advisable in the interests of public safety.

(5) *Violations.* Violations of any of the foregoing regulations shall be punishable as provided by law. The Superintendent may, furthermore, suspend or revoke any permit for violation of any of the foregoing regulations. Failure to operate a motor vehicle in conformance with the terms of a permit shall be deemed a violation of these regulations.

[F.R. Doc. 68-5736; Filed, May 10, 1968; 9:40 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 1131]

MILK IN CENTRAL ARIZONA MARKETING AREA

Notice of Proposed Suspension of Certain Provisions of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Central Arizona marketing area is being considered.

The provisions proposed to be suspended are:

(1) In § 1131.51(a), in the language preceding subparagraph (1), the words "and shall be increased or decreased by a 'supply-demand adjustment' of not more than 50 cents computed as follows:"; and

(2) Section 1131.51(a) (1) and (2) in their entirety, relating to the computation of the supply-demand adjutor.

The proposed suspension was requested by the United Dairymen of Arizona, which is the principal cooperative association supplying regulated handlers with milk. The proposed suspension is requested pending a hearing to consider whether a supply-demand adjutor should continue to be provided in the order.

The supply-demand adjutor is at zero and is not affecting the Class I milk price for May 1968. The association believes that this is an appropriate time to consider whether the adjutor should continue to be provided in the order. It requests that the supply-demand adjutor be suspended because the possibility of minus adjustments in the coming months could jeopardize an adequate supply of milk for the market.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112-A, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 3 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

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

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 68-5665; Filed, May 10, 1968; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Parts 3, 131]

OVER-THE-COUNTER DENTURE RELINERS, REPAIR KITS, PADS, AND CUSHIONS

Extension of Time for Filing Comments on Proposed Statement of Policy and Warning Statement

The notice published in the FEDERAL REGISTER of April 4, 1968 (33 F.R. 5365), proposing a statement of policy and warning statement regarding over-the-counter denture reliners, repair kits, pads, and cushions, provided for the filing of comments within 30 days following its date of publication.

PROPOSED RULE MAKING

The Commissioner of Food and Drugs has received requests for an extension of time for filing comments and, good reason therefor appearing, the time for filing comments on the subject proposal is extended to July 3, 1968.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502 (a), (f), (j), 701 (a); 52 Stat. 1050, 1051, 1055; 21 U.S.C. 352 (a), (f), (j), 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: May 3, 1968.

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

[F.R. Doc. 68-5650; Filed, May 10, 1968;
8:49 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Comptroller of the Currency

[Delegation Order No. 10]

FIRST DEPUTY COMPTROLLER OF THE CURRENCY ET AL.

Order of Succession To Act as Comptroller

By virtue of the authority vested in me by Treasury Department Order No. 129 (Rev. No. 2), dated April 22, 1955, it is hereby ordered as follows:

1. The following officers in the Bureau of Comptroller of the Currency, in the order of succession enumerated, shall act as Comptroller of the Currency during the absence or disability of the Comptroller of the Currency or when there is a vacancy in such office:

- (1) Justin T. Watson, First Deputy Comptroller of the Currency.
- (2) Wayne G. Wickman, Administrative Assistant to the Comptroller of the Currency.
- (3) Thomas G. DeShazo, Deputy Comptroller of the Currency.
- (4) David C. Motter, Deputy Comptroller of the Currency.
- (5) John D. Gwin, Deputy Comptroller of the Currency.
- (6) Frank H. Ellis, Chief National Bank Examiner.
- (7) Dean E. Miller, Deputy Comptroller of the Currency.
- (8) Richard J. Blanchard, Deputy Comptroller of the Currency.
- (9) Albert J. Faulstich, Deputy Comptroller of the Currency.
- (10) Regional Administrator of National Banks at Richmond, Va.
- (11) Regional Administrator of National Banks at Philadelphia, Pa.
- (12) Regional Administrator of National Banks at New York City, N.Y.
- (13) Regional Administrator of National Banks at Cleveland, Ohio.
- (14) Regional Administrator of National Banks at Atlanta, Ga.
- (15) Regional Administrator of National Banks at Boston, Mass.
- (16) Regional Administrator of National Banks at Chicago, Ill.
- (17) Regional Administrator of National Banks at Memphis, Tenn.
- (18) Regional Administrator of National Banks at Kansas City, Mo.
- (19) Regional Administrator of National Banks at Minneapolis, Minn.
- (20) Regional Administrator of National Banks at Dallas, Tex.
- (21) Regional Administrator of National Banks at Denver, Colo.
- (22) Regional Administrator of National Banks at San Francisco, Calif.
- (23) Regional Administrator of National Banks at Portland, Ore.

2. In the event of an enemy attack on the continental United States, all Regional Administrators of National Banks, including any Acting Regional Administrators, are authorized in their respective regions to perform any function of the Comptroller of the Currency, or the Secretary of the Treasury, whether or not otherwise delegated, which is essen-

tial to the carrying out of responsibilities otherwise assigned to them. The respective officers will be notified when they are to cease exercising the authority delegated in this paragraph.

3. Delegation Order No. 9 is hereby repealed.

Dated: May 8, 1968.

[SEAL]

WILLIAM B. CAMP,
Comptroller of the Currency.

[F.R. Doc. 68-5656; Filed, May 10, 1968; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[C-3887]

COLORADO

Notice of Proposed Classification of Public Lands

MAY 6, 1968.

Notice is hereby given of a proposal to classify the public lands described below for disposal through exchange under section 8 of the Taylor Grazing Act (43 U.S.C. 315g) for other lands within the Canon City District, Bureau of Land Management. This publication is made pursuant to the Act of September 19, 1964 (78 Stat. 986, 43 U.S.C. 1412).

This proposal has been discussed with the District Advisory Board, local governmental officials and other interested parties. Information derived from field data, discussions with the public and from other sources indicates that these lands meet the criterion of 43 CFR 2410.1-3 which authorized classification of lands for "exchange under appropriate authority where they are found to be chiefly valuable for public purposes because they have special values, arising from the interest of exchange proponents, for exchange for other lands which are needed for the support of a Federal program".

Information concerning the lands including the record of public discussions and specific public recommendations, is available for inspection at the Canon City District Office, 1001 Main Street, Canon City, Colo.

The lands affected by this proposal are located in the following described area and are designated as Block 4 on maps in the Canon City District Office, 1001 Main Street, Canon City and the Land Office, Bureau of Land Management, 1961 Stout Street, Denver, Colo.

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO
SAGUACHE COUNTY

Block 4

T. 41 N., R. 11 E.,
Secs. 11, 12, 14, and 23.

The area described comprises 1,504.38 acres of public land.

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

J. ELLIOTT HALL,
Acting State Director.

[F.R. Doc. 68-5621; Filed, May 10, 1968; 8:45 a.m.]

[Wyoming 12616]

WYOMING

Notice of Proposed Classification of Public Lands

MAY 6, 1968.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18), and to the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended, and to the regulations in 43 CFR Parts 2410 and 2411, notice is hereby given of a proposal to classify the public lands described in this notice. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended which are not otherwise withdrawn or reserved for a Federal use or purpose. The public lands described in this notice are shown on the Hot Springs County Classification Maps, which are on display in the District Office, Bureau of Land Management, Worland, Wyo.; in the Hot Springs County Courthouse, Thermopolis, Wyo.; and in the Land Office, Bureau of Land Management, 2120 Capitol Avenue, Cheyenne, Wyo.

2. It is proposed that the public lands shown on the Hot Springs County Classification Maps as area IV and which are hereinafter described be classified as follows:

a. The public lands described below for disposal: through public sale under section 2455 of the Revised Statutes (43 U.S.C. 1171); through exchange under section 8 of the Act of June 28, 1934 (43 U.S.C. 1272; 43 U.S.C. 315g); and through State Selection (43 U.S.C. 851, 852):

SIXTH PRINCIPAL MERIDIAN
HOT SPRINGS COUNTY

T. 41 N., R. 90 W.,
Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 21, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 23, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 24, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 26, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 27, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 42 N., R. 90 W.,
Sec. 30, E $\frac{1}{2}$ NE $\frac{1}{4}$.

- T. 41 N., R. 91 W.,
 Sec. 9, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 11, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 17, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 18, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 29, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 35, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 42 N., R. 91 W.,
 Sec. 19, lots 1 to 4, inclusive, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 24, W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 25, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 30, lots 1 to 4, inclusive, and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 31, lots 1 to 4, inclusive, E $\frac{1}{2}$ W $\frac{1}{2}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 41 N., R. 92 W.,
 Sec. 1, lots 1, 2, and 3, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
 Sec. 2, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 3, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
 Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 5, lot 1 and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 9, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 10, N $\frac{1}{2}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 11, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 12, W $\frac{1}{2}$;
 Sec. 14, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 15, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 21, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 28, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 31, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 32, SW $\frac{1}{4}$.
- T. 42 N., R. 92 W.,
 Sec. 23, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, E $\frac{1}{2}$ and W $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 41 N., R. 93 W.,
 Sec. 3, lots 1 and 4, and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, S $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 7, W $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 14, W $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 15, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 18, W $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 19, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 22, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23, E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 25, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 30, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 34, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 35, S $\frac{1}{2}$ SW $\frac{1}{4}$.
- T. 42 N., R. 93 W.,
 Sec. 20, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 22, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 27, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 28, NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 29, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 34, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 41 N., R. 94 W.,
 Sec. 1, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 3, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 10, W $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 11, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 14, S $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;

- Sec. 15, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 21, lots 1, 2, and 3;
 Sec. 22, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 27, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 28, lots 9 and 10, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 33, lots 1, 2, 4, 5, and 9, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 35, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 42 N., R. 94 W.,
 Sec. 3, lots 1 and 2;
 Sec. 5, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 8, lots 1 to 4, inclusive, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 9, lots 2, 3, and 4, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 14, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 15, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 17, lots 1 and 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 20, lot 1;
 Sec. 21, lot 1 and N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 22, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 25, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 28, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 34, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 46 N., R. 100 W.,
 Sec. 3, lots 1 to 4, inclusive, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 6, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 7, lot 2 and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 18, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The public lands described above aggregate approximately 15,816.15 acres.

b. The public lands described below for disposal through exchange under section 8 of the Act of June 28, 1934 (43 U.S.C. 1272; 43 U.S.C. 315g) and through State Selection (43 U.S.C. 851, 852):

SIXTH PRINCIPAL MERIDIAN HOT SPRINGS COUNTY

- T. 41 N., R. 90 W.,
 Sec. 12, NE $\frac{1}{4}$;
 Sec. 13, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 24, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 25, NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 31, lots 2, 3, and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 32, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 34, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 35, W $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 41 N., R. 91 W.,
 Sec. 2, lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 42 N., R. 91 W.,
 Sec. 19, E $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 41 N., R. 92 W.,
 Sec. 5, lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$.
- T. 42 N., R. 92 W.,
 Sec. 35, N $\frac{1}{2}$ SW $\frac{1}{4}$.
- T. 46 N., R. 100 W.,
 Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$.

The public lands described above aggregate approximately 2,958.94 acres. The total area of public lands described in paragraphs 2 (a) and (b) aggregate approximately 18,775.09 acres.

3. Publication of this notice segregates:

a. The lands described in paragraph 2(a) from all forms of disposal under the public land laws except as to sales under section 2455 of the Revised Statutes, exchanges under section 8 of the Act of June 28, 1934, State Selections and appropriation under the mining laws;

b. The lands described in paragraph 2(b) from all forms of disposal under the public land laws except as to exchanges under section 8 of the Act of June 28, 1934, State Selections and appropriation under the mining laws.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, interested parties who wish to submit comments, suggestions, or objections concerning this proposed classification may present their views in writing to the District Manager, Worland District Office, Bureau of Land Management, Post Office Box 119, Worland, Wyo. 82401.

5. A public hearing on the proposed classification will be held on June 20, 1968, at 9 a.m., in the Elks Lodge in Thermopolis, Wyo.

ED PIERSON,
State Director.

[F.R. Doc. 68-5636; Filed, May 10, 1968; 8:47 a.m.]

[Wyoming 12617]

WYOMING

Proposed Classification of Public Lands for Multiple-Use Management

MAY 6, 1968.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and to the regulations in 43 CFR Parts 2410 and 2411, it is proposed to classify for multiple-use management the public lands described below. Publication of this notice has the effect of segregating (a) the public lands described in paragraph 2 of this notice from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and (b) the public lands described in paragraph 3 of this notice from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334). Except as provided in (a) and (b) above the lands shall remain open to all other applicable forms of appropriation including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose. Public lands located within the areas described in this notice are shown on the Hot Springs County Classification Maps, which are on display in the District Office, Bureau of Land Management, Worland, Wyo.; in the Hot Springs County Courthouse, Thermopolis, Wyo.; and in the Land Office, Bureau of Land Management, 2120 Capitol Avenue, Cheyenne, Wyo.

2. Public lands located within the following described area are shown on the Hot Springs County Classification Maps as area I. The overall description of the area is as follows:

SIXTH PRINCIPAL MERIDIAN

HOT SPRINGS, WYO.

Beginning at the junction of the Hot Springs-Park-Washakie County lines which point is the northwest corner of T. 47 N., R. 97 W.; thence west and south along the Hot Springs-Park County line to the northwest corner of T. 46 N., R. 100 W.; thence west to the northwest corner of sec. 1, T. 46 N., R. 100 W.; thence along section lines in T. 46 N., R. 100 W., south to the northwest corner of sec. 13, west to the northeast corner of sec. 16, south to the southeast corner of sec. 16, west to the northwest corner of sec. 19, which point is on the Hot Springs-Park County line; thence south and west along the Hot Springs-Park County line to its junction with the Shoshone National Forest boundary; thence south along the Shoshone National Forest boundary to the township line between Tps. 44 and 45 N., in R. 101 W.; thence east along the township line between Tps. 44 and 45 N., to the northwest corner of sec. 4, T. 44 N., R. 100 W.; thence south along section lines to the southwest corner of sec. 4, T. 43 N., R. 100 W.; thence east along section lines to the range line between Rs. 99 and 100 W., T. 43 N.; thence south along the range line between Rs. 99 and 100 W., T. 43 N., to the North Fork of Owl Creek; thence northeasterly down the North Fork of Owl Creek to its junction with the South Fork of Owl Creek, which is also the Wind River Indian Reservation boundary; thence southeasterly, south and east along the Wind River Reservation boundary to the range line between Rs. 94 and 95 W., T. 42 N.; thence north along the range line between Rs. 94 and 95 W., to the township line between Tps. 42 and 43 N.; thence east along the township line between Tps. 42 and 43 N., to the northwest corner of sec. 1, T. 42 N., R. 94 W.; thence south along section lines to the southwest corner of sec. 24, T. 42 N., R. 94 W.; thence east along section lines to the southwest corner of sec. 19, T. 42 N., R. 93 W.; thence along section lines in T. 42 N., R. 93 W., north to the northeast corner of sec. 19, east to the northwest corner of sec. 23, south to the township line between Tps. 41 and 42 N., R. 93 W.; thence east along the township line between Tps. 41 and 42 N., to the southeast corner of sec. 34, T. 42 N., R. 92 W.; thence along section lines in T. 42 N., R. 92 W., north to the northwest corner of sec. 23, east to the range line between Rs. 91 and 92 W., T. 42 N.; thence along section lines in T. 42 N., R. 91 W., east to the northeast corner of sec. 19, south to the southwest corner of sec. 32, east to the southeast corner of sec. 35, north to the west one-quarter corner of sec. 25, east to the range line between Rs. 90 and 91 W., T. 42 N.; thence along section lines in T. 42 N., R. 90 W., east to the east one-quarter corner of sec. 19, south to the southeast corner of sec. 19, east to the northeast corner of sec. 29, south to the township line between Tps. 41 and 42 N., R. 90 W.; thence along section lines in T. 41 N., R. 90 W., south to the southwest corner of sec. 4, east to the range line between Rs. 89 and 90 W., which line is the Hot Springs-Washakie County line; thence north and west along the Hot Springs-Washakie County line to the junction of the Hot Springs-Park-Washakie County lines, the point of beginning.

The public lands within the above-described area aggregate approximately 432,083 acres.

3. Public lands located within the following described area are shown on the Hot Springs County Classification Maps as area II. The overall description of the area is as follows:

SIXTH PRINCIPAL MERIDIAN

HOT SPRINGS COUNTY, WYOMING

Beginning at the junction of the Shoshone National Forest boundary and the township line between Tps. 44 and 45 N., R. 101 W.; thence east along the township line between Tps. 44 and 45 N., to the northwest corner of sec. 4, T. 44 N., R. 100 W.; thence south along section lines to the southwest corner of sec. 4, T. 43 N., R. 100 W.; thence east along section lines to the range line between Rs. 99 and 100 W., T. 43 N.; thence south along the range line between Rs. 99 and 100 W., in T. 43 N., to the North Fork of Owl Creek; thence northeasterly down the North Fork of Owl Creek to its junction with the South Fork of Owl Creek, which is also the Wind River Indian Reservation boundary; thence westerly up the South Fork of Owl Creek along the Wind River Indian Reservation boundary to the Shoshone National Forest boundary; thence east and north along the Shoshone National Forest boundary to the point of beginning.

The public lands within the above-described area aggregate approximately 34,060 acres.

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 District Manager, Worland District Office, Bureau of Land Management, Post Office Box 119, Worland, Wyo. 82401.

5. A public hearing on the proposed classification will be held on June 20, 1968, at 9 a.m., in the Elks Lodge in Thermopolis, Wyo.

ED PIERSON,
State Director.

[F.R. Doc. 68-5637; Filed, May 10, 1968;
8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

ECONOMIC POISONS CONTAINING
CERTAIN PESTICIDE CHEMICALS
FOR CERTAIN USES

Cancellation of Registration

Upon recommendation of the President's Science Advisory Committee and based on difficulties arising from zero tolerance and no residue registrations, the Agricultural Research Service of the U.S. Department of Agriculture and the Food and Drug Administration of the Department of Health, Education, and Welfare requested that a committee be appointed by the National Academy of Sciences, National Research Council, to evaluate the practice of registering economic poisons for use on food crops on a zero tolerance or no residue basis. The committee completed its study in June 1965, and submitted a report which included the following recommendation:

The concepts of "no residue" and "zero tolerance" as employed in the registration and regulation of pesticides are scientifically and administratively untenable and should be abandoned.

After extensive consideration of the report, the Agricultural Research Service of the U.S. Department of Agriculture and the Food and Drug Administration of the Department of Health, Education, and Welfare agreed on a procedure to implement the Committee's recommendations.

A joint USDA-HEW Statement for Implementation of the NRC Pesticide Residues Committee's "Report on 'No Residue' and 'Zero Tolerance'" was published in the FEDERAL REGISTER on April 13, 1966 (31 F.R. 5723). It was agreed that registrations of all products specifying uses involving reasonable expectation of small residues on food or feed at harvest in the absence of a finite tolerance or exemption should be discontinued as of December 31, 1967, unless evidence was presented to support a finite tolerance or to show that enough progress had been made in the investigation to warrant the conclusion that the registration could be continued without undue hazard to the public health.

In accordance with the provision of section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135d) registrants were notified that registration of products containing certain pesticide chemicals bearing directions for use as specified were canceled effective 30 days following receipt of the notice, unless directions for such uses were immediately deleted from labeling of such products or other procedure invoked as provided in section 4 of the Act.

Registrations have been canceled for economic poisons containing the chemicals listed below which had labeling recommending the pesticide uses as follows:

NOTE: Page references below relate to pages in the "USDA Summary of Registered Agricultural Pesticide Chemical Uses."

Acrylonitrile: Commodity fumigant on dates, barley, buckwheat, corn, oats, rice, rye, sorghum, wheat, and nuts on page 2.

Acti-dione: Cherries on page 3.

Aldrin: Beans (green, snap, and lima) as a band treatment and sorghum (grain and forage) (0.125 and 0.25 lbs. actual/A.) on pages 5-10a.

4-Amino-3,5,6-trichloropicolinic acid as the potassium salt: Cropland on page 24a.

Anilino cadmium dilactate-phenyl mercury formamide mixture: Barley, flax, oats, rye, sorghum, and wheat on page 28.

Aramite: Almonds, apples, apricots, beans, blackberries, blueberries, broccoli, cabbage, cauliflower, cantaloupe, celery, cherries, chestnuts, corn (sweet), cotton, cucumbers, currants, eggplants, grapefruits, grapes, lemons, lettuce, nectarines, okra, oranges, peaches, pears, peppers, plums, potatoes, prunes, quince, raspberries, spinach, squash, strawberries, tomatoes, walnuts, and watermelons on pages 30-32.

Arsenic sulfide: Goats, and sheep on page 34.

Arsenic trioxide: Grapes, goats, and sheep on page 35.

Barium fluosilicate: Blackberries, blueberries, boysenberries, cranberries, currants, dewberries, gooseberries, grapes, huckleberries, loganberries, raspberries, strawberries, youngberries, almonds, apples, apricots, avocados, bananas, cashews, cherries, chestnuts, dates, figs, filberts, guavas, hazelnuts, hickory nuts, mangoes, nectarines, olives, papayas,

passion fruits, peaches, pears, pecans, persimmons, plums, pomegranates, prunes, quinces, walnuts, asparagus, beans, beets, blackeyed peas, broccoli, brussels sprouts, cabbage, cantaloupes, carrots, cauliflower, celery, collards, corn, cowpeas, cucumbers, eggplants, endive, garlic, horseradish, kale, kohlrabi, leeks, lettuce, melons, mustard greens, okra, onions, parsnips, peas, peppers, pimientos, potatoes, pumpkins, radishes, rutabagas, salsify, shallots, spinach, squash (summer), squash (winter), sweet potatoes, swiss chard, tomatoes, turnips, and watermelons on pages 42-44.

Benzene: Barley, buckwheat, corn, oats, rice, rye, sorghum, and wheat on page 48.

Benzyl benzoate: Animals (all) on page 49.

BHC (technical): Alfalfa, clover, birdsfoot trefoil, and legumes (forage) on pages 52-60.

Binapacryl: Cotton on page 61.

2,3,4,5-Bis(2-butylene) tetrahydro furfural: Poultry houses on page 62.

Bis (p-chlorophenoxy) methane: Oranges (navel) on page 63.

2,2-Bis (4-chlorophenyl) ethanol: Apples, beans (dry), pears, potatoes, and sugar beets on page 64.

1,1-Bis (chlorophenyl)-2,2,2-trichloroethanol: Avocados on page 65.

Bis (dialkylphosphinothioyl) disulfide: Almonds, apples, nectarines, peaches, pears, plums, and prunes on page 68.

2,4-Bis (3-methoxypropylamino)-6-methyl thio-s-triazine: Safflower on page 70.

Bis (tributyltin) succinate: Tomatoes on page 71.

Bone oil: Beef cattle, dairy cattle, goats, sheep, and swine on page 72.

Borax and boric acid: Poultry houses on page 73.

Di-n-butyl succinate: Beef cattle, dairy cattle, swine, dairy barns, and milk rooms on page 84.

Cadmium sulfate: Apples and pears on page 85.

Calcium arsenate: Alfalfa, beets, cranberries, currants, gooseberries, grapes, cotton, barley, birdsfoot trefoil, buckwheat, clover, flax, grasses, hops, lespedeza, millet, milo, oats, pasture grass, peanuts, popcorn, rice, rye, safflower, sorghum, soybeans, sugar beets, sugarcane, vetch, wheat, lettuce, mint, pecans, potatoes, endive, garlic, horseradish, leeks, mustard greens, okra, onions, parsnips, peas, pimientos, radishes, salsify, shallots, sweet potatoes, and swiss chard on pages 86-92.

Calcium Cynate: Alfalfa, avocados, citrus (grapefruit, kumquats, lemons, limes, oranges, tangerines, tangelos), corn, cucurbits, apples, apricots, blackberries, blueberries, boysenberries, cherries, cranberries, currents, dates, dewberries, figs, gooseberries, grapes, huckleberries, loganberries, nectarines, olives, peaches, pears, persimmons, plums, pomegranate, prunes, quinces, raspberries, strawberries, youngberries, honey, and mushroom houses on pages 97-99.

Carbon disulfide: Commodity fumigant on beans, cowpeas, and peas on pages 118 and 119.

Carbon tetrachloride: Commodity fumigant on beans (dry), peanuts, and peas (dry) on page 121.

CDEC: Beets and corn (pop) on pages 130 and 131.

Chlorbenside: Almonds, blackberries, boysenberries, loganberries, and walnuts on page 136.

Chlordane: Alfalfa, cranberries, clover, endive, leeks, salsify, and shallots on pages 137-147.

Chlorobenzilate: Peaches on page 149.

Chloromethoxypropylmercuric acetate: Oats, and wheat on page 152.

p-Chlorophenyl benzene sulfonate: Apples, peaches, and pears on page 156.

p-Chlorophenyl phenyl sulfone: Almonds and poultry on page 158.

Chloropicrin: Commodity fumigant on beans, cowpeas, peas, and nuts on page 159.

Copper arsenate: Almonds, broccoli, celery, cucurbits, and grapefruit on pages 164 and 165.

Copper resinate (20%) plus phenyl mercury salicylate (2%): Wheat on page 183.

Creosote: Potatoes on page 193.

Cuprous arsenite: Broccoli, brussels sprouts, cabbage, cauliflower, cotton, kohlrabi, potatoes, and tomatoes on page 200.

Cyanamide: Cotton on page 2003a.

Cyano (methylmercuri) guanidine: Apples on page 204.

DDT: Foliar treatments on alfalfa (except when grown for seed only), barley, clover (except when grown for seed only), birdsfoot trefoil, grasses, lespedeza (except when grown for seed only), millet, milo, oats, pasture grass, rice, rye, sorghum, vetch (except when grown for seed only), wheat, forage legumes, grain crops, and milk rooms on pages 212-227.

Decachlorooctahydro-1,3,4-metheno-2H-cyclobuta [cd] pentalene-2-one: Cabbage (Chinese), corn (sweet), cucumbers, endive, lettuce, peppers, radishes, squash, sugarcane, and tomatoes on pages 230 and 230a.

Dichloro: Sweet potatoes and watermelons on pages 246 and 247.

2,3-Dichloroallyl diisopropylthiolcarbamate: Safflower on pages 249 and 250.

3,4'-Dichloro cyclopropane carboxanilide: Corn (field, sweet, and pop) on page 253a.

2,5-Dichloro-3-nitro benzoic acid, sodium salt: Safflower (seed crop) on page 254a.

O-2,4-Dichlorophenyl O,O-diethylphosphorothioate: Beans (green and lima), corn, cucumbers, muskmelons, peppers, rhubarb, squash, strawberries, and tomatoes on pages 264 and 265.

O-(2,4-Dichlorophenyl) O-methyl isopropyl phosphoramidothioate: Peanuts (seed crop) on page 265a.

Dieryl: Cotton on page 275.

Diethyl diphenyl dichloroethane: Peas (dry, fresh, and shelled), beef cattle, goats, and sheep on pages 289 and 290.

O,O-Diethyl O-[2-isopropyl-4-methylpyrimidyl (6)] thiophosphate: Rutabagas and poultry houses on pages 299-311b.

Dimethyl 3-hydroxyglutamate dimethylphosphate: Dairy barns, and cage poultry houses on page 326.

Dimethyl-tetrachloroterephthalate: Peanuts (seed crop only) and rice (seed crop only) on pages 330-331a.

3,5-Dimethyltetrahydro-1,3,5,2H-thiadiazine-2-thione: All crops, citrus replanting, and strawberry plantbeds on page 332.

O,O-Dimethyl 2,2,2-trichloro-1-hydroxyethyl phosphonate: Poultry houses on pages 333-335a.

Dinitro-o-cyclohexyl phenol: Apples, apricots, pears, pecans, plums, and prunes on page 336.

Di-n-propyl isocinchomerate: Poultry houses on page 343.

Di-n-propyl maleate isosafrole condensate: Dairy barns, milk rooms, poultry houses, beef cattle, dairy cattle, goats, sheep, and swine on pages 344-347.

Di-sodium salt of 2,2'-methylene (3,4,6-trichlorophenol): Cotton on page 349a.

Diuron: Soybeans (seed crop) and tomatoes on pages 350-353c.

DNAP: Alfalfa, asparagus, clover (ladino and trefoil), almonds, apples, apricots, cashews, cherries, chestnuts, dates, figs, filberts, hazelnuts, hickory nuts, nectarines, olives, peaches, pears, pecans, persimmons, plums, pomegranate, prunes, quinces, walnuts, strawberries, and grapes on pages 354 and 355.

DNAP-DNEP (mixture): Alfalfa, asparagus, cranberries, clover (ladino and trefoil), cotton, onions, peas, potatoes, strawberries, and sugar beets on page 356.

Endrin: Alfalfa, almonds, artichokes, asparagus (green and white), birdsfoot trefoil,

clover, eggplants, grapes, lettuce, peppers, strawberries, tomatoes, beans, beets, black-eyed peas, carrots, compeas, garlic, horseradish, leeks, okra, onions, parsnips, peas, pimientos, radishes, rutabagas, salsify, shallots, and sweet potatoes on pages 381-384.

Ethoxy ethyl mercury chloride—hydroxyethyl mercury chloride mixture: Potatoes and sugarcane on page 389.

Ethyl mercury 2,3-dihydroxypropylmercaptide (6%) plus ethyl mercury acetate (1.3%): Barley, cottonseed, flax, millet, oats, rice, rye, safflower, sorghum, and wheat on page 394.

Ethyl mercury phosphate: Barley, cotton, flax, grain, millet, oats, peas, rye, sorghum, and wheat on page 395.

O-Ethyl O-p-nitrophenyl phenylphosphonothioate: Onions on page 398.

Ethylene dibromide: Soil fumigant on alfalfa, mushrooms, peas, soybeans, and sugar beets; commodity fumigant on the general fruit and vegetable use and nuts on pages 400-406.

Ethylene oxide: Commodity fumigant on beans (dry), barley, corn, oats, rice, rye, wheat, almonds, cashews, chestnuts, filberts, hazelnuts, hickory nuts, pecans, walnuts, and peas (all) on page 410.

Eucalyptus oil: Beef cattle and dairy cattle on page 411.

Fish oil: Beef cattle, dairy cattle, goats, sheep, and swine on page 417.

Folpet: Cotton on pages 418 and 419.

Gibberellic acid (and Na or K salts): Cotton (3.0 gms. actual/A) on pages 423 and 424.

Heptachlor: Cherries, cotton, cowpeas (seed), grass (pasture and range), lima beans, lima beans (seed), peas (seed), and sugarcane on pages 426-429.

Hydrocyanic acid: Avocado, cotton (with seed), and the fresh fruit and vegetable category (except citrus) on pages 436-438.

Isobornyl thiocyanacetate: Beef cattle, dairy cattle, goats, poultry, sheep, swine, dairy barns, milk rooms, and poultry houses on page 441.

Isopropyl N-(3-chlorophenyl) carbamate: Apples, asparagus, cherries (sour) and mint (peppermint and spearmint) on pages 442-447.

Lead arsenate: Broccoli, brussels sprouts, cauliflower, collards, filberts, kale, kohlrabi, mustard, pecans, and rutabagas on pages 455-458.

Lindane: Foliar and soil treatments of alfalfa, blueberries, clover, cotton, cranberries, currants, barley, birdsfoot trefoil, buckwheat, flax, grasses, hops, lespedeza, millet, milo, oats, pasture grass, popcorn, rice, rye, safflower, sorghum, soybeans, sugarcane, vetch, wheat, gooseberries, grass (pasture and range), pecans, sugar beets, sweet potatoes, endive, pimientos, and walnuts on pages 462-474.

Magnesium chlorate: Cotton on page 478.

Manganous dimethyldithiocarbamate plus mercaptobenzothiazole: Peas on page 496.

Mercuric chloride: Apples, broccoli, brussels sprouts, cabbage, cauliflower, cherries, kohlrabi, peaches, pears, potatoes, and quinces on pages 497 and 498.

Mercuric oxide: Potatoes on page 499.

Mercurous chloride: Broccoli, cabbage, cauliflower, onions, radishes, and turnips on pages 500 and 501.

Mercury pentanedione: Cotton (seed) (delinted and fuzzy) and peanuts (hulled) on page 502.

N-Metatolylphthalamic acid: Tomatoes on page 505.

Methoxychlor: Mint, onions, sugar beets, vetch, poultry, and poultry houses on pages 506-514a.

Methoxy ethyl mercury acetate: Barley, cotton (fuzzy, reginned, and acid delinted), flax, oats, rice, sorghum, and wheat on pages 516 and 516a.

Methyl bromide: Artichokes, bitter melons, buckwheat, celery, chickory roots, flax, guava,

nonleguminous hay, honey, mushrooms, olives, tropical fruits, plants and seed beds, soil fumigation of greenhouse plantbed, cold frame, and raised bench on pages 517-524.

Methyl chlorothymol: Beef cattle, dairy cattle, goats, sheep, and swine on page 530.

Methyl formate: Commodity fumigant on almonds, cashews, chestnuts, filberts, hazelnuts, hickory nuts, pecans, and walnuts on page 531.

N-Methylmercuri-1,2,3,6-tetrahydro-3,6-endomethano-3,4,5,6,7,7-hexachlorophthalimide: Barley, cotton (acid delinted and machine delinted), flax, oats, rye, and wheat on page 532a.

Methyl mercury benzoate: Barley, oats, sorghum, and wheat on page 533.

Methyl mercury hydroxide: Barley, cotton (acid delinted, fuzzy, and reginned), flax, oats, rice, rye, sorghum, sugar beets (segmented), and wheat on page 535.

Methyl mercury nitrile: Barley, cottonseed (fuzzy, reginned, and acid delinted), flax, oats, rice, rye, sorghum, and wheat on page 537.

Methyl mercury propionate: Barley, flax, oats, and wheat on page 537a.

2,2'-Methylenbis(3,4,6-trichlorophenol): Beans (snap), cabbage, celery, cotton, peaches, potatoes, and watermelons on pages 544 and 545.

Mono-calcium arsenite: Apricots, cherries, and peaches on page 547.

Monuron: Peppermint: on pages 549-551.

Nabam: Apples, cabbage, eggplant, and peppers on page 552.

Nabam (III): Apples on page 554.

Nabam VII: Pineapples on pages 563-565.

Naled: Grain bins on pages 566-569.

N-1 Naphthyl phthalimide: Sweet potatoes on page 577.

Neburon: Tomatoes on page 578.

2-Nitro-1,1-bis(p-chlorophenyl) butane and 2-nitro-1,1-bis(p-chlorophenyl) butane mixture (1-2 ratio): Beans (green and dry), cotton, pears, potatoes, animal pens, barns, milk rooms and poultry houses on page 584.

N-octyl bicycloheptene dicarboximide: Poultry houses on page 586.

Orthodichlorobenzene: Poultry houses, animal sleeping quarters, poultry breeding and laying houses on page 590.

Over: Almonds, beans (snap, dry, and lima), cherries, cotton, grapes, hickory nuts, melons, strawberries, and walnuts on page 591.

Paris Green: Asparagus, beans, blackeyed peas, broccoli, brussels sprouts, blackberries, blueberries, boysenberries, cranberries, currants, dewberries, gooseberries, grapes, huckleberries, loganberries, raspberries, strawberries, youngberries, cabbage, carrots, cauliflower, celery, collards, corn, cotton, cucumbers, eggplants, alfalfa, barley, birds-foot trefoil, buckwheat, clover, flax, grasses, hops, lespedeza, millet, milo, oats, peanuts, popcorn, rice, rye, safflower, sorghum, soybeans, sugar beets, sugarcane, vetch, wheat, kale, kohlrabi, melons, peppers, potatoes, pumpkins, rutabagas, spinach, squash, tomatoes, almonds, apples, apricots, avocados, bananas, cashews, cherries, chestnuts, dates, figs, filberts, grapefruit, guava, hazelnuts, hickory nuts, kumquats, lemons, limes, mangoes, nectarines, olives, oranges, papayas, passion fruit, peaches, pears, pecans, persimmons, plums, pomegranate, prunes, quinces, tangelos, tangerines, walnuts, turnips, beets, cowpeas, endive, garlic, horseradish, leeks, lettuce, mustard greens, okra, onions, parsley, parsnips, peas, pimientos, radishes, rhubarb, salsify, shallots, sweet potatoes, and swiss chard on pages 607-614.

Pentachlorophenol: Alfalfa (chemical summer fallow), almonds, apricots, asparagus (seedlings), grapefruit, kumquats, lemons, limes, oranges, tangelos, tangerines, coffee, corn, cotton seed crop, flax seed crop, barley seed crop, oats seed crop, rice seed

crop, rye seed crop, wheat seed crop, grapes, apples, avocados, cherries, dates, figs, filberts, guavas, mangoes, nectarines, olives, papayas, passion fruit, peaches, pears, persimmons, plums, pomegranate, prunes, quinces, potatoes, sorghum (grain) seed crop, soybeans, soybeans seed crop, sugar beets, vegetables (undesignated), and poultry houses on pages 618-622.

Phenol (Carbolic acid): Cattle, goats, sheep, and swine on page 631.

Phenylamino cadmium dilactate (6.25%) plus phenyl mercury formamide (6.25%): Barley, flax, oats, rye, sorghum, and wheat on page 633.

Phenyl mercuric acetate: Pears and vegetable seed beds on pages 634 and 635.

Phenyl mercuric acetate, 5 percent—ethyl mercuric acetate, 1 percent (mixture): Cotton (seed) (acid delinted, machine delinted, and fuzzy), flax, barley, oats, rye, sorghum, and wheat on page 636.

Phenyl mercuric formamide—cadmium dilactate mixture: Barley, flax, oats, sorghum, and wheat on page 638.

Phenylmercuric 8-oxyquinolate: Apples on page 639.

N-phenylmercuri-ethylenediamine: Almonds, apples, and pears on page 640.

Phenyl mercuri lactate: Apples on page 641.

Phenyl mercuri triethanol ammonium lactate: Apples, apricots, cherries, peaches, pears, potatoes, strawberries, sweet potatoes, and walnuts on page 642.

Phenyl mercury dimethyldithiocarbamate: Apples on page 643.

Phenyl mercury monoethanol ammonium acetate: Pears on page 644.

Phenyl mercury salicylate: Barley, corn, flax, oats, peanuts, peas, rye, sorghum, soybeans, and wheat on page 645.

Pine tar: Beef cattle, dairy cattle, goats, poultry, sheep, and swine on page 657.

Polychlorobenzoic acid: Croplands (undesignated) and rangeland on page 664.

Potassium cyanate: Asparagus, corn, grapes, pastures, peas, blackberries, dewberries, raspberries, strawberries, tomatoes (direct seeded), and tree fruits on pages 667 and 668.

Potassium oleate: Beef cattle, dairy cattle, goats, sheep, and swine on page 669.

Rosin: Beef cattle, dairy cattle, goats, sheep, and swine on page 682.

Schradan: Cotton and lettuce on page 692.

Sesame oils and extracts: Asparagus, beans, beets, blackeyed peas, broccoli, brussels sprouts, cabbage, cantaloupes, carrots, cauliflower, celery, collards, corn, cowpeas, cucumbers, eggplants, endive, garlic, horseradish, kale, kohlrabi, leeks, lettuce, melons, mustard greens, okra, onions, parsnips, peas, peppers, pimientos, potatoes, pumpkins, radishes, rutabagas, salsify, shallots, spinach, squash (summer), squash (winter), sweet potatoes, swiss chard, tomatoes, turnips, watermelons, beef cattle, dairy cattle, goats, sheep, swine, barns, dairy barns, grain bins, milk rooms, and poultry houses on pages 693 and 694.

Sesone: Beans (lima and snap), cabbage, corn (seed only) (field and sweet), eggplant, lettuce, onions, peppers, radishes, and raspberries on pages 695 and 696.

Sodium arsenate: All crops, goats, and sheep on page 704.

Sodium arsenite: Blackberries, blueberries, boysenberries, cranberries, currants, dewberries, gooseberries, grapes (1.0 lbs. actual/A.), huckleberries, loganberries, raspberries, strawberries, youngberries, alfalfa, barley, birdsfoot trefoil, buckwheat, clover, corn, cotton, flax, grasses, hops, lespedeza, millet, milo, oats, pasture grass, peanuts, popcorn, rice, rye, safflower, sorghum, soybeans, sugar beets, sugarcane, vetch, wheat, apples, apricots, avocados, cherries, dates, figs, grapefruit, guavas, kumquats, lemons, limes, mangoes, nectarines, olives, oranges, papayas, passion fruit, peaches, pears, persimmons, plums, pomegranate, prunes, quinces,

tangelos, tangerines, asparagus, beans, beets, blackeyed peas, broccoli, brussels sprouts, cabbage, cantaloupes, carrots, cauliflower, celery, collards, cowpeas, cucumbers, eggplants, endive, garlic, horseradish, kale, kohlrabi, leeks, lettuce, melons, mustard greens, okra, onions, parsnips, peas, peppers, pimientos, potatoes (1.0 lbs. actual/A.), pumpkins, radishes, rutabagas, salsify, shallots, spinach, squash (summer), squash (winter), sweet potatoes, swiss chard, tomatoes, turnips, and watermelons on pages 705-708.

Sodium chlorate: Fallow land on page 709.

Sodium dimethyl dithiocarbonate plus mercaptobenzothiazole (mixture): Potatoes and tomatoes on page 715.

Sodium dimethyl dithiocarbonate plus tonseed (acid delinted and machine delinted) on page 716.

Sodium fluoride: Poultry and poultry houses on page 717.

Sodium isopropyl xanthate: Beans, broccoli, cabbage, carrots, cauliflower, corn, dill, kohlrabi, onions (sets), peas, peppers, potatoes, sugar beets, tomatoes, asparagus, black-eyed peas, brussels sprouts, cantaloupes, celery, collards, cowpeas, cucumbers, eggplants, endive, garlic, horseradish, kale, leeks, melons, okra, onions, parsnips, pimientos, pumpkins, radishes, rutabagas, salsify, shallots, squash (summer), squash (winter), sweet potatoes, swiss chard, turnips, and watermelons on pages 721-723.

Sodium pentachlorophenate: Asparagus, barley, beans (green, lima, snap, ad wax), beets, corn, cucumbers, cucurbits, horseradish, melons, peanuts, peas, peppermint, potatoes, pumpkins, sorghum, soybeans, squash, grapes, and watermelons on pages 724-726.

Sodium thioarsenate: Goats and sheep on page 731.

Sodium trichloroacetate: Alfalfa, beans, clover, clover (alsike, ladino, red, sweet, trefoil), cotton, onions, pastures, ranges, and soybeans on pages 732-734.

Sperm oil: Beef cattle, dairy cattle, goats, sheep, and swine on page 736.

Streptomycin: Beans (400 ppm-foliar use), cucumbers, peppers (400 ppm-foliar use), Apples, beans, celery, sesame, tomato, and walnuts on pages 737 and 738.

Streptomycin-oxytetracycline mixture: apples, beans, celery, sesame, tomato, and walnut on page 739.

Sulfonated castor oil: Beef cattle, dairy cattle, goats, sheep, and swine on page 740.

Sulfuric acid: Garlic and onions on page 747.

TDE (DDD): Alfalfa, clover, currants, filberts, gooseberries, onions, potatoes, rice, soybeans (2.0 lbs. actual/A.), goats, sheep, swine, and milk rooms on pages 756-761.

Terpene polychlorinated (66% Cl): Poultry houses on page 766.

p-Tertiary octylphenoxy ethoxy ethyl dimethyl mercuric benzyl ammonium chloride: Barley, oats, and wheat on page 768.

Tetrachloroethylene: Barley, corn, oats, rice, rye, sorghum (grain), and wheat on page 769.

Tetradifon: Beans (dried), corn (field), eggplant, and peppers on pages 771-775.

Tetraethyl dithiopyrophosphate: Greenhouse vegetables (endive, lettuce, radishes, cucumbers, and tomatoes) on page 776.

B-Thiocyanatoethyl esters of C₁₀-C₁₈ aliphatic fatty acids: Asparagus, beans, beets, cabbage, cucumbers, eggplants, melons, potatoes, pumpkins, squash, tomatoes, and walnuts on page 779.

B-Thiocyanatoethyl esters of C₁₀-C₁₈ aliphatic fatty acids plus B-Butoxy b'-thiocyanodiethyl ether: Beef cattle, dairy cattle, goats, poultry, sheep, swine, barns, dairy barns, grain bins, grain elevators, hog pens, milk rooms, poultry houses, and sheep folds on page 780.

Thiram: Cotton (2.0 lbs. actual/A.—furrow treatment) and sorghum (4.0 lbs. actual/A.—preharvest spray) on pages 781-783.

Tocaphene: Asparagus, avocados, beets, blueberries, cashews, currants, gooseberries, grapes, huckleberries, cherries, almonds, chestnuts, dates, figs, filberts, olives, persimmons, plums, pomegranate, prunes, endive, buckwheat, flax, grasses, hops, millet, pasture grass, safflower, sugarcane, guavas, hay, mangoes, mint (peppermint and spearmint), mustard, passion fruit, salsify, sweet potatoes, swiss chard, papayas, turnips, cantaloupes, melons, mustard greens, pumpkins, squash (summer), squash (winter), watermelons, watercress, dairy cattle, milk rooms, and mushroom houses on pages 784-799.

2,3,6-Trichlorobenzoic acid: Cropland (undesigned) and rangeland on page 804. **Triethanolamine:** Beef cattle, dairy cattle, goats, sheep, and swine on page 811.

Zinc arsenate: Potatoes and tomatoes on page 821.

Zinc dimethyldithiocarbamate—mercaptobenzoethiazole (mixture): Almonds, blueberries, potatoes, and tomatoes on page 823.

Zinc ion+manganese ethylene bisdithiocarbamate complex: Pumpkins and squash (winter) on pages 824-824d.

Zinc oxide: Beef cattle, dairy cattle, goats, sheep, and swine on page 825.

Zinc sulfate monohydrate: Peaches on page 827.

Zineb: Rhubarb and walnuts (black) on pages 829-833.

Ziram: Rhubarb on pages 834-836.

The following germicide use patterns not listed in the USDA Summary is also included. **1,3-Dichloro-5,5-Dimethylthio-dantoin:** Uses in Dairies, Food Processing Plants, Restaurants, and Taverns on utensils, glasses, dishes, and food handling equipment as a final rinse, after cleaning, without a specified terminal rinse in potable water.

Proposed cancellation of registrations for economic poisons containing Amitrole for use as described on page 25 on chemical fallow (grainfields), corn, cropland (alfalfa, clover, grains, legumes, pastures, peas, soybeans), grapes, and orchards (apple and pear) will be referred to an advisory committee as requested by the registrants pursuant to the provisions of Sec. 4.c. of the Act.

Done at Washington, D.C. this 7th day of May 1968.

HARRY W. HAYS,
Director,

Pesticides Regulation Division.

[F.R. Doc. 68-5634; Filed, May 10, 1968; 8:47 a.m.]

Commodity Credit Corporation

[Amdt. 1]

SALES OF CERTAIN COMMODITIES

May 1968 CCC Monthly Sales List

The 13th paragraph of the Notice to Buyer section of the CCC Monthly Sales List for May 1968 (33 F.R. 6829) is amended to read as follows:

The following commodities are currently available for new and existing barter contracts: oats, cotton (upland and extra long staple) and tobacco. Wheat and grain sorghum are also available under conditions noted in the indi-

vidual commodity listings. (In addition, free market stocks of corn, grain, sorghum, oats, wheat, and wheat flour, under Announcement PS-1; tobacco under Announcement PS-3; upland and extra long staple cotton under Announcement PS-4; and cottonseed oil and soybean oil under Announcement PS-2 are eligible for programing in connection with barter contracts covering procurements for Federal agencies that will reimburse CCC except that hard red winter 13 percent protein or higher, dark northern spring or northern spring wheat 14 percent protein or higher and durum wheats, and flour produced from these wheats may not be exported through west coast ports, nor may hard red winter wheat 13 percent protein or higher be exported from gulf coast ports with the benefit of a quality incremental subsidy under announcement of January 2, 1968.) Further information on private-stock commodities may be obtained from the Office of Barter and Stockpiling, Foreign Agricultural Service, USDA, Washington, D.C. 20250.

Signed at Washington, D.C., May 7, 1968.

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

[F.R. Doc. 68-5663; Filed, May 10, 1968; 8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration AIR CARRIER DISTRICT OFFICE AT NEW CASTLE, DEL.

Notice of Establishment

Notice is hereby given that on or about May 19, 1968, an Air Carrier District Office will be established at the Airport Terminal Building at New Castle, Del., to perform certification and inspectional functions for Capitol International Airways and related functions for other organizations operating in the New Castle geographical area.

(Sec. 313(a), 72 Stat. 752, 49 U.S.C. 1354)

Issued in New York, N.Y., on May 1, 1968.

GEORGE M. GARY,
Director, Eastern Region.

[F.R. Doc. 68-5626; Filed, May 10, 1968; 8:46 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-240]

GULF GENERAL ATOMIC INC.

Notice of Issuance of Facility License Amendment

No request for a hearing or petition for leave to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on

April 13, 1968 (33 F.R. 5774), the Atomic Energy Commission has issued, in the form set forth in that notice, Amendment No. 2 to License No. R-104 to Gulf General Atomic Inc., of San Diego, Calif.

The amendment authorizes Gulf General to perform experiments relating to the measurement of the reactivity worth of and the interaction between simulated control rod elements (experimental elements) in the company's Modified HTGR Critical Facility located on its Torrey Pines Mesa site in San Diego.

Dated at Bethesda, Md., this 30th day of April 1968.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor
Operations, Division of Re-
actor Licensing.

[F.R. Doc. 68-5609; Filed, May 10, 1968; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration ELANCO PRODUCTS

Notice of Filing of Petition Regarding Pesticide Chemical

Correction

In F.R. Doc. 68-5434 appearing at page 6890 in the issue of Tuesday, May 7, 1968, the word "led" should be deleted from the fifth line and the word "filed" substituted.

CIVIL AERONAUTICS BOARD

[Docket No. 18140]

PAN AMERICAN WORLD AIRWAYS, INC., ENFORCEMENT CASE

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled matter is assigned to be held on June 3, 1968, at 10 a.m. e.d.s.t., Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Robert M. Johnson.

Dated at Washington, D.C., May 7, 1968.

[SEAL]

THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-5651; Filed, May 10, 1968; 8:49 a.m.]

[Docket No. 19356]

MIAMI-LONDON ROUTE INVESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled

matter is assigned to be held on June 3, 1968, at 10 a.m. e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner William F. Cusick.

In order to facilitate the conduct of the conference interested parties are instructed to submit to the examiner and other parties on or before May 27, 1968, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., May 7, 1968.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-5652; Filed, May 10, 1968; 8:49 a.m.]

[Docket No. 19139]

TAG AIRLINES, INC.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 28, 1968, at 10 a.m. e.d.s.t. in Room 211, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Robert M. Johnson.

In order to facilitate the conduct of the conference interested parties are instructed to submit to the examiner and other parties on or before May 23, 1968, (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statements of positions of parties; and (5) proposed procedural dates.

Dated at Washington, D.C., May 7, 1968.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-5653; Filed, May 10, 1968; 8:49 a.m.]

[Docket No. 19201]

SERVICE TO WHITE PLAINS, N.Y.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on June 4, 1968, at 10 a.m. e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before Examiner Ross I. Newmann.

Dated at Washington, D.C., May 8, 1968.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 68-5654; Filed, May 10, 1968; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 17410, 18174; FCC 68M-726]

CORNBELT BROADCASTING CORP. AND KFMQ (KFMQ-FM)

Order Scheduling Hearing

In re applications of Cornbelt Broadcasting Corp., Lincoln, Nebr., Docket No. 17410, File No. BPH-5424; KEMQ, Inc. (KEMQ-FM), Lincoln, Nebr., Docket No. 18174, File No. BPH-6016; for construction permits.

It is ordered, That Thomas H. Donahue shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 29, 1968, at 10 a.m.; and that a prehearing conference shall be held on June 18, 1968, commencing at 9 a.m.; and, It is further ordered, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: May 7, 1968.

Released: May 7, 1968.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-5644; Filed, May 10, 1968; 8:48 a.m.]

[Docket No. 17510 etc.; FCC 68M-729]

POTOMAC VALLEY TELECASTING CORP.

Order Scheduling Further Prehearing Conference

In re Potomac Valley Telecasting Corp., Irons Mountain, Md., Docket No. 17510, File No. 5908-C1-ML-65, for modification of license of Station KGO 30 to provide for carriage of FM signals et al., Docket Nos. 17511, 17512, 17513, 17514, 17515, 17516, 17531, 17532.

It is ordered, That a further prehearing conference is scheduled for May 20, 1968, at 9 a.m. (Tr. 201).

Issued: May 6, 1968.

Released: May 7, 1968.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-5645; Filed, May 10, 1968; 8:48 a.m.]

[Docket Nos. 18014, 18015; FCC 68M-727]

RADIO VIDALIA AND VIDALIA BROADCASTING CO.

Order Continuing Hearing

In re applications of Howard C. Gilreath, trading as Radio Vidalia, Vidalia, Ga., Docket No. 18014, File No. BPH-

5998; R. E. Ledford and John E. Ladson, Jr. & The Citizens & Southern National Bank, Executors of the Estate of Margaret Brice Ladson, Deceased, doing business as Vidalia Broadcasting Co., Vidalia, Ga., Docket No. 18015, File No. BPH-6056; for construction permits.

An agreement having been filed with the Commission looking toward dismissal of the Radio Vidalia application and with the consent of all other parties, It is ordered, That a motion for continuance filed by Vidalia Broadcasting Co. on May 6, 1968 is granted and these continuances are directed: prehearing conference—continued from May 7, 1968, to June 14, 1968; hearing—continued from May 15, 1968, to July 24, 1968.

Issued: May 7, 1968.

Released: May 8, 1968.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-5646; Filed, May 10, 1968; 8:48 a.m.]

[Docket Nos. 17932—17934; FCC 68M-728]

RUST CRAFT BROADCASTING CO.

Order Regarding Procedural Dates

In re applications of Rust Craft Broadcasting Co., Utica, N.Y., Docket No. 17932, File No. BPCT-3924; P. H. Inc., Utica, N.Y., Docket No. 17933, File No. BPCT-3952; Roy H. Park Broadcasting, Inc., Utica, N.Y., Docket No. 17934, File No. BPCT-3977; for construction permit for new television broadcast station (Channel 20).

Under consideration is a motion for continuance filed by Rust Craft requesting change in dates governing procedural steps to be taken in this proceeding. The requested continuances are aimed at accommodating negotiations looking toward dismissal of the Rust Craft application. Consent to grant of the motion and to its early consideration has apparently been obtained.

Accordingly, it is ordered, That a motion for continuance filed by Rust Craft Broadcasting Co. on April 29, 1968, is granted and the following changes are made in the dates governing future procedural steps to be taken in this proceeding: (1) Exchange of lay exhibits—continued from May 10, 1968, to June 10, 1968; (2) freeze date for lay exhibits—continued from May 14, 1968, to June 17, 1968; (3) notification of witnesses—continued from May 22, 1968, to June 24, 1968; (4) hearing—continued from June 3, 1968, to July 9, 1968.

Issued: May 7, 1968.

Released: May 7, 1968.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-5647; Filed, May 10, 1968; 8:48 a.m.]

[Docket Nos. 17680-17682; FCC 68M-735]

OREGON BOARD OF HIGHER EDUCATION ET AL.**Order Continuing Hearing**

In re applications of: State of Oregon acting by and through the State Board of Higher Education, Medford, Oreg., Docket No. 17680, File No. BPCT-3814; Liberty Television, a Joint Venture Comprising of Liberty Television, Inc., and Siskiyow Broadcasters, Inc., Medford, Oreg., Docket No. 17682, File No. BPTC-3858; Medford Printing Co., Medford, Oreg., Docket No. 17668, File No. BPTC-3859; for construction permit for new television broadcast station (Channel 8).

On the informal request of the Broadcast Bureau, all parties having consented;

It is ordered, That the commencement of hearing is continued to May 14, 1968, at 10 a.m., and that, if hearing continues beyond May 17, 1968, it shall resume on May 21, 1968.

Issued: May 7, 1968.

Released: May 8, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-5648; Filed, May 10, 1968;
8:48 a.m.]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder
License 188]

COLLIN AND GISSEL**Order of Revocation**

J. S. Gissel, doing business as Collin & Gissel, 8201 Erath Street, Houston, Tex. 77012.

Whereas, on April 22, 1968, The Globe Indemnity Co. notified the Commission that the Independent Ocean Freight Forwarder Surety Bond No. 437266, underwritten in behalf of Collin & Gissel would be canceled effective May 22, 1968; and

Whereas, Collin & Gissel was notified that unless a new surety bond was submitted to the Commission its Independent Ocean Freight Forwarder License No. 188 would be revoked effective May 22, 1968, pursuant to General Order 4, Amendment 12 (46 CFR 510.9), and;

Whereas, Collin & Gissel has advised that it will not submit a valid surety bond in compliance with the above Commission rule.

It is ordered, That the Independent Ocean Freight Forwarder License No. 188 of Collin & Gissel be and is hereby revoked effective May 22, 1968.

It is further ordered, That the Independent Ocean Freight Forwarder License No. 188 be returned to the Commission for cancellation.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served on the licensee.

LEROY F. FULLER,
Director,
Bureau of Domestic Regulation.

[F.R. Doc. 68-5638; Filed, May 10, 1968;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP68-298]

**CONSOLIDATED GAS SUPPLY CORP.
ET AL.****Notice of Application**

MAY 6, 1968.

Consolidated Gas Supply Corp., Texas Eastern Transmission Corp., Transcontinental Gas Pipe Line Corp., Docket No. CP68-298.

Take notice that on April 29, 1968, Consolidated Gas Supply Corp. (Consolidated), 445 West Main Street, Clarksburg, W. Va. 26301, Texas Eastern Transmission Corp. (Texas Eastern), Post Office Box 2521, Houston, Tex. 77001, and Transcontinental Gas Pipe Line Corp. (Transco), Post Office Box 1396, Houston, Tex. 77001 (Applicants), filed in Docket No. CP68-298 a joint 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 certain natural gas storage facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicants propose the construction and operation of two additional 3,400 horsepower engines and related equipment in order to increase the top storage capacity of the Leidy Storage Pool, located in Clinton and Potter Counties, Pa., from 45 million Mcf to 54 million Mcf, which will constitute the ultimate development of the Leidy Storage Pool.

The Applicants state that the proposed increase in capacity is for utilization by Consolidated, and that at the present time each of the three companies involved is entitled to 15 million Mcf of top storage capacity. The Applicants further state that Consolidated needs the increased storage capacity to meet the normal growth in its winter seasonal requirements beginning in the 1968-69 winter and also to render a proposed increased storage service for Transco which is the subject of a separate application by Consolidated.

The total estimated cost of the proposed facilities is \$5,281,961, of which, upon reappportionment of total Leidy facilities costs, \$4,847,539 will be borne by Consolidated and the balance by Texas Eastern and Transco, each of the latter paying \$217,211. Consolidated will finance its cost by borrowing from its parent corporation, Consolidated Natural Gas Co.

The Applicants also state that an additional 3 million Mcf of base gas is to be added to the Leidy Storage Pool by Texas Eastern and Transco over a 2-year period.

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 June 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. 68-5610; Filed, May 10, 1968;
8:45 a.m.]

[Docket No. CP68-299]

EL PASO NATURAL GAS CO.**Notice of Application**

MAY 6, 1968.

Take notice that on April 29, 1968, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex. 79999, filed in Docket No. CP68-299 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 certain compression and related facilities and the sale of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, the Applicant proposes to construct and operate the following:

Compressor station. Two 1,068 horsepower gas turbine driven centrifugal compressor units, together with appurtenances necessary for the operation and control thereof. This station is to be known as Compressor Station No. 28 and will be located at Milepost 84.4 on the 16-inch O.D. Reno Lateral in sec. 36, T. 14 S., R. 2 W., Owyhee County, Idaho.

Communication, control and telemetry facilities. Communication, supervisory control and telemetry facilities as required for the operation of the proposed Compressor Station No. 28.

General structures. General structures consisting of a communications building to

be located at existing Compressor Station No. 11.

The Applicant states that the proposed facilities are needed in order to increase its firm contract demand quantity to Southwest Gas Corp. (Southwest Gas), pursuant to a letter agreement dated March 28, 1968. The stated purpose of the increased deliveries is to enable Southwest Gas to meet its firm obligations for the 1968-69 heating season. The proposed increase is from 55,688 Mcf per day to 69,000 Mcf per day.

The Applicant further states that among the facilities presently utilized to provide service to Southwest Gas is its 16-inch O.D. Reno Lateral, approximately 98.3 miles in length, which extends from Applicant's Northwest Division Compressor Station No. 11 in a southwesterly direction to a point of termination on the Idaho-Nevada border where it connects with the transmission facilities of Southwest Gas. The Applicant states that the proposed compression facilities are required in order to reinforce the Reno Lateral in order to provide the increased quantities of gas.

It is further stated that two compressor units are proposed in order to insure reliability and to enable Applicant to provide daily quantities in excess of 69,000 Mcf per day if interruptible supplies are available. Communication and telemetering facilities are proposed to permit operation of the facilities from Compressor Station No. 11.

Total estimated cost is \$1,041,610 to be financed from working funds, supplemented as required by short term bank loans.

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 June 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. 68-5611; Filed, May 10, 1968; 8:45 a.m.]

[Docket No. RI68-548 etc.]

GULF OIL CORP. ET AL.

Order Accepting Contract Agreements, Providing for Hearings on and Suspension of Proposed Changes in Rates; Correction

MAY 1, 1968.

Gulf Oil Corp. (Operator), et al., Docket Nos. RI68-548 et al., Mobil Oil Corp., Docket No. RI68-550.

In order accepting contract amendments, providing for hearings on and suspension of proposed changes in rates, issued April 5, 1968, and published in the FEDERAL REGISTER May 2, 1968 (F.R. Doc. 68-5183), 33 F.R. 6738, Docket Nos. RI68-548 et al., relating to Docket No. RI68-550, Mobil Oil Corp.: Under "Rate Schedule No." and "Supplement No." columns, two lines below Rate Schedule No. 54 and Supplement No. 14, opposite the amount of \$56,347, insert "54" in the Rate Schedule No. column, and "15" in Supplement No. column.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-5612; Filed, May 10, 1968; 8:45 a.m.]

[Docket No. CP68-301]

IOWA ELECTRIC LIGHT & POWER CO. NORTHERN NATURAL GAS CO.

Notice of Application

MAY 6, 1968.

Take notice that on April 30, 1968, Iowa Electric Light & Power Co. (Applicant), Post Office Box 351, Cedar Rapids, Iowa 52406, filed in Docket No. CP68-301 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Northern Natural Gas Co. (Respondent) to build or extend certain branch lines, to install a border station, and to sell and deliver natural gas to Applicant for resale in the town of Victor, Iowa, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant requests the Commission to direct Respondent to install 5 miles of 3-inch pipe on the Victor branch line and 0.5 mile of 4-inch pipe on the Brooklyn Branch. In addition, Applicant requests that Respondent be directed to install a border station at the corporate limits of the town of Victor. Applicant estimates the cost to Respondent to be \$90,175.

Applicant proposes to construct and operate a distribution system in the town of Victor at an estimated cost of \$89,420, which cost is to be financed out of funds on hand and funds budgeted for the project.

The estimated third year annual and peak day requirements are 49,591 Mcf and 330 Mcf, respectively.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in ac-

cordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 3, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-5613; Filed, May 10, 1968; 8:45 a.m.]

[Docket No. RI68-510 etc.]

MOBIL OIL CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates; Correction

MAY 1, 1968.

In order providing for hearings on and suspension of proposed changes in rates, issued March 20, 1968, and published in the FEDERAL REGISTER March 29, 1968 (F.R. Doc. 68-3685), 33 F.R. 5181, Docket Nos. RI68-510 et al., Appendix "A" (opposite Mobil Oil Corp. (Operator) et al., Rate Schedule No. 392) under column headed "Supp. No.", change Supplement "6" to read Supplement "5".

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-5614; Filed, May 10, 1968; 8:45 a.m.]

[Project 2667]

NIAGARA MOHAWK POWER CORP.

Notice of Application for License for Constructed Project

MAY 6, 1968.

Public notice is hereby given that application for license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Niagara Mohawk Power Corp. (correspondence to: Lauman Martin, Vice President and General Counsel, Niagara Mohawk Power Corp., 300 Erie Boulevard West, Syracuse, N.Y. 13202) for constructed Project No. 2667, known as Oak Orchard Creek Project, located on Oak Orchard Creek, in Orleans County, N.Y., in the towns of Carlton, Gaines, and Ridgeway near the village of Medina.

The existing project consists of: (1) The upstream Glenwood development comprising: an earth fill concrete core-wall dam about 1,900 feet long and 25 feet high; a reservoir covering 92 acres at normal pond elevation of 454.6 feet (U.S.G.S. datum); an intake structure with three 5-foot diameter steel penstocks about 94 feet long; and an indoor powerhouse containing three 500 kw generating units; and (2) the downstream Waterport development comprising: an earth fill concrete core-wall dam about 760 feet long and 100 feet wide; a reservoir covering 367 acres at normal pond elevation 330.6 feet (U.S.G.S. datum); an intake structure with two 7-foot diameter steel penstocks about 135 feet long; and an indoor powerhouse containing one generating unit rated at 2,400 kw and another rated at 2,250 kw; and (3) appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 26, 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 with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-5615; Filed, May 10, 1968;
8:45 a.m.]

[Project 2516]

POTOMAC EDISON COMPANY OF WEST VIRGINIA

Notice of Application for New License for Constructed Project

MAY 6, 1968.

Public notice is hereby given that application for a new license has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by The Potomac Edison Company of West Virginia (correspondence to: William H. MacMullen, Secretary-Treasurer, The Potomac Edison Company of West Virginia, Downsville Pike, Hagerstown, Md.) for constructed Project No. 2516, known as Dam No. 4 Hydro Station, located on the Potomac River in Berkeley County, W. Va., near Shepherdstown. The new license is sought for a period of 5 years from December 31, 1968.

The existing project, which derives its power from a U.S. Government dam, consists of: A head race 230 feet long and 50 feet wide; a stone and reinforced concrete powerhouse containing two 500 kw horizontal generators driven by two 670 horsepower horizontal water wheels; a tailrace about 80 feet wide and 600 feet long; and appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 21, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene 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 with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-5616; Filed, May 10, 1968;
8:45 a.m.]

[Project 2517]

POTOMAC EDISON COMPANY OF WEST VIRGINIA

Notice of Application for New License for Constructed Project

MAY 6, 1968.

Public notice is hereby given that application for a new license has been filed under the Federal Power Act (16

U.S.C. 791a-825r) by The Potomac Edison Company of West Virginia (Correspondence to: William H. MacMullen, Secretary-Treasurer, The Potomac Edison Company of West Virginia, Downsville Pike, Hagerstown, Md.) for constructed Project No. 2517, known as Dam No. 5 Hydro Station located on the Potomac River in Berkeley County, W. Va., near Hedgesville and Martinsburg. The new license is sought for a period of 5 years from December 31, 1968.

The existing project, which derives its power from a U.S. Government dam, consists of: A head race about 40 feet by 80 feet; a reinforced concrete and brick powerhouse containing two 560 kw vertical generators driven by two 750 horsepower vertical water wheels; a tailrace; and appurtenant facilities.

Any person desiring to be heard or to make any protest with reference to said application should, on or before June 21, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene 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 with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-5617; Filed, May 10, 1968;
8:45 a.m.]

[Docket No. CP68-300]

UNITED GAS PIPE LINE CO.

Notice of Application

MAY 6, 1968.

Take notice that on April 29, 1968, United Gas Pipe Line Co. (Applicant), Post Office Box 1407, Shreveport, La. 71102, filed in Docket No. CP68-300 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 facilities and the sale of natural gas to Humble Oil & Refining Co. (Humble), 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 rearrange the existing meter station facilities tying into the Weeks Island 16-inch Line located in sec. 41, T. 14 S., R. 7 E., Iberia Parish, La.

Total estimated cost of the facilities is \$4,770, which cost is to be financed from funds on hand.

The Applicant proposes to use the facilities to provide 3,500 Mcf per day to Humble, with estimated annual volumes ranging from 560,000 Mcf in the first year to 525,000 Mcf in the third year of operation. The gas is to be used by Humble in its miscible displacement project in order to recover additional condensate from its Weeks Island Field. The Applicant states that the rendering of the proposed service will not impair its ability to serve its existing or prospective 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 June 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. 68-5618; Filed, May 10, 1968;
8:45 a.m.]

FEDERAL RESERVE SYSTEM

CENTRAL BANCORP

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Central Bancorp, Miami, Fla., for approval of action to become a bank holding company through the acquisition of 80 percent or more of the voting shares of Central Bank and Trust Co. and Central Bank of North Dade, both of Miami, Fla.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)), and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Central Bancorp, Miami, Fla., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of 80 percent or more of the voting shares of Central Bank and Trust Co. and Central Bank of North Dade, both of Miami, Fla.

As required by section 3(b) of the Act, the Board gave written notice to the Comptroller of the State of Florida of receipt of the application and requested his views and recommendation. He recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on December 29, 1967 (32 F.R. 21006), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction.

A copy of the application was forwarded to the Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement¹ of this date, that said application be and hereby is approved, provided that the action so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of the order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

Dated at Washington, D.C., this 6th day of May 1968.

By order of the Board of Governors,
[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-5619; Filed, May 10, 1968;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[811-1125]

CAROLINAS CAPITAL CORP.

Notice of Filing of Application for Order Declaring Company Has Ceased To Be Investment Company

MAY 7, 1968.

Notice is hereby given that Carolinas Capital Corp. ("applicant"), 1200 North Carolina National Bank Building, Charlotte, N.C., a North Carolina corporation registered as a closed-end nondiversified management investment company under the Investment Company Act of 1940 ("Act") and formerly a small business investment company licensed under the Small Business Investment Act of 1958, has filed an application pursuant to section 8(f) of the Act for an order declaring that applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of applicant's representations which are summarized below.

Applicant represents that its shareholders, at a special meeting held on June 13, 1967, adopted a plan of liquidation and dissolution; that on December 29, 1967, the Articles of Dissolution were filed with the Secretary of State of North Carolina; that it has surrendered its license as a small business investment company; that certain stock and cash are being held by the Wachovia Bank and Trust Co. for the 15 shareholders who have not yet surrendered their

shares; and that the Bank is also holding the sum of \$45,198.45 as a reserve against contingent liabilities for the next several months, with the balance thereafter to be distributed to shareholders.

Section 8(f) of the Act provides in pertinent part that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and that upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than May 27, 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 of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall 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 applicant at the address set forth 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 matter may be issued by the Commission upon the basis of information stated in said application, unless an order for hearing upon this matter 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 hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68-5629; Filed, May 10, 1968;
8:47 a.m.]

[812-2298]

NATIONAL INVESTORS CORP.

Notice of Filing of Application for Order Exempting Sale by Open-End Company of Shares at Other Than Public Offering Price

MAY 7, 1968.

Notice is hereby given that National Investors Corp. ("applicant"), 65 Broadway, New York, N.Y. 10006, a Maryland corporation registered under the Investment Company Act of 1940 ("Act") as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the

Commission exempting from the provisions of section 22(d) of the Act a transaction in which applicant's redeemable securities will be issued at a price other than the current public offering price described in the prospectus, in exchange for the assets of Summit Research Corp. ("Summit").

All interested persons are referred to the application on file with the Commission for a statement of applicant's representations which are summarized below.

Summit, a Delaware corporation, is an investment company, all of the outstanding stock of which is beneficially owned by four persons, and is exempt from registration under the Act by reason of the provisions of section 3(c) (1) thereof. Prior to 1960, Summit was engaged in the retail furniture business and in that year sold or otherwise disposed of substantially all of its assets and business. Since that date it has been engaged primarily in the business of investing and reinvesting its funds. Pursuant to an agreement between applicant and Summit, substantially all of the cash and securities owned by Summit, with a value of approximately \$769,276 as of February 29, 1968, will be transferred to applicant in exchange for shares of its capital stock. The number of shares of applicant to be issued is to be determined by dividing the aggregate market value (with certain adjustments as set forth in detail in the application) of the assets of Summit to be transferred to applicant by the net asset value per share of applicant, both to be determined as of valuation time, as defined in the agreement. If the valuation under the agreement had taken place on February 29, 1968, Summit would have received 106,694 shares of applicant's stock. The exchange contemplated by the agreement would be prohibited by section 22 (d) as being a sale of a redeemable security by a registered investment company at a price other than a current offering price described in the prospectus, unless exempted by an order under section 6(c) of the Act.

When received by Summit the shares of applicant, which are registered under the Securities Act of 1933, are to be distributed to the Summit stockholders on the liquidation of Summit. Applicant has been advised by the management of Summit that the stockholders of Summit have no present intention of redeeming or otherwise transferring any of applicant's shares following the proposed transaction.

No affiliation exists between Summit or its officers, directors, or stockholders and applicant, its officers or directors, and the agreement was negotiated at arm's length by the two companies. Applicant's Board of Directors approved the agreement as being in the best interests of its shareholders, taking all relevant considerations into account, including, among other things, the fact that the resulting increase in assets will tend to reduce per share expenses.

Section 22(d) of the Act provides that registered investment companies issuing redeemable securities may sell their

¹ Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta.

² Voting for this action: Unanimous, with all members present.

shares only at the current public offering price as described in the prospectus. Section 6(c) permits the Commission, upon application, to exempt such a transaction if it finds that such an 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.

Applicant contends that the proposed offering of its stock will comply with the provisions of the Act, other than section 22(d) and submits that the granting of the application would be in accordance with the established practice of the Commission, is necessary and 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.

Notice is further given that any interested person may, not later than May 27, 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 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 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. 68-5630; Filed, May 10, 1968;
8:47 a.m.]

[70-4629]

WEST PENN POWER CO.

Notice of Proposed Issue and Sale at Competitive Bidding of Principal Amount of First Mortgage Bonds and Shares of Preferred Stock and of Proposed Charter Amendment

MAY 7, 1968.

Notice is hereby given that West Penn Power Co. ("West Penn"), 800 Cabin Hill

Drive, Greensburg, Pa. 15601, an electric utility subsidiary company of Allegheny Power System, Inc., ("Allegheny"), a registered holding company, has filed an application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declarations, which is summarized below, for a complete statement of the proposed transactions.

West Penn proposes to issue and sell subject to the competitive bidding requirements of Rule 50 under the Act, \$52 million principal amount of its First Mortgage Bonds, Series W, --- percent due July 1, 1998. The interest rate of the bonds (which will be a multiple of one-eighth of 1 percent and the price, exclusive of accrued interest, to be paid to West Penn (which will be not less than 100 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under the indenture dated March 1, 1916, between West Penn and The Chase Manhattan Bank (National Association), as Trustee, as heretofore supplemented and as to be further supplemented by a supplemental indenture to be dated as of July 1, 1968.

West Penn also proposes to amend its charter to increase the authorized shares of preferred stock from 500,000 to 1 million and to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 100,000 shares of its \$--- Preferred Stock, Series E, par value \$100 per share. The dividend rate of the preferred shares (which will be a multiple of \$0.04) and the price, exclusive of accrued dividends, to be paid West Penn (which will not be less than \$100 nor more than \$102.75 per share) will be determined by the competitive bidding.

West Penn will, from the net proceeds realized from the sale of the bonds, pay at maturity all of the \$17 million principal amount of its outstanding First Mortgage Bonds, Series J, 3¼ percent, due August 1, 1968. The remainder of the net proceeds from the sale of the bonds and all of the net proceeds from the sale of the preferred stock will be used to finance, in part, the construction program of West Penn and its subsidiary companies, including payment of \$24,500,000 of short-term notes incurred, or to be incurred, therefor. Construction expenditures for 1968, 1969, and 1970 are presently estimated at above \$204 million (\$78 million for 1968, \$76 million for 1969, and \$50 million for 1970).

West Penn's parent, Allegheny, is planning to issue and sell about \$35 million of additional common stock early in 1969, and to use about \$15 million of the net proceeds to purchase additional common stock of West Penn or make a contribution to its capital.

It is stated that registration by the Pennsylvania Public Utility Commission of security certificates with respect to the bonds and preferred stock is required for

their issue and sale, that such securities certificates are being filed with that Commission, and that copies of the securities certificates and orders of that Commission will be filed herein by amendment. It is further stated that no other State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The fees and expenses to be paid in connection with the proposed transactions are estimated at \$56,000 for the bonds and \$23,000 for the preferred stock, including accountants' fees of \$2,900 and \$600, respectively, and legal fees of \$10,500 and \$6,250, respectively. The fees of counsel for the underwriters, to be paid by the successful bidders, are estimated at \$9,000 in respect of the bonds and \$5,500 in respect of the preferred stock.

Notice is further given that any interested person may, not later than May 31, 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-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be 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. 68-5631; Filed, May 10, 1968;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Ex Parte 259]

INCREASED FREIGHT RATES, 1968

MAY 9, 1968.

In the matter of petitions of certain railroads to amend the petition of

March 7, 1968, in the above proceeding.

Upon consideration of the petitions filed March 11, 1968, March 21, 1968, and April 22, 1968, by rail carriers currently parties to the petition of March 7, 1968 which sought authority to file tariffs of increased freight rates, and by certain additional rail carriers named in the appendix to this order, seeking to amend the petition of March 7, 1968 by the addition of the named carriers as petitioners, a correction in the name of certain petitioners, and the deletion of certain others; and to have the Commission take official notice of its Bureau of Economics' analysis of the 1-percent sample of way-bills, and the Freight Commodity Statistics of Class I Railroads in the United States for the year ended December 31, 1966, and good cause appearing therefor:

It is ordered, That the petitions in respect to the matters set forth above be, and they are hereby, granted.

And it is further ordered, That a copy of this order be filed with the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested parties.

Dated at Washington, D.C., this 25th day of April A.D. 1968.

By the Commission, Commissioner Walrath.

[SEAL]

H. NEIL GARSON,
Secretary.

APPENDIX

ADDITIONAL PETITIONERS

Aberdeen and Rockfish Railroad Co.
Ahnapee and Western Railway Co. (The).
Angelina & Neches River Railroad Co.
Arcata and Mad River Rail Road Co. (The).
Ashley, Drew & Northern Railway Co.
Atlantic and Western Railway Co.
Bonhomie and Hattiesburg Southern Railroad Co.
Butte, Anaconda & Pacific Railway Co.
Cadiz Railroad Co.
California Western Railroad.
Cedar Rapids and Iowa City Railway Co.
Chattahoochee Industrial Railroad.
Chattahoochee Valley Railway Co.
Chicago Short Line Railway Co.
Chicago, West Pullman & Southern Railroad Co.
Cliffside Railroad Co.
Columbia & Cowitz Railway Co.
Corinth and Counce Railroad Co. (The).
Delta Valley & Southern Railway Co.
DeQueen and Eastern Railroad Co.
Des Moines and Central Iowa Railway Co.
East Tennessee and Western North Carolina Railroad Co.
Escanaba and Lake Superior Railroad Co.
Fernwood, Columbia and Gulf Railroad Co.
Fort Dodge, Des Moines & Southern Railway Co.
Frankfort & Cincinnati Railroad Co.
Georgetown Railroad Co.
Grayson, Nashville & Ashdown Railroad Co.
Greenville and Northern Railway Co.
Hampton & Branchville Railroad Co.
Hutchinson and Northern Railway Co. (The).
Iowa Terminal Railroad Co.
Kansas City Public Service Freight Operation.
Kentucky and Tennessee Railway.
Laona & Northern Railway Co.
La Salle and Bureau County Railroad Co. (The).
Longview, Portland & Northern Railway Co.
Louisiana and North West Railroad Co. (The).
Manufacturers' Junction Railway Co.

Marinette, Tomahawk & Western Railroad Co.

McCloud River Railroad Co.
Mississippi & Skuna Valley Railroad Co.
Mississippi Export Railroad Co.
Modesto and Empire Traction Co.
Moscow, Camden & San Augustine Railroad.
New Orleans Lower Coast Railroad Co.
Oregon & Northwestern Railroad Co.
Pecos Valley Southern Railway Co. (The).
Port Townsend Railroad.
Prescott and Northwestern Railroad Co. (The).
Reader Railroad.
Roscoe, Snyder and Pacific Railway Co.
Sabine River & Northern Railroad Co.
San Luis Central Railroad Co. (The).
Santa Maria Valley Railroad Co.
Savannah State Docks Railroad Co.
Sierra Railroad Co.
Southern San Luis Valley Railroad Co.
Stockton Terminal and Eastern Railroad.
Sumter & Choctaw Railway Co.
Texas Central Railroad Co.
Texas, Oklahoma & Eastern Railroad Co.
Texas South-Eastern Railroad Co.
Tennessee Railroad Co. (Samuel Spencer and Sam A. Blair, Receivers).
Ventura County Railway Co.
Warren & Saline River Railroad Co.
Warrenton Rail Road Co.
Yancey Railroad Co.
Yreka Western Railroad Co.
Apache Railway Co. (The).
Belton Railroad.
Delta Valley and Southern Railway Co.
Louisiana and Pine Bluff Railway Co. (The).
Northern Pacific Railway Co.
Pennsylvania New York Central Transportation Co.¹
Sand Springs Railway Co.
Trona Railway Co.
Walla Walla Valley Railway Co.
Minnesota, Dakota & Western Railway Co.
Ogdensburg & Norwood Railway Co.
Pittsburgh and Ohio Valley Railway Co.
Union Freight Railroad Co.
Valley & Siletz Railroad Co.

DELETED PETITIONERS

Lake Champlain and Moriah Railroad Co. (The).
New Jersey and New York Railroad (The) (Horace Banta, Trustee).
Western Allegheny Railroad Co.
Under the Grand Trunk Railway System:
Champlain and St. Lawrence Railroad Co. (The) (Note).
United States and Canada Railroad Co. (The) (Note).
NOTE: Canadian National Railway Co., Lessee.

New York Central Railroad Co. (The)¹
Pennsylvania Railroad Co. (The)¹

[F.R. Doc. 68-5639; Filed, May 10, 1968; 8:47 a.m.]

[Notice 605]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 8, 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

¹ Correction to reflect present name of petitioner.

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 44639 (Sub-No. 22 TA), filed May 6, 1968. Applicant: SAM MAITA AND IRVING LEVIN, a partnership, doing business as L. & M. EXPRESS CO., 220 Ridge Road, Lyndhurst, N.J. 07071. Applicant's representative: Herman B. J. Weckstein, 1060 Broad Street, Newark, N.J. 07102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, loose, on hangers, and *materials and supplies used in the manufacturing of wearing apparel*, between Crewe, Va., on the one hand, and, on the other, Kenbridge, Va., for 150 days. NOTE: Applicant states the authority sought herein will be tacked and combined with all authorized operations in MC 44639. Supporting shipper: At Home Wear, Inc., 152 Madison Avenue, New York, N.Y. 10016. Send protests to: District Supervisor Joel Morris, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 52579 (Sub-No. 104 TA), filed May 6, 1968. Applicant: GILBERT CARRIER CORP., 1 Gilbert Drive, Secaucus, N.J. 07094. Applicant's representative: Aaron Hoffman (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wearing apparel*, loose, on hangers, and *materials and supplies used in the manufacture of wearing apparel*, between Heflin, Ala., and points in the New York, N.Y., commercial zone, for 150 days. Supporting shipper: Miss Wendy, Jr., 463 Seventh Avenue, New York, N.Y. 10018. Send protests to: District Supervisor Walter J. Grossman, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 119710 (Sub-No. 14 TA), filed May 6, 1968. Applicant: JOHN L. SHUPE AND IVAN D. SHUPE, a partnership, doing business as SHUPE BROS., Post Office Box 919, Greeley, Colo. 80631. Applicant's representative: Paul F. Sullivan, Colorado Building, 1341 G Street NW., Washington, D.C. 20005. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Animal and poultry feeds* (except liquid bulk), restricted to service performed under contract with W. R. Grace & Co., from Billings, Mont., to

points in Idaho, Utah, Wyoming, Colorado, Nebraska, North Dakota, and South Dakota, for 180 days. Supporting shipper: Farr Better Feeds, Division of W. R. Grace & Co., Lucerne, Colo. 80646. Send protests to: District Supervisor C. W. Buckner, 2022 Federal Building, 1961 Stout Street, Denver, Colo. 80202.

No. MC 123329 (Sub-No. 16 TA), filed May 6, 1968. Applicant: H. M. TRIMBLE & SONS, LTD., 1510 40th Avenue SE., Calgary, Alberta, Canada. Applicant's representative: Ray F. Koby, Post Office Box 2567, Great Falls, Mont. 59401. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sulfonolane*, in bulk, from Norco, La., to ports of entry on the United States-Canada boundary line, at or near Sweetgrass, Mont., for 180 days. Supporting shipper: Shell Canada, Ltd., Western Marketing Region, Box 2211, Vancouver 3, British Columbia, Canada. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 United States Post Office Building, Billings, Mont. 59101.

No. MC 129873 (Sub-No. 1 TA), filed May 6, 1968. Applicant: BENEDICT PENDOLA, doing business as PENDOLA TRUCKING, 150 Kent Avenue, Brooklyn, N.Y. 11211. Applicant's representative: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica, N.Y. 11432. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, from New York, N.Y., to Elmont, N.Y., for 180 days. Supporting shipper: Andrew Sapienza Bakery, Inc., 553 Meacham Avenue, Elmont, N.Y. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 129874 TA, filed May 3, 1968. Applicant: TYLER TRANSPORT LIMITED, Acton, Ontario, Canada. Applicant's representative: Frank J. Kerwin, Jr., 900 Guardian Building, Detroit, Mich. 48226. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hides, leather, tanning and curing materials and supplies* (except chemicals) for Beardmore & Co., Ltd., of Acton, Ontario, Canada, between points in the United States (except Alaska and Hawaii), on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada along the Niagara, St. Clair, and Detroit Rivers, restricted to traffic moving in foreign commerce between the United States and Canada, for 180 days. Supporting shipper: Beardmore & Co., Ltd., Acton, Ontario, Canada. Send protests to: George M. Parker, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 121 Ellicott Street (Room 518), Buffalo, N.Y. 14203.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-5640; Filed, May 10, 1968;
8:48 a.m.]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 8, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

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

No. MC-FC-70368. By order of April 30, 1968, the Transfer Board approved the transfer to White Heavy Haulers, Inc., Jackson, Miss., of the operating rights in certificate No. MC-29805 (Sub-No. 7), issued December 20, 1962, to Gulf States Truck Lines, Inc., Shreveport, La., authorizing transportation in interstate or foreign commerce, over irregular routes, of machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and byproducts, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights-of-way, between points in Louisiana, Texas, Arkansas, Oklahoma, and Mississippi. Harold D. Miller, Jr., Post Office Box 22567, Jackson, Miss. 39205, attorney for applicants.

No. MC-FC-70380. By order of May 2, 1968, the Transfer Board approved the transfer to James A. Towell Inc., Veedersburg, Ind., of the operating rights in permit No. MC-123830, issued May 2, 1968, authorizing transportation service in interstate or foreign commerce, of coal, in bulk, from the site of the Republic Coal & Coke Co., dock at Hillary, Ill., to points in Newton, Jasper, Benton, White, Warren, Tippecanoe, Fountain, Montgomery, and Vermillion Counties, Ind., limited to transportation service performed under a continuing contract or contracts with Republic Coal & Coke Co. Warren S. Moberly, 1212 Fletcher Trust Building, Indianapolis, Ind. 46204, attorney for applicants.

No. MC-FC-70410. By order of April 30, 1968, the Transfer Board approved the transfer to Richard Rieken, doing business as Richard Rieken Moving & Storage, New Milford, N.J., of the operating rights in certificate No. MC-60611, issued by the Commission May 11, 1949, to Richard Rieken, New Milford, N.J., authorizing transportation in interstate or foreign commerce, over irregular routes, of household goods, as defined in 17 M.C.C. 467, between points and places within 100 miles of Dumont, N.J.

Cecil A. Hart, 75 Anderson Street, Hackensack, N.J. 07601, attorney for applicants.

No. MC-FC-70458. By order of May 7, 1968, the Transfer Board approved the transfer to Albert R. Bailey, Topeka, Kans., of the operating rights in certificate No. MC-13422 issued December 23, 1965, to Cleo F. Broadus, North Topeka, Kans., authorizing the transportation of livestock, between Topeka and Dover, Kans., on the one hand, and, on the other, points within 15 miles of Topeka and those within 5 miles of Dover; and agricultural implements and parts, and feed, between Topeka and Dover, Kans., and points within 15 miles of Topeka and those within 5 miles of Dover, on the one hand, and, on the other, Kansas City and St. Joseph, Mo., and Kansas City, Kans. Clinton C. Marker, Suite 103, 629 Quincy Street, Topeka, Kans. 66603, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-5641; Filed, May 10, 1968;
8:48 a.m.]

[Notice 136A]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 8, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70230. By order of May 3, 1968, the Commission, Division 3, acting as an Appellate Division, approved the transfer to Jane E. Hillen, doing business as Holiday Tours, Redlands, Calif., of the Licenses in Nos. MC-12827, MC-12827 (Sub-No. 1), and MC-12827 (Sub-No. 2), issued November 7, 1963, August 24, 1964, and March 16, 1965, respectively, to California Educational Tours, a corporation, Redlands, Calif., authorizing the holder to engage in operations as a broker at Redlands, Calif., in the transportation of passengers and their baggage, in round-trip tours, beginning and ending at points in Fresno, Kern, San Bernardino, Contra Costa, San Mateo, Santa Clara, San Diego, Los Angeles, and Orange Counties, Calif., and extending to points in the United States, except Alaska and Hawaii. Donald Murchison, 211 South Beverly Drive, Beverly Hills, Calif. 90212, attorney for applicants.

[SEAL]

H. NEIL GARSON,
Secretary.

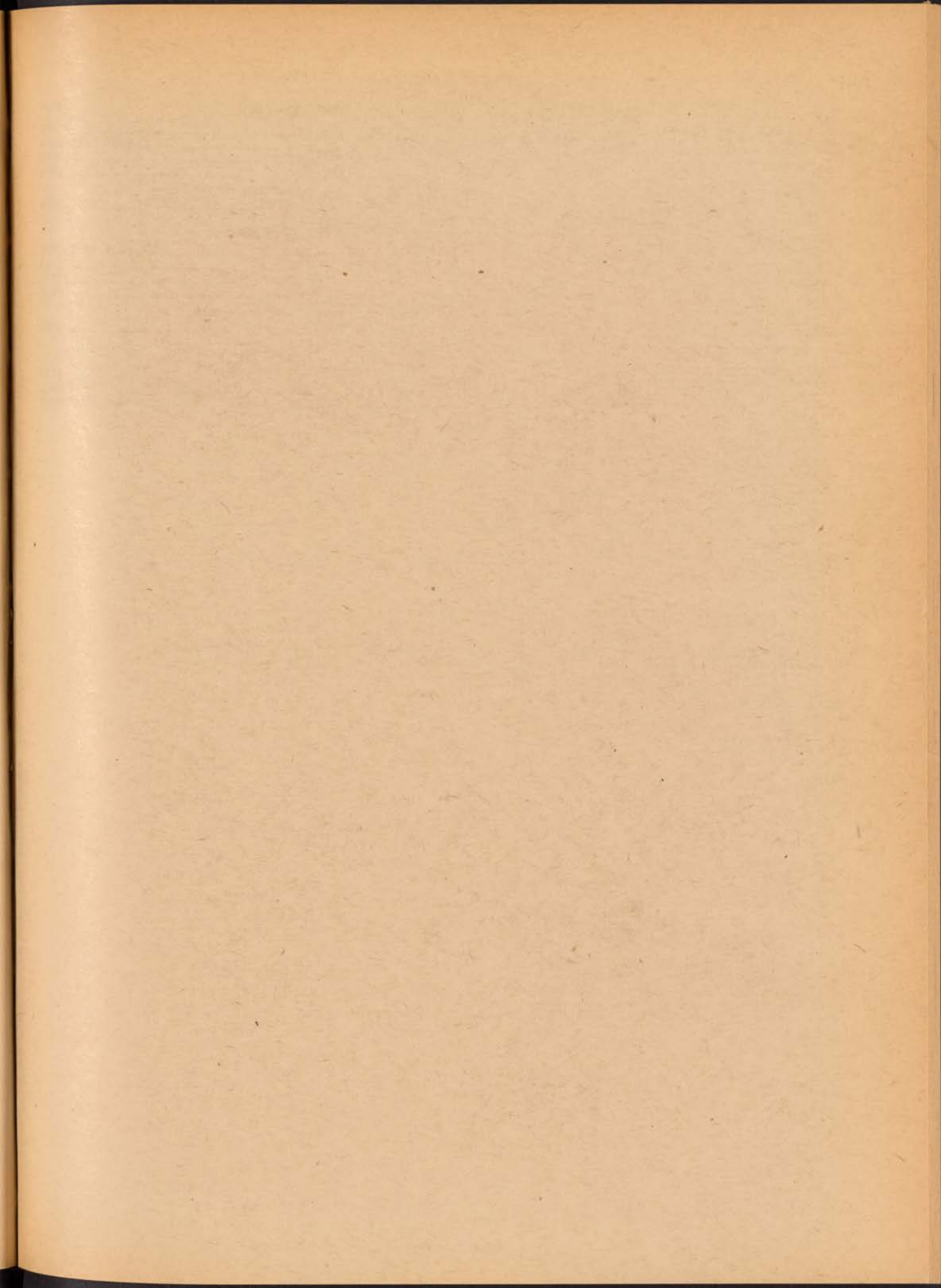
[F.R. Doc. 68-5642; Filed, May 10, 1968;
8:48 a.m.]

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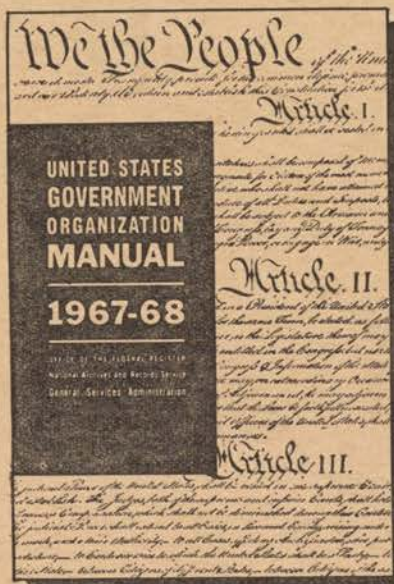
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