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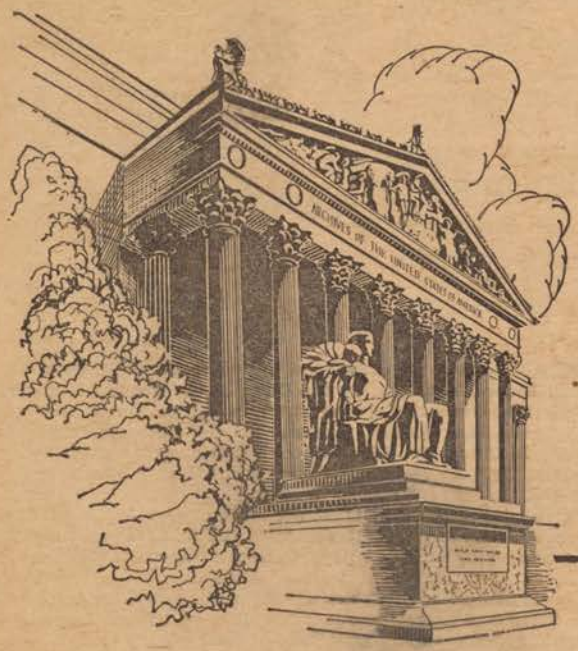
Agencies in this issue—

Detailed list of Contents appears inside.



Current White House Releases

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS

The *Weekly Compilation of Presidential Documents* began with the issue dated Monday, August 2, 1965. It contains transcripts of the President's news conferences, messages to Congress, public speeches, remarks and statements, and other Presidential material released by the White House up to 5 p.m. of each Friday.

This weekly service includes an Index of Contents preceding the text and a Cumulative Index to Prior Issues at the end. Cumulation of this index terminates at the end of each quarter and begins anew with the following issue. Semiannual and annual indexes are published separately.

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Contents

(Continued on next page)

List of CFR Parts Affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1968, and specifies how they are affected.

3 CFR

PROCLAMATION:
Aug. 3, 1901 (see PLO 4461) 9616
EXECUTIVE ORDER:
1664 (revoked by PLO 4466) 9618

5 CFR

213 (3 documents) 9581

7 CFR

52 9582
53 9584
728 9584
842 9586
905 9592
910 9592
944 9593
1488 (2 documents) 9593, 9594
PROPOSED RULES:
725 9619

12 CFR

1 9596
8 9598

14 CFR

39 (2 documents) 9598
71 (2 documents) 9599
137 9600
PROPOSED RULES:
71 (4 documents) 9620, 9621
75 (2 documents) 9622

15 CFR

370 9602
371 9603
372 9602
373 (2 documents) 9604
385 9604

16 CFR

15 (2 documents) 9605, 9606

20 CFR

422 9606

21 CFR

2 9608
3 9609
120 (3 documents) 9609, 9610
121 9610
PROPOSED RULES:
120 (2 documents) 9619

29 CFR

1600 9610

31 CFR

211 9611

33 CFR

207 9611

43 CFR

PUBLIC LAND ORDERS:
4457 9614
4458 9614
4459 9614
4460 9615
4461 9616
4462 9616
4463 9616
4464 9617
4465 9617
4466 9618

Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

1968 Issuances

This checklist, prepared by the Office of the Federal Register, is published in the first issue of each month. It is arranged in the order of CFR titles, and shows the issuance date and price of revised volumes and supplements of the Code of Federal Regulations issued to date during 1968. New units issued during the month are announced on the inside cover of the daily FEDERAL REGISTER as they become available.

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CFR unit (as of Jan. 1, 1968):

		Price
3	1967 Compilation	$1.00
4	(Rev.)	.30
5	(Rev.)	1.00
6	[Reserved]	
7	Parts:	
	0–45 (Rev.)	1.75
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	750–899 (Rev.)	1.25
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	1–119 (Rev.)	1.00
	120–129 (Rev.)	1.00
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	147–end (Rev.)	1.00
22	(Rev.)	1.25
23	(Rev.)	.30
24	(Rev.)	1.25
25	(Rev.)	1.25
26	Parts:	Price
	1 (§§ 1.0–1—1.300) (Rev.)	$2.00
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	500–599 (Rev.)	1.00
	600–end (Rev.)	.55
27	(Rev.)	.30
28	(Rev.)	.55
29	Parts:	
	0–499 (Rev.)	.75
	500–899 (Rev.)	2.00
	900–end (Rev.)	.75
30	(Rev.)	1.25
31	(Rev.)	1.75
32	Parts:	
	1–8 (Rev.)	2.00
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	1000–1199 (Rev.)	1.00
	1200–1599 (Rev.)	1.25
	1600–end (Rev.)	.60
32A	(Rev.)	1.00
33	Part 200–end (Rev.)	1.50
34	[Reserved]	
35	(Supp.)	.30
36	(Rev.)	.75
37	(Supp.)	.30
38	(Rev.)	2.25
39	(Rev.)	2.50
40	[Reserved]	
41	Chapters:	
	1 (Rev.)	2.00
	2–4 (Rev.)	.70
	5–5D (Rev.)	1.00
	6–17 (Rev.)	2.25
	18 (Rev.)	2.00
	19–100 (Rev.)	.55
	101–end (Rev.)	1.50
42	(Rev.)	1.00
43	(Rev.)	3.25
44	(Rev.)	.35
46	Parts:	
	1–65 (Rev.)	1.75
	66–145 (Rev.)	1.75
	146–149 (Rev.)	2.50
	150–199 (Rev.)	1.50
47	Parts:	
	0–19 (Rev.)	1.00
	20–69 (Rev.)	1.50
	70–79 (Rev.)	1.00
	80–end (Rev.)	1.50
48	(Rev.)	.55
49	Parts:	
	191–999 (Rev.)	.75
	1000–end (Rev.)	3.25
50	(Rev.)	.70

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that one position of Administrative Assistant engaged in interdepartmental activities of the Office of the Secretary is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (3) of paragraph (c) of § 213.3306 is amended as set out below.

§ 213.3306 Department of Defense.

* * * * *

(c) *Interdepartmental Programs.* * * *

(3) Two Staff Assistants and one Administrative Assistant.

* * * * *

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68–7850; Filed, July 1, 1968; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that the position of Private Secretary to the Deputy Assistant Secretary for Economic Affairs is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (13) of paragraph (a) of § 213.3314 is revoked.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68–7849; Filed, July 1, 1968; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

General Services Administration

Section 213.3337 is amended to show that the position of one Special Assistant to the Administrator is no longer excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (3) of paragraph (a) of § 213.3337 is revoked.

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954–58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 68–7851; Filed, July 1, 1968; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS [1]

Subpart—Regulations Governing Inspection and Certification

MISCELLANEOUS AMENDMENTS

Statement of considerations leading to amendment of regulations. The cost of maintaining the inspection service for processed fruits and vegetables and other products has increased materially since the last adjustment in fees in November 1962. Consequently, it is necessary to amend the schedules of fees and charges so as to more nearly cover the cost of providing inspection services.

The principal changes in the schedule of fees are as follows:

(1) Increasing the hourly rate from $6 to $8;

(2) Separating grading fee from sampling fee;

(3) Adjusting the unit rate for grading to reflect the separate charge for sampling;

(4) Eliminating the slightly reduced fee for multiple small lot inspections when such lots are offered at one time;

(5) Charging the same fee for unofficially submitted samples regardless of size of the container.

Sampling, condition of container examination, case stamping, checkloading, and related services are charged at the basic hourly rate. Grading time is charged at a revised schedule according to product category and lot size. The total cost for a particular inspection service is the fee charged for the time required for sampling and related services plus the fee for grading plus any additional fee for microanalyses or other analyses necessary for the determination of the quality and condition, or both, of the lot. This method of charging for inspection services relates the various fees to the respective amount of time and effort required to perform such services. Also, applicants for service will get the benefit of savings in sampling costs when more than one lot of processed products is offered for inspection service at the same time.

Other changes include adjustments in charges for special analyses, fees for score sheets and fees for additional copies of inspection certificates. Also, editorial changes have been made for clarification purposes.

In addition to the increase in the fee schedules, changes are made in the definition of "lot" to more clearly identify the processed product sampled with the results of the grading and inspection as shown on the official certificate. Additionally, a change has been made in § 52.13 dealing with the basis of inspection and grade determination. The change provides for consideration of an identifiable portion of a lot as a separate lot when such portion is of lower grade or deficient in other factors.

The Subpart—Regulations Governing Inspection and Certification is hereby amended in the following respects:

1. The definition of "Lot" contained in § 52.2 is revised to read as follows:

§ 52.2 Terms defined.

* * * * *

Lot. "Lot" means any number of containers of the same size and type which contain a processed product of the same type and style located in the same warehouse or conveyance, or which, under in-plant (in-process) inspection, results from consecutive production within a plant, and which is available for inspection service at any one time: *Provided,* That (a) if the applicant requests a separate inspection certificate covering a specific portion of a lot, such portion must be separately marked or otherwise identified in such a manner as to permit sampling, inspection, and certification of such portion as a separate lot; and (b) under in-plant (in-process) inspection, the inspector is authorized to limit the number of containers of a processed product that may be included in a lot to the production of a single working shift when such production is not in compliance with specified requirements.

* * * * *

2. Paragraph (b) of § 52.13 is revised to read as follows:

§ 52.13 Basis of inspection and grade or compliance determination.

* * * * *

(b) Unless otherwise approved by the Administrator, compliance with such grade standards, specifications, or instructions shall be determined by evaluating the product, or sample, in accordance with the requirements of such standards, specifications or instructions: *Provided,* That when inspection for quality is based on any U.S. grade standard which contains a scoring system, the grade to be assigned to a lot is the grade indicated by the average of the total of the scores of the respective sample units: *Provided further,* That—

(1) Such sample complies with the applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act;

(2) Such sample complies with the product description;

(3) Such sample meets the indicated grade with respect to factors of quality which are not rated by score points; and

(4) With respect to those factors of quality which are rated by score points, each of the following requirements is met:

(i) None of the sample units falls more than one grade below the indicated grade because of any quality factor to which a limiting rule applies;

(ii) None of the sample units falls more than 4 score points below the minimum total score for the indicated grade;

(iii) The number of deviants does not exceed the applicable acceptance number indicated in the sampling plans contained in § 52.38 ("deviants", as used in this paragraph, means sample units that fall into the next grade below the indicated grade but do not score more than 4 points below the minimum total score for the indicated grade);

(5) If any of the provisions contained in subparagraphs (3) and (4) of this paragraph (b) are not met, the grade is determined by considering such provisions in connection with succeedingly lower grades until the grade of the lot, if assignable, is established; and

(6) When it is determined that a portion of a lot bearing a particular identification mark is of lower quality or deficient in other factors, the grade or compliance of the lot shall be no higher than that of the portion bearing the particular identification mark.

3. Section 52.42 is revised to read as follows:

§ 52.42 Schedule of fees.

(a) Unless otherwise provided in a written agreement between the applicant and the Administrator, the fee for any inspection service performed under the regulations in this part at the request of the United States, or any agency or instrumentality thereof, shall be at the rate of $8 per hour.

(b) Unless otherwise provided in this part, the respective fees for inspection services performed under this part on officially drawn samples shall be based on the applicable rates specified in this section plus the applicable charges for such micro, chemical, and certain other special analyses specified in § 52.47 which may be requested by the applicant or required by the inspector to determine the quality or condition of the processed product.

OFFICIALLY DRAWN SAMPLES

(1) For sampling, checkloading, condition of container examination or for any related services, or any combination thereof, including travel time as provided for in § 52.51—$8 per hour.

(2) For determining the quality and condition of the processed product by examination of the sample, the rate as listed in (i) through (ix) of this subdivision (2) for the applicable method of preservation:

(i) *Canned or similarly processed fruits and vegetables, except canned pineapple and canned pineapple juice packed and inspected in Puerto Rico.*

[1] Among such other processed food products are the following: Honey; molasses, except for stockfeed; nuts and nut products, except oil; sugar (cane, beet, and maple); sirups (blended), sirups, except from grain; tea; cocoa; coffee; spices; condiments.

For each lot packed in containers of a volume not exceeding that of a No. 12 size can (603 x 812):	
Minimum fee for 200 cases, or less	$8.00
For each additional 100 cases, or fraction thereof, but not in excess of a total of 5,000 cases	0.75
For each additional 100 cases, or fraction thereof, in excess of a total of 5,000 cases	0.60
(ii) *Canned pineapple and canned pineapple juice packed and inspected in Puerto Rico.*	
For each case of 24 containers, or less	$0.015
For each case of more than 24 containers	0.020
Minimum fee per lot	8.00
(iii) *Frozen or similarly processed fruits and vegetables.*	
(a) Frozen products other than corn-on-the-cob:	
For each lot of 5,000 pounds, or less	$12.00
For each additional 5,000 pounds, or fraction thereof, but not in excess of a total of 100,000 pounds	2.00
For each additional 5,000 pounds, or fraction thereof, in excess of a total of 100,000 pounds	1.75
(b) Frozen corn-on-the-cob:	
For each lot of 1,000 dozen ears, or less	12.00
For each additional 1,000 dozen ears, or fraction thereof, but not in excess of a total of 10,000 dozen ears	2.00
For each additional 1,000 dozen ears in excess of a total of 10,000 dozen ears	1.75
(iv) *Dried fruits others than figs and dates.*	
For each lot of 5,000 pounds, or less	$12.00
Each additional 2,000 pounds, or fraction thereof, but not in excess of a total of 50,000 pounds	0.80
Each additional 2,000 pounds, or fraction thereof, in excess of 50,000 pounds	0.60
(v) *Dried figs and dates.*	
For each lot of 5,000 pounds, or less	$12.00
Each additional 2,000 pounds, or fraction thereof, but not in excess of a total of 50,000 pounds	2.00
Each additional 2,000 pounds, or fraction thereof, in excess of 50,000 pounds	1.75
(vi) *Dehydrated fruits and vegetables.*	
For each lot of 5,000 pounds, or less	$12.00
Each additional 2,000 pounds, or fraction thereof, but not in excess of a total of 25,000 pounds	0.80
Each additional 2,000 pounds, or fraction thereof, in excess of 25,000 pounds	0.60
(vii) *Honey, molasses, sirup and similar sugar products.*	
For 3 sample units, or less	$8.00
For each additional sample unit	1.00
(viii) *Coffee.*	
Green bean grade, each sample	$8.00
Cup test, each sample	8.00
Combination green bean grade and cup test, each sample	12.00
(ix) *Tea.*	
Cup test, each sample	$8.00

(c) Unless otherwise provided in this part, the respective fees for inspection services performed on unofficially drawn samples shall be based on the applicable rates specified in this section plus the charges for such micro, chemical, and certain other special analyses specified in § 52.47 which may be requested by the applicant or required by the inspector to determine the quality or condition of the samples.

UNOFFICIALLY DRAWN SAMPLES

(1) *Canned or similarly processed fruits and vegetables.*	
3 sample units, or less	$8.00
Each additional sample unit	2.00
(2) *Frozen or similarly processed fruits and vegetables.*	
2 sample units, or less	$8.00
Each additional sample unit	2.00
(3) *Dried fruits other than figs and dates.*	
Each sample	$8.00
(4) *Dried figs and dates.*	
Each sample	$8.00
(5) *Dehydrated fruits and vegetables.*	
Each sample	$8.00
(6) *Honey, molasses, sirup.*	
3 sample units, or less	$8.00
Each additional sample unit	1.00
(7) *Coffee.*	
Green bean grade, each sample	$8.00
Cup test, each sample	8.00
Combined green bean grade and cup test, each sample	12.00
(8) *Tea.*	
Cup test, each sample	$8.00

(d) The fee for any inspection service performed on any processed product not included in paragraphs (b) and (c) of this § 52.42 shall be at the rate of $8 per hour for the time (including travel time as provided for in § 52.51) required by the inspector in performing the inspection service.

4. Section 52.44 is revised to read as follows:

§ 52.44 Inspection fees when charges for sampling have been collected by a licensed sampler.

For any lot of processed products from which a sample is drawn by a licensed sampler and the applicable sampling fee is collected by the licensed sampler or appropriate authority, as provided in § 52.43, the fees for other inspection services with respect to such lot shall not include charges for sampling.

5. Section 52.45 is revised to read as follows:

§ 52.45 Inspection fees when charges for sampling have not been collected by a licensed sampler.

For any lot of processed products from which a sample is drawn by a licensed sampler and the sampling fee is not collected by the licensed sampler or the appropriate authority, as provided in § 52.43, the fees and charges for inspection services with respect to such lot shall be the applicable fees and charges prescribed in § 52.42.

6. Section 52.47 is revised to read as follows:

§ 52.47 Charges for micro, chemical and certain other special analyses.

(a) The applicable charges listed in this section shall be made for micro, chemical, and certain other special analyses which may be requested by the applicant, or required by the inspector to determine the quality or condition of the processed product. When any of these analyses is made at the request of the applicant and is not in connection with an inspection to determine the quality or condition of the product, the applicable charge shall be increased by 50 percent.

Type of analysis	For first analysis	For each additional analysis
Mold count	$4.00	$2.00
Worm larvae and insect fragment count	8.00	4.00
Fly egg and maggot count	4.00	2.00
Fiber test (green and wax beans)	8.00	4.00
Alcohol insoluble solids	8.00	4.00
Alcohol (distillation and specific gravity)	16.00	12.00
Ascorbic acid (vitamin C)	8.00	2.00
Total ash (carbonated or sulfated)	8.00	4.00
Ash, acid insoluble	12.00	8.00
Ash, water soluble or water insoluble	12.00	8.00
Ash, NaCl Free (approximately method-total ash less NaCl)	12.00	8.00
Ash, NaCl Free (P_2O_5 x 2)	20.00	12.00
Catalase test	4.00	4.00
Diastase test for honey (AOAC Method)	16.00	8.00
Ether extract (crude fat)	12.00	8.00
Fat (acid hydrolysis)	12.00	8.00
Water insoluble solids	12.00	8.00
Iodine number	12.00	8.00
Nitrogen or crude protein	12.00	8.00
Nonvolatile ether extract	12.00	8.00
Oil volatile	8.00	8.00
Phosphorous pentoxide (P_2O_5)	20.00	12.00
Potash (K_2O)	20.00	12.00
Peroxidase test (frozen vegetables)	4.00	4.00
Recoverable oil (citrus juices)	8.00	4.00
Reducing sugars	16.00	8.00
Sucrose (direct polarization)	8.00	4.00
Sucrose (chemical methods)	20.00	12.00
Starch or carbohydrates (direct hydrolysis)	20.00	12.00
Sulfur dioxide (direct titration)	8.00	4.00
Sulfur dioxide (distillation method)	12.00	8.00
Sodium	12.00	8.00
Total solids (drying method)	8.00	4.00
Vanillin (colorimetric)	8.00	4.00
Volatile and nonvolatile ether extract	12.00	8.00
Water-insoluble-inorganic-residue	8.00	4.00

(b) The following charges, as applicable, shall be made for listed analyses which are requested by the applicant and are not in connection with an inspection service to determine the quality or condition of the product; however no such charge shall be made when the analyses are in connection with an inspection to determine the quality or condition of the product:

Brix reading (refractometric or spindle)	$4.00
Brix reading (double dilution)	8.00
Total acidity (direct titration)	4.00
Free fatty acids	4.00
Tough string test (green and wax beans	4.00
Salt (NaCl)—direct titration	4.00
Soluble solids (refractometric method	4.00
Total solids (refractometric method)	4.00
Color determination of extracted honey	4.00
Color determination of sugarcane molasses or sugarcane sirup	4.00

7. Section 52.48 is revised to read as follows:

§ 52.48 Fees and charges not otherwise provided for; and situations when hourly rate required.

With respect to any inspection service for which no applicable fee or charge is

set forth in this part, or when the inspection service performed is such that applicable fees and charges would be inadequate or inequitable, the total fees and charges shall be based upon the time consumed by the inspector in performance of such inspection service at the rate of $8 per hour.

8. Section 52.49 is revised to read as follows:

§ 52.49 Charges for copies of score sheets.

If the applicant for inspection service requires one or more copies of a score sheet referable to the processed product covered thereby he may obtain such copies from the inspector in charge of the office of inspection serving the area where the service was performed at a charge of $4 per copy.

9. Section 52.50 is revised to read as follows:

§ 52.50 Charges for additional copies of inspection certificates.

Charges for additional copies of inspection certificates issued in accordance with § 52.21 may be supplied to any interested party at a charge for such copies at the rate of $4 for each seven (7), or fewer, copies.

Notice of proposed rule making, public procedure thereon, and the postponement of the effective time of this action later than July 15, 1968 (5 U.S.C. 553), are impracticable, unnecessary, and contrary to the public interest in that (1) the Agricultural Marketing Act of 1946 provides that the fees charged shall be reasonable and as nearly as may be cover the cost of the service rendered; (2) the increase in the fee and charges is necessary to more nearly cover such cost including, but not limited to, increased salaries, beginning in July, to Federal employees required by recent legislation; (3) it is imperative that such increase in fees and charges become effective in time to cover such increased costs; and (4) additional time is not required by users of the inspection service to comply with this amendment.

(Secs. 203, 205, 60 Stat. 1087, as amended; 1090 as amended; 7 U.S.C. 1622, 1624)

Dated: June 25, 1968, to become effective July 15, 1968.

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

[F.R. Doc. 68-7741; Filed, July 1, 1968; 8:45 a.m.]

PART 53—LIVESTOCK, MEATS, PREPARED MEATS, AND MEAT PRODUCTS (GRADING, CERTIFICATION, AND STANDARDS)

Subpart A—Regulations

FEES FOR GRADING SERVICE

Pursuant to the authority of sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), the provisions of 7 CFR 52.39(a) prescribing fees in connection with the performance of Federal meat grading services are hereby amended by changing the phrases "$8.20 per hour," "$10 per hour," and "$16.40 per hour" to "$8.60 per hour," "$10.40 per hour," and "$17.20 per hour," respectively.

The Agricultural Marketing Act of 1946 provides for the collection of fees equal as nearly as may be to the cost of the services, such as Federal meat grading services rendered under its provisions. The Postal Revenue and Federal Salary Act of 1967 (Public Law 90-206) has required increases in salaries paid to Federal employees engaged in the performance of Federal meat grading services. It has been determined that in order to cover the increased cost of the service resulting from the salary increases effective the first pay periods after October 1, 1967, and July 1, 1968, respectively, the hourly fee charges in connection with the performance of the services must be increased as provided for herein. The need for the increase and the amount thereby are dependent upon facts within the knowledge of the Consumer and Marketing Service. Therefore, under the provisions of 5 U.S.C. 553 it is found that notice and other public procedure with respect to this amendment are impractical and unnecessary.

This amendment shall become effective July 28, 1968, with respect to all Federal meat grading services rendered on and after that date, including service under commitment agreement whether heretofore or hereafter made (sections 203, 205, 60 Stat. 1087, 1090, 7 U.S.C. 1622, 1624).

Done at Washington, D.C., this 26th day of June 1968.

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

[F.R. Doc. 68-7804; Filed, July 1, 1968; 8:47 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 728—WHEAT

Subpart—Regulations Pertaining to Farm Acreage Allotments, Yields, and Wheat Certificate Programs for Crop Years 1968-69

1969 NATIONAL ACREAGE ALLOTMENT

The regulations governing the 1968-69 wheat program (33 F.R. 6508), as amended, are amended by deleting §§ 728.351 to 728.355 under centerhead "1968 National Acreage Allotment" and by adding §§ 728.351 to 728.355 to read as follows:

1969 NATIONAL ACREAGE ALLOTMENT

Sec.
728.351 Basis and purpose.
728.352 National marketing quota for wheat for 1969-70 marketing year.
728.353 1969 national acreage allotment for wheat.
728.354 Apportionment of the 1969 national acreage allotment for wheat among the several States.
728.355 Designation of States outside the commercial wheat-producing area for the 1969-70 marketing year.

AUTHORITY: §§ 728.351 to 728.355 issued under secs. 301, 332, 333, 334, 334a, 335, 375, 377, 379b, 52 Stat. 38, as amended, 53, as amended, 54, as amended, 66, as amended, 73 Stat. 393, as amended, 76 Stat. 621, 626, as amended; 7 U.S.C. 1301, 1332, 1333, 1334, 1334b, 1335, 1375, 1377, 1379b.

1969 NATIONAL ACREAGE ALLOTMENT

§ 728.351 Basis and purpose.

(a) The regulations contained in §§ 728.351 to 728.355 are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, to (1) announce that a national wheat marketing quota shall not be in effect for the 1969-70 marketing year, (2) announce the amount of the national marketing quota which would have been determined if a national quota had been proclaimed, (3) proclaim the 1969 national acreage allotment for wheat, (4) apportion the national acreage allotment among the several States, and (5) designate the commercial wheat-producing area for the 1969-70 marketing year.

(b) Section 332(d) of the act provides that the Secretary shall not proclaim a national marketing quota for the crop of wheat planted for harvest in the calendar year 1969, and that farm marketing quotas shall not be in effect for such crop of wheat.

(c) Section 333 of the act provides that the Secretary shall proclaim a national acreage allotment for each crop of wheat; and that "The amount of the national acreage allotment for any crop of wheat shall be the number of acres which the Secretary determines on the basis of the projected national yield and expected underplantings (acreage other than that not harvested because of program incentives) of farm acreage allotments will produce an amount of wheat equal to the national marketing quota for wheat for the marketing year for such crop, or if a national marketing quota was not proclaimed, the quota which would have been determined if one had been proclaimed."

(d) Section 332(b) provides that "The amount of the national marketing quota for wheat for any marketing year shall be an amount of wheat which the Secretary estimates (i) will be utilized during such marketing year for human consumption in the United States as food, food products, and beverages, composed wholly or partly of wheat, (ii) will be utilized during such marketing year in the United States for seed, (iii) will be exported either in the form of wheat or wheat products thereof, and (iv) will be utilized during such marketing year in the United States as livestock (including poultry) feed, excluding the estimated quantity of wheat which will be utilized for such purpose as a result of the substitution of wheat for feed grains under section 328 of the Food and Agriculture Act of 1962; less

(*a*) an amount of wheat equal to the estimated imports of wheat into the United States during such marketing year and, (*b*) if the stocks of wheat owned by the Commodity Credit Corporation are determined by the Secretary to be excessive, an amount of wheat determined by the Secretary to be a desirable reduction in such marketing year in such stocks to achieve the policy of the act: *Provided*, That if the Secretary determines that the total stocks of wheat in the Nation are insufficient to assure an adequate carryover for the next succeeding marketing year, the national marketing quota otherwise determined shall be increased by the amount the Secretary determines to be necessary to assure an adequate carryover: *And provided further*, That the national marketing quota for wheat for any marketing year shall be not less than one billion bushels." The amount of national marketing quota for wheat for the 1969–70 marketing year set out in § 728.352 and 1969 national acreage allotment for wheat set out in § 728.353 were computed in accordance with the formulas in the act.

(e) The considerations entering into the determination of the national marketing quota for wheat that would have been determined for the 1969–70 marketing year in the amount of 1,380 million bushels are set out in § 728.352. The projected national yield for the 1969 crop of wheat is determined to be 28.3 bushels per acre. The basis for this determination follows: The national yield per harvested acre of wheat during each of the 5 calendar years 1963 through 1967, as reported by the Statistical Reporting Service, USDA, was found to be 25.2, 25.8, 25.5, 26.3, and 25.8, respectively. The average of these five annual yields was computed to be 25.7. Based on a graphic projection of national annual wheat yields for a 16-year (1952–67) base period to determine trend in wheat yields and with consideration given to annual wheat yields in the various production areas, improved current production practices, abnormal weather, and expected harvested acreage, it was determined that the 5-year average of 25.7 should be adjusted upward to 28.3 for the purposes of the projected national yield for the 1969 crop of wheat. On the basis of a national quota of 1,380 million bushels, a national projected yield of 28.3 bushels per acre, and expected underplantings (acreage other than that not harvested because of program incentives) of 2.9 million acres, a national acreage allotment of 51.6 million acres was determined.

(f) (1) Section 334(a) of the act, as amended, provides that the 1969 national acreage allotment for wheat (less (i) a reserve of not to exceed 1 per centum thereof for apportionment to counties in addition to the county allotments made under section 334(b) of the act on the basis of relative needs of counties for additional allotment because of reclamation and other new areas coming into production of wheat, or because alternative crops are no longer profitable because of plant disease or sustained loss of markets in areas which shifted from wheat to alternative crops prior to 1951, and less (ii) a special reserve not in excess of 1 million acres for the purpose explained in a later paragraph) shall be apportioned by the Secretary among the several States on the basis of the preceding year's allotment for each such State, including all amounts allotted to the State, adjusted to the extent deemed necessary by the Secretary to establish a fair and equitable apportionment base for each State, taking into consideration established crop rotation practices, estimated decrease in farm allotments because of loss of history, and other relevant factors.

(2) The national reserve acreage needed for 1969 is determined to be 10,000 acres. This acreage shall be used (i) to make allotments to counties in addition to the county allotments made under subsection (b) of section 334 on the basis of the relative needs of counties for additional allotments because of reclamation or other new areas coming into production of wheat or (ii) to increase the allotment for any county, in which wheat is the principal grain crop produced, on the basis of its relative need for such increase if the average ratio of wheat acreage allotment to cropland on old wheat farms in such county is less by at least 20 per centum than such average ratio on old wheat farms in an adjoining county or counties in which wheat is the principal grain crop produced or if there is a definable contiguous area consisting of at least 10 per centum of the cropland acreage in such county in which the average ratio of wheat acreage allotment to cropland on old wheat farms is less by at least 20 per centum than such average ratio on th remaining old wheat farms in such county: *Provided*, That such low ratio of wheat acreage allotment to cropland is due to the shift prior to 1951 from wheat to one or more alternative income-producing crops which, because of plant disease or sustained loss of markets, may no longer be produced at a fair profit and there is no other alternative income-producing crop suitable for production in the area or county. The increase in the county allotment under clause (ii) of the preceding sentence shall be used to increase allotments for old wheat farms in the affected area to make such allotments comparable with those on similar farms in adjoining areas or counties but the average ratio of increased allotments to cropland on such farms shall not exceed the average ratio of wheat acreage allotment to cropland on old wheat farms in adjoining areas or counties. Since there have been no requests for additional allotment for reclamation or other new areas coming into wheat production in recent years, this reserve will be used primarily for counties or areas affected by plant disease or sustained loss of markets where alternative crops are no longer profitable.

(3) A special reserve acreage of not in excess of 1 million acres, is also provided for in addition to the national acreage reserve. Such special acreage reserve shall be made available to the States to make additional allotments to counties on the basis of relative need of counties, as determined by the Secretary, for additional allotments to make adjustments in the allotments on old wheat farms (i.e., farms on which wheat has been seeded or regarded as seeded to one or more of the three crops immediately preceding the crop for which the allotment is established) on which the ratio of wheat acreage allotment to cropland on the farms is less than one-half the average ratio of wheat acreage allotment to cropland on old wheat farms in the county. Such adjustments shall not provide an allotment for any farm which would result in an allotment-cropland ratio for the farm in excess of one-half of such county average ratio and the total of such adjustments in any county shall not exceed the acreage made available therefor in the county. Such apportionment from the special acreage reserve shall be made only to counties where wheat is a major income-producing crop, only to farms on which there is limited opportunity for the production of an alternative income-producing crop, and only if an efficient farming operation on the farm requires the allotment of additional acreage from the special acreage reserve. For the purpose of making adjustments from the special acreage reserve, the cropland on the farm shall not include any land developed as cropland subsequent to the 1963 crop year. In determining the amount of the reserve, consideration was given to the acreage required for making such adjustments for past programs. The acreage apportioned to farms for the 1966 program amounted to approximately 23,255 acres. The acreage apportioned to farms in 1967 was 20,562 acres, and in 1968 was 16,420 acres. Accordingly, it is determined that 15,000 acres will be adequate for the purpose of this special reserve for the 1969 crop.

(4) The 1969 national wheat allotment was apportioned among the various States as follows:

(i) To each 1968 State wheat allotment determined under section 334(a) of the act, as amended, and published in the FEDERAL REGISTER of July 6, 1967 (32 F.R. 9821), was added the sum of 1968 allotment acreage allocated to counties in each State from the national and special national acreage reserve to increase allotments on eligible farms in designated counties. The resulting preliminary apportionment bases for each State were (*a*) adjusted to reflect the net plus or minus change in 1968 wheat allotment resulting from the transfer of farms to other States for administrative purposes, and (*b*) were adjusted downward to the extent of the sum of 1968 wheat allotments removed from farms going out of agricultural production. Adjustment in State preliminary apportionment bases for established crop rotation practices were determined to be necessary only in the States of Colorado, Oregon, and Washington. Because history loss in 1964 and prior years is already reflected in each 1968 State allotment and section 334(a) of the act, as amended by the Agriculture Act of 1964,

provided for full preservation of history in 1965 and under provisions of section 377 of the act has the effect of preserving history in 1966 and 1967, no adjustment of State preliminary apportionment bases was made because of history loss. The national wheat allotment of 51.6 million acres, less the national reserve and the special reserve, was distributed pro rata to States on the basis of each State's apportionment base determined in accordance with the foregoing.

(g) Section 334(a) of the act provides that if the acreage allotment for any State for any crop of wheat is 25,000 acres or less, the Secretary may designate such State as outside the commercial wheat-producing area for the marketing year for such crop in order to promote efficient administration of the act and the Agricultural Act of 1949. From the standpoint of efficient and equitable administration of the marketing quota and marketing allocation program for the 1969–70 marketing year, it is considered desirable that wheat marketing certificates be made available to wheat producers in all States on precisely the same basis. Therefore, no State for which a State acreage allotment was determined will be designated outside the commercial wheat-producing area for the 1969–70 marketing year.

(h) The findings and determinations by the Secretary contained in §§ 728.352 through 728.355 have been made on the basis of the latest available statistics of the Federal Government as required by section 301(c) of the act.

(i) Since farmers need to know their 1969 farm acreage allotments as soon as possible in order to plan their 1969 seeding operations, and since farm acreage allotments cannot be determined until the national acreage allotment is determined and apportioned among States and counties, it is necessary that this document become effective as soon as possible. Moreover, since farm marketing quotas will not be in effect on the 1969 crop of wheat, this document relates only to loans, grants, and benefits, and is exempted from the notice, public procedure, and effective date provisions of 5 U.S.C. 553. Accordingly, the apportionment and determinations herein shall become effective upon the date of the filing of this document with the Director, Office of the Federal Register.

§ 728.352 National marketing quota for wheat for 1969–70 marketing year.

(a) A national marketing quota for wheat shall not be in effect for the 1969–70 marketing year. In order that a national acreage allotment may be determined for the 1969 crop of wheat, it is necessary to determine the amount of the national wheat marketing quota which would have been determined if one had been proclaimed for the 1969–70 marketing year.

(b) Based upon (1) estimated human consumption in the United States during the 1969–70 marketing year of 520 million bushels for food, food products, and beverages, composed wholly or partly of wheat, (2) estimated use for seed in the United States during each marketing year of 60 million bushels, (3) estimated exports of wheat and wheat products during such marketing year of 700 million bushels, and (4) the estimated amount which will be utilized during such marketing year as livestock (including poultry) feed, excluding the estimated quantity of wheat which will be utilized for such purpose as a result of the substitution of wheat for feed grains under section 328 of the Food and Agriculture Act of 1962, of 101 million bushels; less estimated imports into the United States during such marketing year of 1 million bushels, the amount of the national marketing quota for wheat for the 1969–70 marketing year would be 1,380 million bushels. It is determined that stocks of wheat owned by the Commodity Credit Corporation are not excessive and no reduction in such stocks is necessary to achieve the policy of the Act. It is also determined that the total stocks of wheat in the Nation are sufficient to assure an adequate carryover for the 1969–70 marketing year. Therefore, the national quota for the 1969–70 marketing year is determined to be 1,380 million bushels.

§ 728.353 1969 national acreage allotment for wheat.

Based upon the projected national yield of wheat of 28.3 bushels per acre which is hereby determined, and expected underplantings, the 1969 national acreage allotment which will make available a supply of wheat equal to the national marketing quota is determined to be 51.6 million acres, and a 1969 national acreage allotment in that amount is hereby proclaimed.

§ 728.354 Apportionment of the 1969 national acreage allotment of wheat among the several States.

The national acreage allotment, less a national reserve of 10,000 acres and a special acreage reserve of 15,000 acres for additional allotments to counties, is hereby apportioned among the several States as follows:

State	Acreage Allotment
Alabama	62,337
Arizona	39,207
Arkansas	134,203
California	367,716
Colorado	2,337,893
Connecticut	317
Delaware	25,944
Florida	16,935
Georgia	123,773
Idaho	1,081,842
Illinois	1,622,392
Indiana	1,247,978
Iowa	138,115
Kansas	9,670,690
Kentucky	204,549
Louisiana	38,153
Maine	248
Maryland	157,013
Massachusetts	181
Michigan	1,079,086
Minnesota	928,778
Mississippi	53,469
Missouri	1,516,452
Montana	3,555,612
Nebraska	2,881,036
Nevada	15,379
New Jersey	46,225
New Mexico	427,349
New York	300,938
North Carolina	392,791
North Dakota	6,628,472
Ohio	1,476,808
Oklahoma	4,454,409
Oregon	771,570
Pennsylvania	534,144
Rhode Island	160
South Carolina	177,022
South Dakota	2,505,829
Tennessee	188,430
Texas	3,704,021
Utah	269,587
Vermont	448
Virginia	268,656
Washington	1,799,601
West Virginia	27,491
Wisconsin	53,002
Wyoming	248,749
Total apportioned to States	51,575,000
Special acreage reserve	15,000
National reserve	10,000
Total national allotment	51,600,000

§ 728.355 Designation of States outside the commercial wheat-producing area for the 1969–70 marketing year.

No State for which a State acreage allotment was determined is designated as outside the commercial wheat-producing area for the 1969–70 marketing year. Accordingly, the commercial wheat-producing area for the 1969–70 marketing year shall consist of all States in the United States except New Hampshire, Alaska, and Hawaii.

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

Signed at Washington, D.C., this 26th day of June 1968.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 68-7862; Filed, July 1, 1968; 8:52 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

PART 842—BEET SUGAR AREA

1968 and Subsequent Crops

Pursuant to the provisions of section 303 of the Sugar Act of 1948, as amended, § 842.2 (22 F.R. 2994, 23 F.R. 6784, 28 F.R. 1584, 29 F.R. 4139) is revised to read as follows:

§ 842.2 Eligibility for acreage abandonment and crop deficiency payments.

(a) *Eligibility requirements.* For sugar beet acreage on a farm to be eligible for acreage abandonment or crop deficiency payments with respect to the 1968 or any subsequent crop of sugar beets under the provisions of the Sugar Act of 1948, as amended (hereinafter referred to as "Act"), the following requirements shall be met:

(1) The sugar beets were planted on the farm on land suitable for the production of the crop;

(2) The sugar beets were cared for up to the time of abandonment or harvest, as the case may be, in a manner which could have been expected, under average conditions, to produce a normal crop;

(3) The abandoned acreage could not have been reseeded to sugar beets in the same crop cycle under conditions offering at least a fair opportunity for production;

(4) The abandonment of planted sugar beet acreage on the farm, or the crop deficiency below 80 percent of the normal yield of the harvested sugar beet acreage on the farm, resulted directly from drought, flood, storm, freeze, disease, or insects;

(5) With respect to acreage abandonment, the Agricultural Stabilization and Conservation (hereinafter referred to as "ASC") county office was notified of the intention to abandon the acreage before the sugar beets were destroyed or the acreage was used for other purposes;

(6) The farm was located in a county or a local producing area in which the ASC county committee determines for the applicable crop year that due to drought, flood, storm, disease, freeze, or insects, the actual yields of commercially recoverable sugar from the acreages planted to a crop of sugar beets on farms in such county or local producing area were below 80 percent of the applicable normal yields either for 10 percent or more of the number of such farms, or for those farms on which were planted 10 percent or more of the total acres of sugar beets planted on all farms in such county or local producing area. A farm shall be regarded as located in the State, county, and local producing area in which the farm headquarters is situated, or if there is no farm headquarters, the farm shall be regarded as located in the State, county, and local producing area in which the major portion of land in the farm suitable for the production of sugar beets is situated. With the exception of the local producing areas particularly established as provided in subdivision (i) of this subparagraph, in all States other than Texas and Utah a local producing area shall mean a township as established by Federal survey or in the absence of a Federal survey a local producing area shall mean a township as such term is commonly used and generally accepted in the State for land descriptions and other public purposes; and in Texas and Utah, a local producing area shall mean an ASC community with boundaries as fixed by the ASC State committee at the time of issuance of this determination and as shown on maps available for inspection in the respective ASC county offices.

(i) The designated counties and designated combinations of townships or ASC communities within counties identified and listed in paragraph (c) of this section are established as local producing areas for the purposes of this section effective beginning with the 1968 crop of sugar beets. Selection of these specific counties and combinations of townships listed in paragraph (c) of this section have been established on the basis of the 1967 count of sugar beet farms in such counties and townships and the following requirements as to minimum number of farms. Eleven farms on which sugar beets are produced are deemed to be the desirable minimum number of farms within a local producing area. Counties which cannot be subdivided into two or more local producing areas, each with 11 or more farms, are considered to be a local producing area in their entirety. In other counties, townships with 10 or less sugar beet farms are combined with other townships to constitute local producing areas of 11 or more farms. However, no townships are combined if separated by long distances, natural barriers or if they had obviously dissimilar soil types.

(7) The conditions for payment specified in Title III of the Act are met.

(b) *Approval and certification.* The ASC county committee shall first ascertain as to each crop of sugar beets whether the determination of yields as provided for in paragraph (a) (6) of this section may be made on the county level, and if not, it shall ascertain whether such determination of yields may be made as to a local producing area. If a member of the ASC county committee determines, on behalf of such committee, that the requirements specified in paragraph (a) of this section have been met with respect to sugar beet acreage on a farm, he shall approve such farm as eligible for an abandonment payment, or a crop deficiency payment, or both, as applicable, by executing the certification on the application for payment submitted for such farm.

(c) *List of particularly established local producing areas.*

ARIZONA

Individual county which is a local producing area.

GREENLEE

Combinations of townships which are local producing areas.

Local Producing Areas by County

COCHISE

1. Tps. 12 and 13 S., R. 24 E.
2. T. 15 S., R. 25 E.; T. 16 S., Rs. 24, 25, and 26 E., T. 17 S., Rs. 25 and 26 E.

GRAHAM

1. T. 4 S., Rs. 23 and 24 E.; T. 5 S., Rs. 23 and 24 E.; T. 6 S., R. 24 E.
2. T. 6 S., Rs. 25, 26, and 28 E.; T. 7 S., Rs. 25, 26, 27, and 28 E.; T. 8 S., R. 26 E.

MARICOPA

1. T. 1 N., R. 6 E.; T. 1 S., R. 6 E.; T. 2 S., Rs. 6 and 7 E.
2. T. 2 S., R. 5 E.; T. 1 S., Rs. 2, 3, 4, and 5 E.; Tps. 1 and 2 N., R. 4 E.
3. T. 1 N., Rs. 1 and 2 E.; T. 2 N., R. 2 E.
4. T. 2 N., Rs. 1 W., 2 W., and 1 E.; T. 3 N., Rs. 1 W. and 1 E.
5 T. 1 N., Rs. 1 and 2 W.; T. 1 S., R. 2 W.
6. T. 6 S., R. 6 W.; T. 3 S., Rs. 1 and 4 W.; T. 2 S., Rs. 1, 2, and 5 W.; T. 1 S., R. 3 W.; T. 1 N., R. 3 W.
7. T. 1 S., Rs. 4, 5, 8, and 9 W.; T. 1 N., Rs. 4 and 6 W.; T. 2 N., R. 6 W.

PINAL

1. T. 2 S., R. 8 E.; T. 3 S., Rs. 7 and 8 E.; T. 4 S., Rs. 8 and 9 E.; T. 5 S., Rs. 7, 8, and 9 E.; T. 6 S., R. 8 E.
2. Tps. 4 and 5 S., R. 2 E., Tps. 5 and 6 S., R. 4 E.; Tps. 6 and 7 S., R. 5 E.; T ps. 5, 6, and 7 S., R. 6 E., Tps. 6 and 8 S., R. 7 E.; T. 9 S., R. 8 E.

CALIFORNIA

Individual counties which are local producing areas.

Alameda.
Contra Costa.
Los Angeles.
Madera.
Orange.
Riverside.
San Benito.
San Bernardino.
Santa Clara.
Santa Cruz.
Stanislaus.
Tehama.
Yuba.

Combinations of townships which are local producing areas.

Local Producing Areas by County

BUTTE

1. Tps. 22 and 23 N., R. 1 W.; T. 22 N., R. 1 E.
2. Tps. 20 and 21 N., R. 1 E.; T. 20 N., R. 2 E.; T. 21 N., R. 1 W.

COLUSA

1. Tps. 15, 16, 17, and 18 N., Rs. 1 and 2 W.; T. 15 N., R. 3 W.
2. T. 14 N., Rs. 1, 2, and 3 W.
3. T. 13 N., Rs. 1 and 2 W.; Tps. 13 and 14 N., R. 1 E.

FRESNO

1. T. 10 S., R. 13 E.; T. 11 S., Rs. 12 and 13 E.
2. T. 12 S., Rs. 11, 12, 13, and 14 E.; T. 13 S., Rs. 12, 13, and 14 E.; T. 14 S., Rs. 13 and 14 E.
3. T. 13 S., Rs. 15 and 16 E.; T. 14 S., Rs. 15 and 16 E.; T. 15 S., Rs. 14, 15, 16, and 17 E.
4. T. 16 S., Rs. 15, 16, and 17 E.; T. 17 S., Rs. 15, 16, 17, and 18 E.; T. 18 S., Rs. 15, 16, 17, and 18 E.; T. 19 S., Rs. 16, 17, and 18 E.; T. 20 S., Rs. 15, 16, 17, and 18 E.
5. T. 13 S., Rs. 17, 18, and 19 E.; T. 14 S., Rs. 17, 18, and 19 E.
6. T. 15 S., Rs. 18 and 19 E.; T. 16 S., Rs. 18, 19, and 20 E.; T. 17 S., Rs. 19, 20, 21, and 22 E.

GLENN

1. T. 19 N., R. 3 W.; Tps. 20, 21, and 22 N., R. 2 W.; T. 21 N., R. 1 W.
2. Tps. 18 and 19 N., R. 1 W.; Tps. 18 and 19 N., R. 1 E.

IMPERIAL

1. T. 11 S., Rs. 13, 14, and 15 E.
2. Tps. 12 and 13 S., R. 12 E.; T. 12 S., R. 13 E.
3. Tps. 14 and 15 S., R. 13 E.
4. Tps. 14 and 15 S., R. 14 E.
5. Tps. 13 and 14 S., R. 16 E.; T. 14 S., R. 15 E.
6. T. 15 S., Rs. 15 and 16 E.
7. Tps. 15 and 16 S., R. 12 E.
8. Tps. 16 and 17 S., R. 14 E.; T. 16 S., R. 13 E.
9. Tps. 16 and 17 S., Rs. 15 and 16 E.

KERN

1. T. 25 S., Rs. 24, 25, and 26 E.; T. 26 S., Rs. 23, 24, 25, and 26 E.
2. T. 27 S., Rs. 23 and 24 E.
3. T. 27 S., Rs. 25 and 26 E.; T. 28 S., Rs. 25 and 26 E.
4. Tps. 28, 29, and 30 S., R. 24 E.
5. T. 29 S., Rs. 25, 26, and 27 E.; T. 30 S., R. 27 E.
6. T. 30 S., Rs. 28 and 29 E.; T. 31 S., Rs. 27, 28, and 29 E.
7. T. 32 S., Rs. 24, 25, and 26 E.; Tps. 11 and 12 N., R. 21 W.
8. T. 32 S., Rs. 28 and 29 E.; T. 11 N., R. 19 W.
9. Tps. 27 and 28 S., R. 22 E.; Tps. 28 and 29 S., R. 23 E.

KINGS

1. T. 17 S., Rs. 21 and 22 E.; Tps. 18 and 19 S., Rs. 19, 20, 21, 22, and 23 E.; T. 20 S., Rs. 18, 19, 20, 21, and 22 E.

2. T. 21 S., Rs. 17, 18, 19, 20, 21, and 22 E.; Tps. 22, 23, and 24 S., Rs. 17, 18, 19, 21, and 22 E.

MERCED

1. T. 8 S., R. 9 E.; T. 11 S., R. 10 E.; Tps. 9 and 11 S., R. 11 E.; Tps. 9, 10, and 11 S., R. 12 E.
2. T. 5 S., R. 12 E.; Tps. 7 and 9 S., R. 14 E.; T. 8 S., Rs. 15 and 16 E.

MONTEREY

1. Tps. 12, 13, and 14 S., R. 2 E.; T. 13 S., R. 3 E.
2. Tps. 14 and 15 S., R. 4 E.; T. 15 S., R. 5 E.
3. T. 16 S., Rs. 4 and 5 E.
4. T. 17 S., Rs. 4, 5, and 6 E.
5. T. 19 S., Rs. 6 and 7 E.
6. T. 20 S., Rs. 8 and 9 E.
7. T. 21 S., Rs. 8 and 9 E.; T. 22 S., R. 10 E.

SACRAMENTO

1. T. 10 N., Rs. 3 and 4 E.; T. 9 N., R. 4 E.
2. T. 8 N., R. 6 E.; T. 7 N., Rs. 7 and 8 E.; T. 6 N., R. 6 E.
3. Tps. 6 and 7 N., R. 4 E.; Tps. 4 and 5 N., Rs. 3 and 4 E.; T. 3 N., Rs. 3 and 4 E.; T. 3 N., R. 2 E.

SAN JOAQUIN

1. Tps. 1 and 2 N., R. 6 E.; Tps. 1, 2, 3, and 4 N., R. 5 E.
2. T. 3 N., Rs. 6 and 7 E.; T. 2 N., Rs. 7 and 8 E.
3. Weber, Grant.
4. T. 1 N., R. 7 E.; T. 1 S., R. 7 E.
5. T. 1 S., R. 8 E.; T. 1 N., R. 9 E.
6. T. 1 S., Rs. 4, 5, and 6 E.
7. T. 2 S., R. 4 E.; T. 3 S., R. 5 E.
8. T. 2 S., Rs. 5 and 6 E.
9. T. 2 S., R. 7 E.; T. 3 S., Rs. 6 and 7 E.

SAN LUIS OBISPO

1. T. 29 S., Rs. 10 and 11 E.; T. 30 S., Rs. 11 and 12 E.; T. 31 S., Rs. 12 and 13 E.; T. 11 N., Rs. 33 and 35 W.
2. T. 26 S., Rs. 12, 13, 14, and 15 E.; T. 27 S., Rs. 12 and 13 E.; T. 28 S., R. 12 E.

SANTA BARBARA

1. T. 8 N., Rs. 33 and 34 W.; T. 9 N., Rs. 32 and 33 W.; T. 10 N., Rs. 33, 34, and 35 W.
2. T. 7 N., Rs. 34 and 35 W.
3. T. 6 N., Rs. 30, 31, and 32 W.; T. 7 N., R. 30 W.

SOLANO

1. T. 8 N., Rs. 1 and 2 E.; T. 8 N., R. 1 W.
2. T. 4 N., R. 2 W.; Tps. 5, 6, and 7 N., R. 1 W.
3. T. 6 N., Rs. 1 and 2 E.
4. T. 4 and 5 N., R. 2 E.; T. 4 N., R. 3 E.

1. T. 14 N., NE¼ R. 1, R. 2, and W½ R. 3 E.; T. 15 N., Rs. 1, 2, and W½ 3 E.; T. 16 N., R. 2 E.; W½ T. 16 N., R. 3 E.; S½ T. 17 N., Rs. 2 and W½ 3 E.
2. T. 11 N., Rs. 3 and 4 E.; T. 12 N., Rs. NW¼ 1, 2, 3, and 4 E.; T. 13 N., Rs. W½ 1, 2, and 3 E.; T. 14 N., Rs. 4 and 5 E.

TULARE

1. T. 16 S., Rs. 23 and 24 E.; T. 17 S., Rs. 24 and 25 E.
2. T. 18 S., Rs. 23, 24, and 25 E.
3. T. 19 S., Rs. 23, 24, 25, and 26 E.
4. T. 21 S., Rs. 23, 24, and 25 E.
5. T. 21 S., Rs. 26 and 27 E.
6. T. 22 S., Rs. 23, 24, 25, and 26 E.; T. 23 S., Rs. 23, 24, and 26 E.; T. 24 S., Rs. 23 and 24 E.

VENTURA

1. T. 1 N., Rs. 20 and 21 W.; T. 2 N., R. 22 W.
2. Tps. 2 and 3 N., R. 21 W.
3. T. 2 N., Rs. 18, 19, and 20 W.; T. 3 N., R. 20 W.

YOLO

1. Tps. 8, 9, and 10 N., R. 1 W.; T. 10 N., R. 2 W.
2. Tps. 10, 11, and 12 N., R. 1 E.; Tps. 11 and 12 N., R. 1 W.; Tps. 11 and 12 N., R. 2 W.
3. Tps. 10, 11, and 12 N., R. 2 E.; Tps. 10 and 11 N., R. 3 E.
4. Tps. 8 and 9 N., R. 1 E.; Tps. 8 and 9 N., R. 2 E.; T. 9 N., Rs. 3 and 4 E.
5. T. 8 N., Rs. 3 and 4 E.
6. T. 7 N., Rs. 3 and 4 E.
7. T. 6 N., Rs. 3 and 4 E.

COLORADO

Individual counties which are local producing areas.

Alamosa.	Ouray.
Arapahoe.	Phillips.
Bent.	Rio Grande.
Cheyenne.	Saguache.
Crowley.	Washington.
Kiowa.	

Combinations of townships which are local producing areas.

Local Producing Areas by County

ADAMS

1. T. 1 S., Rs. 67 and 68 W.; T. 2 S., Rs. 67 and 68 W.
2. T. 1 S., Rs. 65 and 66 W.
3. T. 1 S., Rs. 60 and 62 W.; T. 2 S., Rs. 60 and 61 W.; T. 3 S., R. 61 W.

BACA

1. T. 28 S., Rs. 41, 42, 43, 44, and 45 W.; T. 29 S., Rs. 41, 42, 43, 44, and 45 W.
2. T. 30 S., Rs. 44 and 45 W.; T. 31 S., Rs. 44 and 45 W.
3. T. 30 S., Rs. 41, 42, and 43 W.; T. 31 S., Rs. 41, 42, and 43 W.; T. 32 S., Rs. 41 and 42 W.

BOULDER

1. T. 1 N., R. 69 W.; T. 2 N., Rs. 69 and 70 W.

DELTA

1. T. 51 N., Rs. 10 and 11 W.
2. T. 14 S., Rs. 94 and 95 W.; T. 15 S., Rs. 94 and 95 W.

KIT CARSON

1. T. 6 S., Rs. 42, 43, and 44 W.; T. 7 S., Rs. 42, 43, and 44 W.
2. Tps. 8 and 9 S., R. 42 W.
3. T. 8 S., Rs. 43 and 44 W.
4. T. 9 S., Rs. 43 and 44 W.; T. 10 S., Rs. 42, 43, and 44 W.; T. 11 S., Rs. 43 and 44 W.
5. T. 7 S., R. 45 W.; T. 8 S., Rs. 45 and 46 W.; Tps. 9 and 10 S., R. 45 W.

LARIMER

1. T. 9 N., Rs. 68 and 69 W.; T. 10 N., R. 69 W.
2. T. 8 N., Rs. 68 and 69 W.
3. T. 7 N., Rs. 68 and 69 W.
4. T. 6 N., Rs. 68 and 69 W.
5. T. 5 N., Rs. 68 and 69 W.

LOGAN

1. T. 11 N., Rs. 48, 49, and 50 W.
2. T. 10 N., Rs. 48, 49, and 50 W.
3. T. 10 N., Rs. 51 and 52 W.
4. T. 9 N., Rs. 50 and 51 W.
5. T. 9 N., Rs. 52 and 53 W.
6. T. 8 N., Rs. 52 and 53 W.
7. T. 7 N., Rs. 52 and 53 W.
8. T. 6 N., Rs. 53 and 54 W.

MESA

1. Tps. 1 and 2 N., R. 3 W.
2. Tps. 1 and 2 N., R. 2 W.
3. T. 1 N., Rs. 1 W. and 1 E.; T. 1 S., Rs. 1 W. and 1 E.

MONTROSE

1. Tps. 50 and 51 N., R. 11 W.
2. Tps. 50 and 51 N., R. 10 W.; T. 50 N., R. 9 W.
3. Tps. 48 and 49 N., R. 10 W.
4. T. 49 N., Rs. 8 and 9 W.; T. 48 N., R. 9 W.

MORGAN

1. T. 5 N., Rs. 55, 56, and 57 W.; T. 4 N., R. 55 W.
2. T. 3 N., R. 56 W.; T. 2 N., Rs. 55, 56, and 57 W.; T. 1 N., R. 56 W.
3. T. 1 N., Rs. 59 and 60 W.
4. Tps. 2 and 3 N., R. 59 W.
5. T. 5 N., Rs. 59 and 60 W.

OTERO

1. T. 22 S., Rs. 54, 55, and 56 W.; T. 23 S., Rs. 54, 55, and 56 W.; T. 24 S., Rs. 55 and 56 W.
2. T. 22 S., Rs. 57, 58, and 59 W.; T. 23 S., Rs. 57, 58, and 59 W.; T. 24 S., R. 57 W.

PROWERS

1. T. 21 S., R. 43 W.; T. 22 S., Rs. 43, 44, 45, and 46 W.
2. T. 23 S., Rs. 42, 43, and 44 W.

PUEBLO

1. Tps. 18 and 19 S., R. 64 W.; T. 18 S., R. 65 W.
2. T. 20 S., Rs. 63 and 64 W.
3. T. 21 S., Rs. 63 and 64 W.

SEDGWICK

1. Tps. 11 and 12 N., R. 45 W.
2. T. 12 N., R. 46 W.; T. 11 N., Rs. 46 and 47 W.

WELD

1. T. 4 N., Rs. 61 and 63 W.; T. 5 N., R. 63 W.
2. T. 6 N., Rs. 63 and 64 W.
3. Tps. 1, 2, and 3 N., R. 64 W.
4. T. 1 N., Rs. 61, 62, and 63 W.
5. T. 2 N., Rs. 61, 62, and 63 W.
6. T. 1 N., Rs. 67 and 68 W.
7. T. 2 N., Rs. 65, 66, and 67 W.

YUMA

1. Tps. 1, 2, 3, 4, and 5 N., R. 46 W.; Tps. 1, 2, 3, 4, and 5 N., R. 47 W.; Tps. 1, 2, 3, 4, and 5 N., R. 48 W.
2. Tps. 1, 2, 3, 4, and 5 S., R. 42 W.; Tps. 1, 2, 3, 4, and 5 S., R. 43 W.; Tps. 1, 2, 3, 4, and 5 S., R. 44 W.; Tps. 1, 2, 3, 4, and 5 S., R. 45 W.

IDAHO

Individual counties which are local producing areas.

Blaine.	Gem.
Caribou.	Lincoln.
Elmore.	Oneida.
Fremont.	

Combinations of townships which are local producing areas.

Local Producing Areas by County

ADA

1. T. 4 N., Rs. 1 E. and 1 W.; T. 3 N., Rs. 1 E. and 1 W.
2. T. 2 N., Rs. 1 E. and 1 W.; T. 1 N., Rs. 1 E. and 1 W.
3. T. 1 S., R. 1 W.; T. 2 S., R. 1 E.

BANNOCK

1. T. 5 S., Rs. 33, 34, and 35 E.; T. 6 S., R. 34 E.; T. 7 S., R. 35 E.
2. T. 9 S., Rs. 36, 37, 38, and 39 E.; T. 10 S., Rs. 36 and 37 E.; T. 11 S., R. 37 E.

BINGHAM

1. Tps. 3 and 4 S., R. 31 E.; Tps. 4 and 5 S., R. 32 E.
2. Tps. 2 and 3 S., R. 32 E.
3. Tps. 1 and 2 S., R. 34 E.; Tps. 1 and 2 S., R. 35 E.

4. T. 1 S., R. 36 E.; T. 1 N., Rs. 35, 36, and 37 E.
5. T. 2 S., Rs. 36, 37, 38, and 39 E.
6. T. 3 S., Rs. 34 and 35 E.; T. 4 S., Rs. 34 and 35 E.

BONNEVILLE

1. T. 2 N., R. 35 E.; T. 3 N., Rs. 36 and 37 E.
2. T. 2 N., R. 37 E.; T. 3 N., R. 38 E.
3. Tps. 1 and 2 N., R. 38 E.; T. 2 N., R. 39 E.

CANYON

1. T. 6 N., Rs. 5 and 6 W.
2. T. 5 N., Rs. 5 and 6 W.
3. T. 5 N., Rs. 2 and 3 W.
4. T. 4 N., Rs. 5 and 6 W.
5. T. 3 N., Rs. 4 and 5 W.
6. T. 3 N., Rs. 1 and 2 W.
7. T. 2 N., Rs. 1 and 2 W.
8. T. 2 N., Rs. 3 and 4 W.
9. Tps. 1 N. and 1 S., R. 2 W.

CASSIA

1. Tps. 10, 11, and 12 S., R. 21 E.; Tps. 12 and 13 S., R. 20 E.
2. T. 11 S., Rs. 23 and 24 E.
3. T. 12 S., Rs. 22 and 23 E.; T. 13 S., R. 22 E.
4. T. 9 S., Rs. 25 and 27 E.; T. 10 S., Rs. 25, 26, and 27 E.
5. T. 11 S., Rs. 26, 27, and 28 E.; T. 12 S., Rs. 26, 27, and 28 E.; T. 13 S., Rs. 26 and 27 E.

FRANKLIN

1. Tps. 13 and 14 S., R. 40 E.; T. 14 S., R. 39 E.; Tps. 13 and 14 S., R. 38 E.
2. Tps. 15 and 16 S., R. 38 E.
3. Tps. 15 and 16 S., R. 40 E.

GOODING

1. T. 5 S., Rs. 14, 15, and 16 E.; T. 6 S., Rs. 15 and 16 E.
2. T. 6 S., R. 14 E.; T. 7 S., Rs. 14, 15, and 16 E.
3. T. 8 S., Rs. 14, 15, and 16 E.

JEFFERSON

1. T. 7 N., Rs. 33 and 34 E.; T. 8 N., Rs. 33 and 34 E.
2. T. 4 N., Rs. 35, 36, and 37 E.; T. 5 N., Rs. 35 and 36 E.
3. T. 4 N., Rs. 38, 39, 40, and 41 E.; T. 5 N., Rs. 37 and 38 E.

JEROME

1. T. 7 S., Rs. 16, 17, and 18 E.
2. Tps. 8 and 9 S., R. 16 E.
3. Tps. 8 and 9 S., R. 18 E.
4. Tps. 7, 8, and 9 S., R. 19 E.
5. T. 10 S., Rs. 18 and 19 E.
6. T. 7 S., R. 20 E.; T. 8 S., Rs. 20 and 21 E.
7. Tps. 9 and 10 S., R. 20 E.

MADISON

1. T. 6 N., Rs. 39 and 40 E.

MINIDOKA

1. T. 6 S., R. 24 E.; T. 7 S., Rs. 23, 24, and 25 E.
2. T. 8 S., Rs. 22 and 23 E.

OWYHEE

1. T. 4 N., Rs. 5 and 6 W.
2. T. 2 N., Rs. 4 and 5 W.
3. T. 1 N., Rs. 3 and 4 W.; T. 1 S., Rs. 2 and 3 W.
4. T. 4 S., R. 2 E.; T. 5 S., Rs. 2 and 3 E.
5. T. 6 S., Rs. 5, 6, 7, and 8 E.

PAYETTE

1. Tps. 8 and 9 N., R. 5 W.
2. Tps. 6 and 7 N., R. 5 W.
3. T. 8 N., R. 4 W.; T. 7 N., Rs. 3 and 4 W.

POWER

1. T. 6 S., Rs. 29, 30, and 31 E.; T. 7 S., Rs. 29, 30, and 31 E.
2. T. 6 S., Rs. 32 and 33 E.; T. 7 S., Rs. 31, 32, and 33 E.; T. 8 S., Rs. 30 and 31 E.; T. 9 S., R. 29 E.

TWIN FALLS

1. Tps. 8, 9, and 10 S., R. 13 E.; Tps. 9 and 10 S., R. 14 E.
2. Tps. 9 and 10 S., R. 17 E.
3. Tps. 10 and 11 S., R. 16 E.
4. Tps. 10 and 11 S., R. 15 E.

WASHINGTON

1. T. 11 N., Rs. 4, 5, and 6 W.
2. T. 10 N., Rs. 4 and 5 W.

ILLINOIS

Combinations of townships which are local producing areas.

Local Producing Area by County

COOK

1. Bloom, Rich, and Thornton.

IOWA

Individual counties which are local producing areas.

Cerro Gordo.	Kossuth.
Franklin.	Worth.

KANSAS

Individual counties which are local producing areas.

Cheyenne.	Haskell.
Grant.	Sheridan.
Greeley.	Stanton.

Combinations of townships which are local producing areas.

Local Producing Areas by County

FINNEY

1. Tps. 22, 23, and 24 S., R. 34 W.
2. Tps. 22, 23, and 24 S., R. 33 W.

KEARNY

1. T. 24 S., Rs. 35 and 36 W.; T. 25 S., R. 36 W.
2. T. 23 S, Rs. 36, 37, and 38 W.; T. 24 S., Rs. 37 and 38 W.
3. Tps. 22 and 23 S., R. 35 W.

SHERMAN

1. Grant, Stateline, and Lincoln.
2. Logan, Smokey, Itaska, and Voltaire.

WALLACE

1. That portion of Tps. 13, 14, and 15 S., R. 43 W. lying in Wallace County; Tps. 13, 14, and 15 S., R. 42 W.; Tps. 14 and 15 S., R. 41 W.; Western two-thirds of Tps. 14 and 15 S., R. 40 W.
2. T. 15 S., R. 38 W.; Tps. 14 and 15 S., R. 39 W.; Eastern one-third of Tps. 14 and 15 S., R. 40 W.

MAINE

Individual counties which are local producing areas.

Androscoggin.	Piscataquis.
Franklin.	Sagadahoc.
Hancock.	Oxford.
Knox.	Somerset.
Penobscot.	Washington.

Combinations of townships which are local producing areas.

Local Producing Areas by County

AROOSTOOK

1. Grande Isle, Madawaska, St. Agatha, Frenchville, New Canada, and Fort Kent.
2. Van Buren, Cyr Plantation, and Hamlin.
3. Caswell and Conner.
4. Caribou, Woodland, and Perham.
5. Mapleton, Castle Hill, Ashland, and Chapman.
6. Westfield, Mars Hill, and Blaine.
7. Monticello, Littleton, Hammond, and Bridgewater.
8. Houlton, Hodgdon, Linneus, New Limerick, Ludlow, Smyrna Mills, Merrill, and Oakfield.
9. Island Falls, Crystal, Sherman, and Bendicta.

MICHIGAN

Individual counties which are local producing areas.

Clinton.	Isabella.
Genessee.	Lapeer.
Gladwin.	Macomb.
Ingham.	Shiwassee.

Combinations of townships which are local producing areas.

Local Producing Areas by County

ARENAC

1. AuGres, Sims, Turner, and Whitney.
2. Arenac, Lincoln, and Standish.

BAY

1. Gibson, Mount Forest, and Garfield.
2. Bangor and Monitor.

GRATIOT

1. Pine River and Bethany.
2. Wheeler and Lafayette.
3. Sumner, Arcada, and Emerson.
4. North Star, Hamilton, and Elba.

HURON

1. Caseville, Lake, Chandler, and Meade.
2. Dwight, Bloomfield, and Lincoln.
3. Gore and Rubicon.
4. Oliver, Grant, Sheridan, and Colfax.
5. Verona and Sigel.
6. Paris and Sherman.

LENAWEE

1. Ogden and Riga.
2. Macon, Ridgeway, Deerfield, Blissfield, and Palmyra.

MIDLAND

1. Edenville, Hope, Mills, Geneva, and Lincoln.
2. Porter and Ingersoll.

MONROE

1. Dundee, Raisinville, and Frenchtown.
2. Summerfield and Ida.
3. La Salle and Monroe.
4. Whiteford and Bedford.

SAGINAW

1. Kochville and Zilwaukee.
2. Saginaw and Carrollton.
3. Jonesfield and Lakefield.
4. Fremont, Brant, and Chapin.
5. James and Swan Creek.
6. Chesaning and St. Charles.
7. Taymouth and Birch Run.

ST. CLAIR

1. Lynn and Brockway.
2. Greenwood, Grant, Burtchville, Clyde, Fort Gratiot, and Port Huron.
3. Mussey, Berlin, and Riley.

SANILAC

1. Minden, Delaware, and Wheatland.
2. Marion, Forester, Bridgehampton, Washington, and Sanilac.
3. Lamotte, Moore, and Elmer.
4. Flynn, Elk, Maple Valley, and Speaker.
5. Buell and Lexington.
6. Fremont and Worth.

TUSCOLA

1. Elmwood and Elkland.
2. Arbella and Millington.
3. Denmark and Juniata.
4. Almer, Ellington, and Indianfields.
5. Kingston and Koylton.

MINNESOTA

Individual counties which are local producing areas.

Big Stone.	Redwood.
Faribault.	Sibley.
Grant.	Traverse.
Kandiyohi.	Waseca.
Lac Qui Parle.	Watonwan.
Martin.	Yellow Medicine.
Nicollet.	

Combinations of townships which are local producing areas.

Local Producing Areas by County

CHIPPEWA

1. Kragerd, Big Bend, Mandt, Grace, Louriston, and Woods.
2. Crate, Lone Tree, and Rheiderland.
3. Leenthrop and Stoneham.

CLAY

1. Georgetown and Kragnes.
2. Felton, Flowing, and Moland.
3. Riverton and Elmwood.

FREEBORN

1. Freeborn and Carlston.
2. Geneva, Newry, and Moscow.
3. Riceland, Hayward, and Oakland.

KITTSON

1. St. Vincent, Clow, Hill, North Red River, and Hallock.
2. South Red River and Svea.
3. Thompson, Tegnew, Jupiter, Davis, and Springbrook.

MARSHALL

1. Eagle Point and Donnelly.
2. Sinnott, Angsburg, and Wanger.
3. Fork and Big Woods.
4. Parker and Bloomer.
5. Middle River and Alma.
6. Warrenton, McCrea, and Boxville.

NORMAN

1. Mary, Winchester, and Lake Ida.
2. Hendrum and Lee.
3. Pleasant View, Good Hope, and Shelly.

WEST POLK

1. Higdem and Sandsville.
2. Farley and Tabor.
3. Brislet and Angus.
4. Esther and Northland.
5. Sullivan and Keystone.
6. Rhinehart and Huntsville.
7. Nesbit and Fanny.
8. Crookston, Fairfax, and Kertsonville.
9. Vineland and Hammond.
10. Hubbard, Scandia, and Russia.

RENVILLE

1. Palmyra, Martinsburg, and Wellington.
2. Osceola, Brookfield, Hector, and Preston Lake.
3. Kingman, Bird Island, Norfolk, and Beaver Falls.
4. Wang, Sacred Heart, Emmet, Winfield, Troy, and Henryville.

SWIFT

1. Hegbert, Fairfield, Shible, Moyer, Edison, and West Bank.
2. Benson, Camp Lake, Torning, Kildare, Cashel, and Dublin.

WILKIN

1. Wolverton and Roberts.
2. Akron, Nilsen, Andrea, Sunnyside, and Foxhome.

MONTANA

Individual counties which are local producing areas.

Broadwater.	Phillips.
Lewis and Clark.	Ravalli.

Combinations of townships which are local producing areas.

Local Producing Areas by County

BIG HORN

1. Tps. 2 and 3 S., R. 33 E.; T. 3 S., R. 32 E.
2. T. 4 S., Rs. 32 and 33 E.; T. 5 S., Rs. 31 and 32 E.; T. 6 S., R. 31 E.
3. Tps. 1 and 2 S., R. 34 E.; T. 4 S., R. 35 E.
4. T. 2 N., Rs. 32 and 33 E.

BLAINE

1. T. 33 N., Rs. 18 and 19 E.
2. T. 33 N., Rs. 20 and 21 E.; T. 32 N., Rs. 20 and 21 E.
3. T. 32 N., Rs. 22 and 23 E.

CARBON

1. T. 3 S., R. 23 E.; Tps. 2 and 3 S., R. 24 E.
2. T. 4 S., Rs. 22 and 23 E.
3. Tps. 6, 7, and 8 S., R. 23 E.; Tps. 7, 8, and 9 S., R. 22 E.

CUSTER

1. That part of T. 10 N., R. 49 E. that lies east of the Yellowstone River.
2. T. 9 N., Rs. 47 and 48 E.; T. 10 N., R. 48 E.; and those parts of Tps. 9 and 10 N., R. 49 E. that lie west of the Yellowstone River.
3. T. 8 N., Rs. 47 and 48 E.; T. 7 N., Rs. 47 and 48 E.

DAWSON

1. T. 16 N., R 55 E; N½ T. 15 N., R. 55 E.
2. S½ T. 15 N., R. 55 E.; T. 15 N., R. 54 E.
3. N⅓ T. 14 N., R. 54 E.; N½ T. 14 N., R. 55 E.
4. T. 13 N., Rs. 53 and 54 E.

PRAIRIE

1. T. 13 N., Rs. 52 and 53 E.; T. 12 N., R. 53 E.; E½ T. 12 N., R. 52 E.
2. T. 12 N., R. 51 E.; W½ T. 12 N., R. 52 W.; T. 11 N., R. 50 E.

RICHLAND

1. Tps. 24, 25, and 26 N., R. 59 E.; that portion of T. 24 N., R. 60 E., lying in Richland County.
2. T. 23 N., R. 59 E. and that portion of T. 23 N., R. 60 E. lying in Richland County.
3. T. 22 N., Rs. 58 and 59 E.
4. T. 21 N., Rs. 58 and 59 E.
5. Tps. 19 and 20 N., R. 58 E.; T. 19 N., R. 57 E.

ROSEBUD

1. T. 6 N., R 39 E.; that portion of T. 6 N., R. 38 E. lying in Rosebud County.
2. T. 6 N., Rs. 41 and 42 E.
3. T. 6 N., Rs. 43 and 44 E.

STILLWATER

1. T. 2 S., R. 20 E.; T. 3 S., R. 20 E.; that portion of T. 3 S., R. 21 E. lying in Stillwater County.
2. T. 2 S., R. 22 E.; that portion of T. 2 S., R. 23 E. lying in Stillwater County; those portions of T. 3 S., Rs. 22 and 23 E. lying in Stillwater County.

TREASURE

1. T. 6 N., Rs. 36 and 37 E.; T. 7 N., R. 36 E.
2. T. 6 N., Rs. 34 and 35 E.; T. 5 N., R. 34 E.

YELLOW STONE

1. T. 4 N., Rs. 32, 33, and 34 E.; T. 5 N., Rs. 33 and 34 E.
2. T. 3 N., Rs. 30 and 31 E.
3. T. 3 N.. Rs. 28 and 29 E.; T. 2 N., Rs. 28 and 29 E.
4. Tps. 1, 2, and 3 N., R. 27 E.
5. T. 1 N., Rs. 25 and 26 E.; T. 1 S., Rs. 24, 25, and 26 E.
6. T. 2 S., Rs. 23 and 24 E.

NEBRASKA

Individual counties which are local producing areas.

Buffalo.	Dundy.
Burt.	Garden.
Chase.	Kearney.
Cheyenne.	Lincoln.
Dawson.	Perkins.
Deuel.	Red Willow.

Combinations of townships which are local producing areas.

Local Producing Areas by County

BOX BUTTE

1. T. 28 N., Rs. 49 and 50 W.; T. 27 N., Rs. 49 and 50 W.
2. T. 27 N., Rs. 47 and 48 W.; T. 26 N., Rs. 47 and 48 W.
3. T. 24 N., Rs. 47 and 48 W.
4. T. 24 N., R. 49 W.; T. 25 N., Rs. 49 and 50 W.; Tps. 26 and 27 N., R. 51 W.

KEITH

1. Tps. 12 and 13 N., R. 40 W.; Tps. 12 and 13 N., R. 41 W.
2. T. 13 N., Rs. 37, 38, and 39 W.; T. 14 N., R. 39 W.

MORRILL

1. T. 18 N., Rs. 47, 48, and 49 W.; T. 19 N., Rs. 48 and 49 W.; T. 20 N., R. 49 W.
2. Tps. 19, 20, and 21 N., R. 50 W.
3. T. 22 N., Rs. 51 and 52 W.

SCOTTS BLUFF

1. T. 21 N., Rs. 56, 57, and 58 W.
2. T. 23 N., Rs. 53 and 54 W.
3. T. 20 N., Rs. 53, 54, and 55 W.

SIOUX

1. T. 24 N., R. 58 W.; T. 25 N., Rs. 57 and 58 W.
2. T. 24 N., Rs. 55 and 56 W.

NEW MEXICO

Individual county which is a local producing area.

GRANT

Combinations of townships which are local producing areas.

Local Producing Areas by Counties

CURRY

1. T. 1 N., Rs. 36 and 37 E.; T. 2 N., Rs. 36 and 37 E.; T. 3 N., Rs. 36 and 37 E.
2. T. 4 N., Rs. 36 and 37 E.; T. 5 N., Rs. 36 and 37 E.; T. 6 N., Rs. 36 and 37 E.
3. T. 2 N., Rs. 34 and 35 E.; T. 3 N., Rs. 34 and 35 E.; T. 4 N., Rs. 34 and 35 E.

HIDALGO

1. T. 18 S., R. 22 W.; T. 19 S., Rs. 21 and 22 W.
2. T. 22 S., Rs. 18 and 19 W.; T. 23 S., Rs. 17 and 18 W.; T. 24 S., R. 17 W.
3. T. 25 S., R. 19 W.; T. 26 S., Rs. 19 and 20 W.; T. 27 S., R. 19 W.
4. T. 28 S., Rs. 21 and 22 W.; T. 29 S., R. 22 W.

NEW YORK

Individual counties which are local producing areas.

Cortland.	Onondaga.
Genesee.	Ontario.
Herkimer.	Orleans.
Livingston.	Oswego.
Madison.	Seneca.
Monroe.	Tompkins.
Niagara.	Wayne.
Oneida.	Yates.

Combination of townships which are local producing areas.

Local Producing Areas by County

CAYUGA

1. Victory, Conquest, Cato, Mentz, Throop, Sennett, and Aurelius.
2. Springsport and Ledyard.
3. Fleming and Scipio.
4. Owasco, Venice, Moravia, and Genoa.

NORTH DAKOTA

Individual counties which are local producing areas.

Burleigh.	Oliver.
Foster.	Steele.
McKenzie.	Williams.
McLean.	

Combinations of townships which are local producing areas.

Local Producing Areas by County

CASS

1. Noble, Wiser, Harwood, Berlin, and Rush River.
2. Amenia, Casselton, Wheatland, and Gill.
3. Harmony, Raymond, and Durbin.
4. Addison, Warren, Stanley, Leonard, Normanna, and Pleasant.

GRAND FORKS

1. Strabane, Johnstown, Gilby, Lakeville, Mekinock, Blooming, and Chester.
2. Falconer, Grand Forks, and Walle.
3. Allendate, Michigan, Americus, and Bentru.

PEMBINA

1. Walhalla, St. Joseph, and Advance.
2. Beaulieu, Akra, Thingvalla, Park, Gardar, and Crystal.
3. Lodema and Elora.
4. Joliette and Lincoln.

RICHLAND

1. Walcott, Colfax, Eagle, Abercrombie, and Nansen.
2. Ibsen, Dwight, Barney, Mooreton, Center, Liberty Grove, Belford, Brandenberg, Summit, Devillo, and Fairmount.

TRAILL

1. Viking, Lindaas, Roseville, and Mayville.
2. Stavanger, Ervin, and Bingham.
3. Norway, El Dorado, Bloomfield, and Hillsboro.
4. Herberg, Kelso, and Elm River.

WALSH

1. Dundee, Glenwood, Kensington, and Fertile.
2. Grafton and Oakwood.
3. Prairie Center and Walsh Centre.
4. Harriston and Pulaski.
5. Ops and Forest River.
6. Ardoch and Walshville.

OHIO

Individual counties which are local producing areas.

Allen.	Mercer.
Defiance.	Van Wert.
Fulton.	Wyandot.
Hardin.	Huron.

Combinations of townships which are local producing areas.

Local Producing Areas by County

ERIE

1. Margaretta and Groton.
2. Perkins, Oxford, Milan, and Berlin.

HANCOCK

1. Blanchard, Pleasant, and Portage.
2. Eagle, Liberty, and Union.
3. Delaware, Jackson, Madison, Orange, and Van Buren.
4. Biglick and Washington.
5. Cass and Marion.

HENRY

1. Ridgeville, Freedom, and Liberty.
2. Napoleon and Flatrock.
3. Damascus, Richfield, and Bartlow.

LUCAS

1. Richfield, Sylvania, Washington, Monclova, Waterville, and Providence.

OTTAWA

1. Carroll and Salem.

PUTNAM

1. Palmer and Greensburg.
2. Jackson, Union, and Sugar Creek.
3. Monterey and Jennings.

SANDUSKY

1. Jackson and Scott.
2. Rice and Sandusky.
3. Green Creek, Townsend, and York.

SENECA

1. Jackson, Liberty, Hopewell, and Seneca.
2. Clinton, Adams, and Thompson.

WOOD

1. Middleton, Washington, Weston, and Plain.
2. Webster, Troy, and Center.
3. Milton and Liberty.
4. Jackson and Henry.
5. Portage, Bloom, Montgomery, and Perry.

OREGON

Combinations of townships which are local producing areas.

Local Producing Areas by County

MALHEUR

1. T. 15 S., Rs. 42 and 43 E.; T. 16 S., R. 43 E.; Tps. 17 and 18 S., R. 44 E.; T. 19 S., Rs. 43 and 44 E.
2. T. 15 S., Rs. 46 and 47 E.; T. 16 S., Rs. 47 and 48 E.; T. 17 S., R. 47 E.
3. T. 20 S., Rs. 45, 46, and 47 E.; T. 21 S., R. 45 E.
4. T. 21 S., Rs. 46 and 47 E.; T. 22 S., Rs. 46 and 47 E.

UMATILLA

1. Tps. 4 and 6 N., R. 34 E.; Tps. 6 and 7 N., R. 35 E.; T. 6 N., R. 36 E.
2. T. 2 N., R. 27 E.; Tps. 3 and 4 N., R. 28 E.; Tps. 3 and 4 N., R. 29 E.

TEXAS

Individual counties which are local producing areas.

Bailey.	Oldham.
Dallam.	Randall.
Floyd.	Sherman.
Hale.	Swisher.
Hartley.	Yoakum.
Moore.	

Combinations of townships which are local producing areas.

Local Producing Areas by County

CASTRO

1. Communities A and B.

DEAF SMITH

1. Communities C and D.

UTAH

Individual counties which are local producing areas.

Carbon.	Juab.
Iron.	Millard.

Combination of townships which are local producing areas.

Local Producing Areas by County

BOX ELDER

1. Communities A and D.

CACHE

1. Communities A and B.
2. Communities G and H.

DAVIS

1. Communities A, D, and E.

SALT LAKE

1. Communities A, E, and F.
2. Communities B and C.

SANPETE

1. Communities C, E, and F.
2. Communities J, K, and L.
3. Communities M and N.

SEVIER

1. Communities A and B.

UTAH

1. Communities B, C, and D.
2. Communities E and F.
3. Communities H and I.

WEBER

1. Communities B and D.

WASHINGTON

Individual counties which are local producing areas.

Kittitas.	Walla Walla.

Combinations of townships which are local producing areas.

Local Producing Areas by Counties

ADAMS

1. T. 16 N., Rs. 28, 29, and 30 E.; Tps. 17 and 18 N., R. 31 E.
2. T. 15 N., Rs. 28, 29, 30, and 31 E.

BENTON

1. Tps. 8, 9, and 10 N., R. 24 E.; T. 9 and 10 N., R. 25 E.
2. T. 9 N., R. 28 E.; Tps. 7 and 8 N., R. 30 E.

FRANKLIN

1. T. 14 N., Rs. 30 and 31 E.
2. T. 13 N., Rs. 28 and 29 E.; T. 14 N., R. 29 E.
3. T. 12 N., Rs. 28 and 29 E.
4. T. 11 N., Rs. 28 and 29 E.
5. T. 11 N., R. 30 E.; T. 10 N., Rs. 28, 29, and 30 E.; T. 9 N., Rs. 28 and 29 E.

GRANT

1. Tps. 19, 20, 21, and 22 N., R. 26 E.; Tps. 19 and 20 N., R. 25 E.
2. T. 19 N., Rs. 28 and 29 E.; T. 20 N., R. 29 E.
3. Tps. 18 and 18 N., R. 30 E.
4. T. 18 N., Rs. 28 and 29 E.
5. T. 16 N., Rs. 29 and 30 E.; T. 17 N., Rs. 28, 29, and 30 E.
6. T. 16 N., Rs. 27 and 28 E.; T. 17 N., R. 27 E.
7. T. 16 N., Rs. 25 and 26 E.; T. 17 N., R. 26 E.
8. Tps. 16 and 17 N., R. 24 E.; T. 17 N., R. 25 E.
9. T. 18 N., Rs. 23 and 24 E.; T. 19 N., Rs. 23 and 24 E.
10. Tps. 20 and 21 N., R. 23 E.
11. Tps. 20 and 21 N., R. 24 E.

YAKIMA

1. Tps. 10 and 11 N., R. 21 E.; T. 11 N., R. 20 E.
2. Tps. 8 and 9 N., R. 21 E.; T. 8 N., R. 22 E.
3. Tps. 10 and 11 N., R. 19 E.
4. T. 9 N., Rs. 22 and 23 E.; T. 8 N., R. 23 E.
5. Tps. 10 and 11 N., R. 23 E.
6. T. 10 N., Rs. 17 and 18 E.

WYOMING

Individual counties which are local producing areas.

Converse. Laramie.
Hot Springs. Sheridan.

Combination of townships which are local producing areas.

Local Producing Areas by Counties

BIG HORN

1. T. 49 N., Rs. 92 and 93 W.
2. Tps. 50, 51, and 52 N., R. 93 W.
3. T. 51 N., Rs. 94, 95, and 96 W.
4. T. 52 N., Rs. 95 and 96 W.
5. Tps. 54, 55, and 56 N., R. 97 W.
6. T. 57 N., Rs. 96 and 97 W.

FREMONT

1. T. 3 N., Rs. 1, 2, and 3 E.
2. T. 3 N., Rs. 4 and 5 E.; T. 2 N., Rs. 3 and 4 E.
3. T. 2 N., R. 2 E.; T. 1 N., Rs. 2 and 3 E.
4. T. 2 N., R. 5 E.; T. 1 N., R. 4 E.
5. T. 1 S., Rs. 1, 2, and 3 E.

GOSHEN

1. Tps. 19, 20, and 21 N., R. 61 W.; T. 21 N., R. 62 W.; T. 21 N., R. 60 W.
2. T. 22 N., Rs. 61 and 62 W.
3. Tps. 23 and 24 N., R. 63 W.; T. 23 N., R. 62 W.
4. T. 24 N., R. 60 W.; T. 25 N., R. 61 W.
5. T. 26 N., Rs. 62, 63, and 64 W.; T. 25 N., R. 62 W.

PARK

1. Tps. 53 and 54 N., R. 101 W.
2. Tps. 57 and 58 N., R. 101 W.; T. 57 N., R. 102 W.
3. Tps. 56 and 57 N., R. 98 W.
4. Tps. 54 and 55 N., R. 98 W.

PLATTE

1. T. 23 N., Rs. 68 and 69 W.
2. T. 24 N., Rs. 68 and 69 W.
3. T. 25 N., Rs. 67 and 68 W.

WASHAKIE

1. T. 45 N., Rs. 93 and 94 W.; T. 46 N., Rs. 92 and 93 W.
2. T. 47 N., Rs. 92 and 93 W.
3. T. 48 N., Rs. 92 and 93 W.

Statement of bases and considerations. Section 303 of the Act authorizes the Secretary to make payments to producers of sugar beets with respect to bona fide abandonment of planted acreage and crop deficiencies of harvested acreage when certain uncontrollable conditions have caused a prescribed amount of damage in the same factory district, county, parish, municipality, or local producing areas, as determined in accordance with regulations issued by the Secretary.

Prior to the 1957 sugar beet crop, a local producing area comprised all contiguous farms within a county which were similar with respect to types of soil or with respect to topography. As this created many problems, particularly in delineating the areas, it was determined that the areas should be established upon a fixed geographical basis. The township was designated as the local producing area for all States except Texas and Utah. In those two States the ASC communities became the local producing areas. Beginning with the 1964 sugar beet crop, the definition of a local producing area was further amended to provide that counties with only a few sugar beet farms would be local producing areas in their entirety. Also, based on uniform guidelines, the county committees of all sugar beet producing counties were asked to recommend combinations of townships or ASC communities to form new local producing areas consisting of at least 11 farms. However, no townships would be combined if separated by long distances, natural land barriers, or if they had obviously dissimilar soil types. These recommendations were reviewed by the respective State offices and Department officials in Washington and were published in the FEDERAL REGISTER (29 F.R. 4139). The local producing areas listed in paragraph (c) represent a redetermination of the counties, combinations of townships and combinations of ASC communities which are determined to be local producing areas. The same procedure was followed as was used in the 1964 amendment (29 F.R. 4139) except that the farm count was that for the 1967 sugar beet crop. This included farms on which beets were planted and those on which no beets were planted but which were approved for prevented acreage credit.

Accordingly, I hereby find and conclude that the aforestated revision will effectuate the applicable provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153; sec. 303, 61 Stat. 930; 7 U.S.C. 1133)

Effective date: Date of publication.

Signed at Washington, D.C., on June 26, 1968.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 68-7863; Filed, July 1, 1968; 8:52 a.m.]

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

[Grapefruit Reg. 66, Amdt. 11]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found and determined, in accordance with paragraph (5) of section 602 of the act, that the continuation for the remainder of the marketing season of regulation of shipments of graptfruit, as hereinafter provided, is necessary and will tend to avoid a disruption of the orderly marketing; and such continuation of regulation will be in the public interest.

(2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of grapefruit grown in Florida.

Order. The provisions of § 905.495 (Grapefruit Regulation 66; 32 F.R. 12907, 16525, 17925; 33 F.R. 221, 847, 3214, 4561, 5579, 5941, 6094, 8266) are hereby amended in the following respects:

Paragraph (a)(1) (i) and (ii) is revised to read as follows:

§ 905.495 Grapefruit Regulation 66.

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

(i) Any seeded grapefruit, grown in the production area, which do not grade at least U.S. No. 1 Bronze: *Provided,* That beginning July 1, 1968, such grapefruit may be shipped if the grapefruit grade not less than U.S. No. 2 Russet;

(ii) Any seeded grapefruit, grown in the production area, which are smaller than $3^{15}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the U.S. Standards for Florida Grapefruit: *Provided,* That, beginning July 1, 1968, the term "$3^{15}/_{16}$ inches in diameter" shall read "$3^{12}/_{16}$ inches in diameter";

* * * * *

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

Dated, June 28, 1968, to become effective July 1, 1968.

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

[F.R. Doc. 68-7917; Filed, July 1, 1968; 8:52 a.m.]

[Lemon Reg. 326, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons

grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674) and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such lemons as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

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

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.626 (Lemon Reg. 326, 33 F.R. 9251) are hereby amended to read as follows:

§ 910.626 Lemon Regulation 326.

* * * * *

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

(ii) District 2: 372,000 cartons;

* * * * *

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

Dated: June 27, 1968.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 68–7823; Filed, July 1, 1968; 8:49 a.m.]

[Grapefruit Reg. 9, Amdt. 8]

PART 944—FRUIT; IMPORT REGULATIONS

Grapefruit

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), the provisions of paragraph (a) of Grapefruit Regulation 9 (§ 944.105, 32 F.R. 12938, 17425, 33 F.R. 848, 3215, 4561, 5579, 5941, 6096) are hereby amended as follows:

The introductory text and subparagraph (1) of paragraph (a) are amended to read as follows:

§ 944.105 Grapefruit Regulation 9.

(a) On and after July 1, 1968, the importation into the United States of any grapefruit is prohibited unless such grapefruit is inspected and meets the following requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 2 Russet and be of a size not smaller than $3^{12}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida Grapefruit; and

* * * * *

It is hereby 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 time of this amendment beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions on imports of all grapefruit as the grade and size restrictions being made applicable to the shipment of all grapefruit grown in Florida under amended Grapefruit Regulation 66 (§ 905.495); (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (d) this amendment relieves restrictions on the importation of grapefruit.

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

Dated, June 28, 1968, to become effective July 1, 1968.

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

[F.R. Doc. 68–7918; Filed, July 1, 1968; 8:52 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

[Amdt. 4]

PART 1488—FINANCING OF SALES OF AGRICULTURAL COMMODITIES

Subpart A—Financing of Export Sales of Agricultural Commodities From Private Stocks Under CCC Export Credit Sales Program (GSM–4)

MISCELLANEOUS AMENDMENTS

The regulations in this Subpart A, Part 1488, containing the terms and conditions governing the Commodity Credit Corporation Export Credit Sales Program, published in the FEDERAL REGISTER of April 27, 1967 (32 F.R. 6496–6500), as corrected on May 4, 1967 (32 F.R. 6836), and as amended on May 19, 1967 (32 F.R. 7437), August 8, 1967 (32 F.R. 11416–17), and December 16, 1967 (32 F.R. 18018–19), are further amended as follows:

1. Paragraph (c)(5), the introductory text of paragraph (d), and paragraph (d)(4) of § 1488.3 are revised to read as follows:

§ 1488.3 Submission of applications for financing.

* * * * *

(c) * * *

(5) Justification for a financing period in excess of 12 months for cotton, tobacco, and vegetable oils and 6 months for all other eligible commodities.

* * * * *

(d) A financing period in excess of 12 months for cotton, tobacco, and vegetable oils and 6 months for all other eligible commodities, but not in excess of 36 months, may be approved by the General Sales Manager when such longer period will achieve one or more of the following results:

* * * * *

(4) Substitute commercial dollar sales for sales for local currencies and sales on long term credits.

* * * * *

2. The first sentence of paragraph (a) of § 1488.7 *Expiration of period for export* is amended to permit a period for export of less than 90 days to be specified in the financing approval or any amendment thereof. As amended, the sentence will read:

§ 1488.7 Expiration of period for export.

(a) Unless export is made within such export period as may be provided in the financing approval or in any amendment thereof, or under paragraph (b) of this section, or, if no such period is so provided, within a period of 90 days from the date of the financing approval, the financing approval will no longer be valid. * * *

* * * * *

3. The first sentence of § 1488.11 *Evidence of entry into country of destination* is amended to read:

§ 1488.11 Evidence of entry into country of destination.

For a financing agreement under which the financing period is in excess of 12 months for cotton, tobacco, and vegetable oils, or is in excess of 6 months for all other eligible commodities, within 90 days, or such extension of time as may be granted by the General Sales Manager in writing, following shipment from the United States of any agricultural commodity exported under the financing agreement, the exporter shall furnish to the General Sales Manager documentary evidence satisfactory to the General Sales

Manager of customs entry of the commodity into the country of destination specified in the financing agreement. * * *

4. The following new paragraph is added to "Supplement I—Beef Breeding Cattle":

E. *Dual purpose breeds.* When these breeds are eligible for financing under the provisions of both Supplement I and Supplement II to GSM–4, as amended, the exporter has the option of qualifying such animals under the provisions of either Supplement. Such option must be stated in the application filed pursuant to § 1488.3. In the event such dual purpose breeds are approved for export hereunder, the provisions of this Supplement shall apply.

5. Item "Option A (to be specified by purchaser)" of "Exhibits I and II of Supplement I—Beef Breeding Cattle" is amended by adding additional breed units as follows:

i. Milking Shorthorn [1]
j. Red Poll [1]
k. Other beef cattle breeds described in Farmers' Bulletin No. 2228 entitled "Beef Cattle Breeds", issued January 1968.

6. Item "Option B (to be specified by purchaser)" of "Exhibits I and II of Supplement I—Beef Breeding Cattle" is amended by changing item 4 of Exhibit I to read "Bred Cow—(24–48 months old)", and by changing Exhibit II item 4 to read "Mature Bull—(24–48 months old)".

7. The sentence following paragraph "C. Minimum Conformation—Choice" under "General Requirements" of "Exhibit I of Supplement I—Beef Breeding Cattle" is amended to read as follows:

All nonregistered females must be dehorned or naturally polled unless otherwise specified in the application. Horn stubs in excess of 1 inch will not be acceptable on dehorned cattle.

8. Item 2 of paragraph "E. Statement of Service" under "General Requirements" of "Exhibit I of Supplement I—Beef Breeding Cattle" is amended to read as follows:

2. Bred females must be at least 2 months but no more than six months pregnant at time of inspection.

(Sec. 5(f), 62 Stat. 1072, 15 U.S.C. 714c; sec. 407, 63 Stat. 1055, as amended, 7 U.S.C. 1427; sec. 4, Public Law 89–808, 80 Stat. 1538)

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

Signed at Washington, D.C., on June 26, 1968.

RAYMOND A. IOANES,
Vice President, Commodity Credit Corporation, and Administrator, Foreign Agricultural Service.

[F.R. Doc. 68–7806; Filed, July 1, 1968; 8:47 a.m.]

[1] Dual Purpose Breeds (See paragraph E, Supplement I or II).

[Amdt. 5]

PART 1488—FINANCING OF SALES OF AGRICULTURAL COMMODITIES

Subpart A—Financing of Export Sales of Agricultural Commodities From Private Stocks Under CCC Export Credit Sales Program (GSM–4)

DAIRY BREEDING CATTLE

The regulations in this Subpart A, Part 1488, containing the terms and conditions governing the Commodity Credit Corporation Export Credit Sales Program, published in the FEDERAL REGISTER of April 27, 1967 (32 F.R. 6496–6500), as corrected on May 4, 1967 (32 F.R. 6836), and as amended on May 19, 1967 (32 F.R. 7437), August 8, 1967 (32 F.R. 11416–17), December 16, 1967 (32 F.R. 18018–19), and as amended by Amendment 4 published simultaneously with this Amendment 5, are further amended by adding the following additional subheading and special provisions with respect to the financing of export credit sales of dairy breeding cattle under this Subpart A:

SUPPLEMENT II—DAIRY BREEDING CATTLE

A. Additional definitions.
B. Submission of applications for financing.
C. Additional documents required after export.
D. Miscellaneous.
E. Dual purpose breeds.

A. *Additional definitions.* 1. "Port value" means the net amount of the exporter's sales price means the contract price for the exported under the financing agreement, basis f.a.s. or f.o.b. export carrier at U.S. ports, at U.S. border points of exit, or at U.S. points of flight if transported by air freight; provided the point of exportation is designated for animals by the Agricultural Research Service, U.S. Department of Agriculture. The port value shall not include the ocean freight for a c.&f. sale or ocean freight and marine and war risk insurance for a c.i.f. sale, and shall also not include any animal care or servicing cost incurred after such animals are loaded aboard the export carrier. The net amount of the exporter's sales price maens the contract price for the animals less any payments made by the importer and less any discounts, credits, or allowances to the importer.

Such net amount shall not exceed (a) $1,200 each for registered bulls which have an Acceptable performance index as set out in paragraph D1, Exhibit II to this supplement, or, with prior approval of the General Sales Manager, $2,500 if such animal has a Superior performance index as set out in paragraph D2 of Exhibit II; (b) $750 each for registered females which have an Acceptable performance index as set out in paragraph D1, Exhibit I to this supplement, or with prior approval of the General Sales Manager, $1,200 if such animal has a Superior performance index as set out in paragraph D2 of Exhibit I; (c) with prior approval of the General Sales Manager, $1,200 each for registered mature cows which have a Superior performance index as set out in paragraph D3 of Exhibit I; (d) with prior approval of the General Sales Manager, $750 each for nonregistered mature cows which have a Superior performance index as set out in paragraph D3 of Exhibit I; or (e) $600 average for the sale of nonregistered females, other than mature cows with a Superior performance index, if each such animal has an Acceptable performance index as set out in paragraph D1 of Exhibit I. The difference, if any, between the maximum net amount specified in (a), (b), (c), (d), or (e) of this paragraph 1 and the contract price for individual registered animals or nonregistered mature cows with a Superior performance index, or the average contract price for nonregistered females, other than mature cows, with a Superior performance index, shall not be included as a part of the part value.

2. "Producer" means the person holding legal title to the animal at time of birth and who has had continuous ownership of such animal until sold for export under an approved financing agreement.

3. "Bred female" means either a bred heifer or bred cow as set forth in Exhibit I, Option B, which has been certified to as pregnant at the time of inspection.

4. "Breeder" means the person holding legal title to the female animal at the time she was served to qualify such animal hereunder as a bred female.

5. "Eligible animal" means an animal which meets all the following requirements:

(a) The animal must be the progeny of a nationally recognized dairy cattle breed (Exhibits I and II);

(b) The animal must have been owned by a person who had continuous title to such animal for a period of at least 90 days immediately before acquisition by the exporter, unless the exporter is the producer of the animal;

(c) The animal must, at the time of export, have an eartag attached by USDA testing authority; and

(d) The animal must qualify under the specifications of Exhibit I for females and Exhibit II for bulls.

6. "Registered animal" means an eligible animal which the appropriate national breed association has officially registered or otherwise classified as a purebred animal of that breed. Such animal must be marked with a legible tattoo or brand which corresponds with the number shown in the certificate of registration or other official document issued by the appropriate national breed association.

7. "Nonregistered animal" means an eligible animal, whether or not purebred, which is predominantly of the color characteristics and body conformation of the dairy breed stated in the contract between the exporter and the importer. (See Exhibits I and II.)

B. *Submission of applications for financing.* 1. In addition to the information required by § 1488.3(c) (2) through (7), applications for financing export credit sales of dairy breeding cattle shall include the following:

(a) A general description by breed of the animals to be exported, separately describing the animals under the following classes:

(1) Registered bulls;
(2) Registered bred females;
(3) Registered unbred females;
(4) Nonregistered bred females; and
(5) Nonregistered unbred females.

(b) A statement that such animals will conform to the general specification requirements set forth in Exhibits I or II, as applicable to the class of animals to be exported.

2. In addition to the justifications specified in § 1488.3(d), a financing period in excess of 6 months but not in excess of 36 months for dairy breeding cattle may be justified when it will result in the use by the importer, or by purchasers from the importer, of the animals in the destination country under

conditions which will promote expanded demand for additional breeding animals or feed stuffs from the United States.

3. An application for financing an export credit sale of dairy breeding cattle shall be accompanied by a written statement, by (a) an official of the appropriate ministry or department of the importing country or (b) the U.S. agricultural attache or other designated U.S. employee, that the importer is qualified, by experience or otherwise, to receive, unload and clear for import, feed, and house cattle.

C. *Additional documents required after export.* In addition to the documents specified in § 1488.9(a) (1), (2), (3), (4), (6), and (7), the exporter shall submit the following documents to the Treasurer, Commodity Credit Corporation:

1. Separate tag lists for each group of animals described in paragraphs A1 (a), (b), (c), (d), and (e) of this supplement, containing the following information:

(a) Eartag identification number;

(b) For each registered animal or nonregistered mature cow with a Superior performance index, show separately opposite the identification number the sales price as specified in the sales invoice to the foreign importer;

(c) For nonregistered females other than mature cows with a Superior performance index, show for each lot group by tag list the average sales price per animal based upon the sales invoice to the foreign importer.

2. Production Performance Index records as follows:

(a) For registered bulls the applicable *Acceptable* or *Superior* performance index records of Sire and Dam as described in paragraph D1 or D2 of Exhibit II;

(b) For registered females if applicable, the *Superior* performance index records of Sire and Dam as described in paragraph D2 of Exhibit I;

(c) For registered or nonregistered mature cows if applicable, the *Superior* performance index records of Sire and Dam as described in paragraph D3 of Exhibit I.

3. A certification by the exporter that animals of the description in the exporter's sales contract with the foreign importer have been delivered, and that the exporter knows of no defenses to the account receivable assigned to CCC.

D. *Miscellaneous.* The following documents or certifications, as applicable, shall be furnished to the importer by the exporter:

1. The certificates issued by an agent of the Consumer and Marketing Service, U.S. Department of Agriculture, as to official registration of the animal(s) and listing the eartag number(s), corresponding registration certificate and tattoo numbers for each registered animal showing that such numbers have been verified as legible and accurate for such animal, and that the person holding legal title to the animal at the time of export sale has appropriately executed such certificate for transfer to the party designated by the importer. (See Exhibit I or II.)

2. A certification by the breeder of females sold as "bred females" showing the eartag numbers and stating that the service bull was a registered bull of the same dairy cattle breed as the female to which bred. (See Exhibit I.)

3. The certificates issued or endorsed by the Animal Health Division, Agricultural Research Service, listing the eartag number(s) and showing that such animal has been inspected for compliance with "Health" requirements. (See Exhibit I or II.)

4. The certificates issued by the Consumer and Marketing Service listing the eartag number(s) for each animal showing for such animal compliance with breed, age, weight, and conformation specifications, for the class, as shown in Exhibit I or II, as applicable.

5. Certificates issued by a veterinarian accredited by the Agricultural Research Service, showing that bred females, sold as such, were examined and found to be with calf at time of inspection.

6. A semen certification by a veterinarian accredited by the Agricultural Research Service, for bulls over 1 year of age.

E. *Dual purpose breeds.* When these breeds are eligible for financing under the provisions of both Supplement I and Supplement II to G&M–4, as amended, the exporter has the option of qualifying such animals under the provisions of either Supplement. Such option must be stated in the application filed pursuant to § 1488.3. In the event such dual purpose breeds are approved for export hereunder, the provisions of this supplement shall apply with the exception that the General Sales Manager is authorized, at the request of the applicant, to establish a minimum weight schedule and DHIR Milk Production Breed Average.

(Sec. 5(f), 62 Stat. 1072, 15 U.S.C. 714c; sec. 407, 63 Stat. 1055, as amended, 7 U.S.C. 1427; sec. 4, Public Law 89–808, 80 Stat. 1538)

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

Signed at Washington, D.C., on June 26, 1968.

RAYMOND A. IOANES,
Vice President, Commodity Credit Corporation, and Administrator, Foreign Agricultural Service.

EXHIBIT I TO SUPPLEMENT II (GSM–4)

USDA APPROVED DAIRY CATTLE EXPORT SPECIFICATIONS—FEMALES

Option A (to be specified by purchaser).

1. *Registerd* [1] *Breed.*
a. Ayrshire.
b. Brown Swiss.
c. Guernsey.
d. Holstein.
e. Jersey.
f. Milking Shorthorn.*
g. Red Poll.*

2. *Nonregistered* [2] *Predominant Breed.* (Specify from breed above.)

Option B (to be specified by purchaser). *Age.*[3]

1. Calf—6 to 12 months.
2. Yearling open—12 to 18 months.
3. Heifer open—18 to 30 months.
4. Bred heifer—18 to 30 months.
5. Mature cows—24 to 48 months.

General requirements:

A. *Health.*[4]

1. Tested negative for tuberculosis within 30 days of loading aboard export carrier.

2. Tested negative for brucellosis within 30 days of loading aboard export carrier, or is an official vaccinate under 30 months of age.

3. Certified that the United States is a country where foot and mouth disease has not existed since 1929, contagious bovine pleuropneumonia has not existed since 1892, and rinderpest has never occurred.

4. Animals come from farms that have not been under State or Federal quarantine for any communicable disease during the past year.

5. Animals have been inspected and found sound (including freedom from blindness, structural defects, etc.), free of evidence of communicable disease and exposure thereto, and free of mites, ticks, and ringworms, or freed from the same.

6. Mature cows must be physically examined at time of inspection for the presence of mastitis by manipulating and stripping the udder and found not to have evidence of such infection. The exporter, at his option, may require the person from whom he purchases a mature cow to supply additional evidence of non-mastitis infection as he sees fit.

B. *Minimum Weight.*[5]

1. *Registered Animals.*

Age [1]	Holstein and Brown Swiss	Guernsey and Ayrshire	Jersey
a. 6 months	360	295	260
b. 8 months	470	385	340
c. 10 months	565	455	410
d. 12 months	640	525	470
e. 14 months	710	585	520
f. 16 months	775	635	555
g. 18 months	835	685	600
h. 20 months	900	745	645
i. 22 months	970	790	695
j. 24 months	1,015	845	735
k. 26 months	1,045	870	760
l. 28 months	1,070	895	780
m. 30 months	1,090	910	790
n. 36 months and over	1,180	990	865

[1] Minimum weights for ages between the ages shown shall be determined proportionately.

2. *Nonregistered Animals.*

Class	Holstein and Brown Swiss	Guernsey and Ayrshire	Jersey
a. Calf	360	295	260
b. Yearling—open	640	525	470
c. Heifer—open	835	685	600
d. Heifer—bred	835	685	600
e. Mature cows	1,015	845	735

C. *Minimum Conformation.*[5]

All animals must meet the minimum body conformation specifications as described in Appendix I to this Exhibit I.

D. *Production Performance Index.*[6]

1. *Acceptable.* An Acceptable performance index for *Registered* or *Nonregistered Females* will be considered to exist if such animals meet the minimum conformation of item C above.

2. *Superior.* A Superior performance index for a "Registered Female" will be considered to exist if:

(a) *Sire* has a Plus (+) USDA Predicted Difference [7] equal to 2 percent of DHIR breed average as shown in item E below, and

(b) *Dam* has a DHIA or DHIR record [8] equal to the DHIR breed average as shown in item E below.

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*Dual purpose breeds (see paragraph E, Supplement I or II).

[1] Animals must be officially registered with the appropriate National Breed Association and be so certified by C&MS agent.

[2] Nonregistered animals will be certified for breed by C&MS agent.

[3] Certification by C&MS agent, USDA.

[4] Certification or endorsement furnished by Animal Health Division, Agricultural Research Service.

[5] Certification or endorsement furnished by Livestock Division, C&MS, USDA. Conformation specifications to be based on standards as set out in Appendix I to Exhibit I attached. Weights may be determined by weighing or by estimates using a girth measurement tape.

[6] DHIA or DHIR milk production records mature equivalent based on 305-day, two times day milking.

[7] Source: USDA-DHIA Sire Summary Records—Agricultural Research Service.

[8] Source: Breed Association, or Dairy Records Processing Center serving the DHIA Association where tested.

3. *Superior.* A Superior performance index for a *Registered* or *Nonregistered Mature Cow* will be considered to exist if such animal has a DHIA or DHIR production record [8] 15 percent above the DHIR breed average as shown in item E below.

E. *DHIR Milk Production Breed Averages* (Mature Equivalent).

The following breed averages are applicable to these specifications:

Breed	Breed average (pounds)	2 percent of breed average (pounds)	15 percent of breed average (pounds)
Ayrshire	12,556	251	1,883
Brown Swiss	13,187	264	1,978
Guernsey	10,483	210	1,572
Holstein	15,204	304	2,281
Jersey	9,465	189	1,420

F. *Statement of Service.*

1. Bred females must have been bred to a registered bull of the same breed.[9]

2. Bred females must be at least 2 months pregnant but not more than 6 months pregnant at time of inspection.[10]

APPENDIX I TO EXHIBIT I

MINIMUM BODY CONFORMATION SPECIFICATIONS FOR FEMALES

In addition to meeting the minimum weight for the breed as specified in Exhibit I, the animal shall possess femininity, normal breed conformation, quality and body capacity. She shall have the general appearance of thrift and vitality with eyes bright and ears alert. The feet and legs shall be well formed with the legs straight, strong, and well set. The mammary system, if sufficiently developed, shall be strongly attached, well balanced and of fine texture. The teats shall be of acceptable size. There shall be no evidence of lameness or other serious body defects. She shall possess normal dairy character by showing a lack of obvious excess fatty condition for the age class. Females officially classified by the respective breed association as "Good Plus" (or equivalent) or higher shall be acceptable if found at time of inspection not to have developed a physical defect in conflict with the above-stated conditions.

EXHIBIT II TO SUPPLEMENT II (GSM-4)

USDA APPROVED DAIRY CATTLE EXPORT SPECIFICATIONS—BULLS

Option A (to be specified by purchaser). *Registered* [1] *Breed.*

a. Ayrshire.
b. Brown Swiss.
c. Guernsey.
d. Holstein.
e. Jersey.
f. Milking Shorthorn.*
g. Red Poll.*

Option B (to be specified by purchaser). *Age:* [2]

a. Calf—(6 to 12 months old).
b. Yearling—(12 to 18 months old).
c. Young bull—(18 to 24 months old).
d. Mature bull—(24 to 48 months old).

General Requirements:

A. *Health.*[3]

1. Tested negative for tuberculosis and brucellosis within 30 days of loading aboard export carrier.

2. Animals come from farms that have not been under quarantine for any communicable disease during the past year.

3. Certified that the United States is a country where foot and mouth disease has not existed since 1929, contagious bovine pleuropneumonia has not existed since 1892, and rinderpest has never occurred.

4. Animals have been inspected and found sound (including freedom from blindness, structural defects, etc.), free of evidence of communicable disease and exposure thereto and free of mites, ticks, and ringworm or freed from the same.

B. *Minimum Weight.*[4]

Age [1]	Holstein and Brown Swiss	Guernsey and Ayrshire	Jersey
a. 6 months	450	370	315
b. 8 months	585	480	410
c. 10 months	710	555	490
d. 12 months	820	655	565
e. 14 months	930	755	645
f. 16 months	1,040	840	745
g. 18 months	1,155	920	815
h. 21 months	1,320	1,065	950
i. 24 months	1,455	1,210	1,050
j. 27 months	1,570	1,310	1,140
k. 30 months	1,670	1,395	1,215
l. 36 months and over	1,840	1,545	1,350

[1] Minimum weights for ages between the weights shown shall be determined proportionately.

C. *Minimum Conformation.*[4]

All animals must meet the minimum body conformation as described in Appendix I to Exhibit II.

D. *Production Performance Index.*[5]

1. *Acceptable.* An Acceptable performance index for a *Registered Bull* will be considered to exist if:

(a) *Sire* has a Plus (+) USDA Predicted Difference,[6] and

(b) *Dam* has a DHIA or DHIR record [7] 15 percent above the DHIR breed average as shown in item E below.

2. *Superior.* A Superior performance index for a *Registered Bull* will be considered to exist if:

(a) *Sire* has a Plus (+) USDA Predicted Difference [6] equal to 2 percent of DHIR breed average as shown in item E below.

(b) *Dam* has a DHIA or DHIR record [7] 25 percent above the DHIR breed averages as shown in item E below.

E. *DHIR Milk Production Breed Averages* (Mature Equivalent).

The following breed averages are applicable to these specifications:

Breed	Breed average (pounds)	2 percent of breed average (pounds)	15 percent of breed average (pounds)	25 percent of breed average (pounds)
Ayrshire	12,556	251	1,883	3,12
Brown Swiss	13,187	264	1,978	3,29
Guernsey	10,483	210	1,572	2,62
Holstein	15,204	304	2,281	3,80
Jersey	9,465	189	1,420	2,36

F. A semen check indicating at least 60 percent sperm motility must be supplied for bulls over 1 year of age.[8]

APPENDIX TO EXHIBIT II

MINIMUM BODY CONFORMATION SPECIFICATIONS FOR BULLS

In addition to meeting the minimum weight for the breed as specified in Exhibit II, the animal shall possess masculinity, normal breed conformation, quality, and body capacity. He shall have the general appearance of thrift and vitality with eyes bright and ears alert. The feet and legs shall be well formed with legs straight, strong, and well set. There shall be no evidence of lameness or other serious body defects. He shall possess normal dairy character by showing a lack of obvious excess fatty condition for the age class. Bulls officially classified by the respective breed association as "Good Plus" (or equivalent) or higher shall be acceptable if found at time of inspection not to have developed a physical defect in conflict with the above-stated conditions.

[F.R. Doc. 68-7805; Filed, July 1, 1968; 8:47 a.m.]

*Dual purpose breeds (see paragraph E, Supplement I or II).

[9] Must be certified to by the breeder of the female at time of sale to exporter.

[10] The certification of pregnancy shall be by an accredited veterinarian.

[1] Animals must be officially registered with the appropriate National Breed Association and be so certified by C&MS agent.

[2] Certified by C&MS agent, USDA.

[3] Certification or endorsement furnished by Animal Health Division, Agricultural Research Service, USDA.

[4] Certification or endorsement furnished by Livestock Division, C&MS, USDA. Conformation specifications to be based on standards as set out in Apepndix I to Exhibit II attached. Weights may be determined by weighing or by estimates using a girth measurement tape.

[5] DHIA or DHIR milk production records. Mature equivalent based on 305-day, two times day milking.

[6] Source: USDA-DHIA Sire Summary Records, Agricultural Research Service.

[7] Source: Breed Association or Dairy Records Processing Center serving the DHIA Association where tested.

[8] Certification must be issued by an accredited veterinarian.

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 1—INVESTMENT SECURITIES REGULATION

Securities Eligible for Underwriting and Unlimited Holding

§ 1.211 County of Palm Beach, Fla., Courthouse and Jail Certificates of Indebtedness.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $7 million Courthouse and Jail facilities (including newness of the County of Palm Beach, Fla. for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24

(b) *Opinion.* (1) The proceeds from the sale of the Certificates will be used for the construction of additions, extensions and improvements to the Courthouse and Jail facilities (including new branch facilities) at various locations within the County. A board of county commissioners is specifically authorized by Florida statutes to determine the necessity for such construction and to provide for the payment of the cost of construction by the levying of an additional ad valorem tax of up to 5 mills for a period of up to 30 years to be

assessed at the same time and in the same manner as other state and county taxes.

(2) The Board of County Commissioners of the County of Palm Beach has provided for and secured the payment of the Certificates by levying the authorized tax in an amount sufficient to pay principal, interest, and other debt service requirements and by pledging the proceeds of the levy for such purposes. On the basis of current taxable assessed valuation a tax rate of 0.25 mills will be sufficient to meet these requirements. The 5 mill limitation is, therefore, without substance.

(c) *Ruling.* It is our conclusion that the $7 million Courthouse and Jail Certificates of Indebtedness of the county of Palm Beach, Fla., are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Comptroller's letter dated May 1, 1968.)

§ 1.212 Los Angeles County Southeast General Hospital Authority.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $22,500,000 Los Angeles County Southeast General Hospital Authority Revenue Bonds for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Los Angeles County Southeast General Hospital Authority is a public entity created under the laws of California by an agreement between the city of Los Angeles and the county of Los Angeles to finance and construct a general hospital to be leased to and operated by the county. The Authority is issuing these bonds for that purpose.

(2) Under the lease rental agreement the County has unconditionally promised to pay annual rentals to the Authority in an amount sufficient to meet annual principal and interest payments on the bonds. The County which possesses general powers of taxation has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion that the $22,500,000 Los Angeles County Southeast General Hospital Authority Revenue Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Comptroller's letter dated May 7, 1968.)

§ 1.213 Los Angeles County-San Dimas Civic Center Authority.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $1,600,000 Los Angeles County-San Dimas Civic Center Authority Building Revenue Bonds for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Los Angeles County-San Dimas Civic Center Authority is a public entity created under the laws of California by an agreement between the City of San Dimas and the County of Los Angeles. Under this agreement the Authority is authorized to acquire land, construct and lease public buildings and to issue bonds to finance such projects. The Authority is issuing these bonds for the purpose of constructing a city hall and a community building which will be leased to the City. This construction represents the first stage of a planned Civic Center development. A later stage is expected to include a regional library building to be leased to the County.

(2) Under the lease rental agreement the City has unconditionally promised to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds as well as other necessary expenses. The City, which possesses general powers of taxation and also receives substantial revenues from statutory allocations of State and county taxes, has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion that the $1,600,000 Los Angeles County-San Dimas Civic Center Authority Building Revenue Bonds are general obligations of a State or political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting, and unlimited holding by national banks. (Comptroller's letter dated May 20, 1968.)

§ 1.214 Virginia Public School Authority.

(a) *Request.* The Comptroller of the Currency has been requested to consider whether the ruling of June 14, 1963 (§ 1.124) that bonds of the Virginia Public School Authority are eligible for purchase, dealing in, underwriting and unlimited holding by national banks is now applicable with respect to outstanding and future bond issues of the Authority.

(b) *Opinion.* (1) The Virginia Public School Authority was created by an Act of the General Assembly of Virginia as a public body corporate, political subdivision, and an agency and instrumentality of the Commonwealth of Virginia. Its purpose is to facilitate the construction of public schools through the purchase of local school bonds with the proceeds from the sale of its own bonds which in turn are secured by all of the resources of the Authority. These resources now include purchased bonds in the amount of $20,500,000 and a portfolio of local school notes having a value in excess of $60 million transferred to the Authority as a reserve fund. The local school bonds and notes are general obligations of Virginia local governments possessing powers of general property taxation.

(2) The bonds of the Authority are supported by general obligations of political subdivisions of the Commonwealth of Virginia to make payments in annual amounts which assure that there will be funds sufficient to provide for all payments required in connection with the bonds.

(c) *Ruling.* It is our conclusion that bonds of the Virginia Public School Authority are general obligations of a State or political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting, and unlimited holding by national banks. (Comptroller's letter dated June 3, 1968.)

§ 1.215 San Diego City-County Camp Authority.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $1,740,000 San Diego City-County Camp Authority Revenue Bonds for purchase, dealing in, underwriting, and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The San Diego City-County Camp Authority is a public entity created under the laws of California by an agreement between the City of San Diego and the County of San Diego. Under this agreement the Authority is authorized to acquire, construct and lease park and recreation camp facilities, to acquire sites for such facilities, and to finance such projects.

(2) The City and County operate an outdoor educational program for school children throughout the academic year at several camps located on State park land. It is proposed to improve and expand the camp facilities used in this program through the construction of dormitories, educational and service buildings, recreational facilities, site improvements and utilities services and the remodeling of some existing facilities. In order to carry out this project the State has leased the camp sites to the Authority and the Authority is issuing these bonds. The completed facilities will be leased to the County for operation under an operating agreement between the County and the City.

(3) Under the lease rental agreement the County has unconditionally promised to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds and to furnish the Authority with necessary working capital and reserves. The County which possesses general powers of taxation has thus committed its faith and credit in support of the bonds.

(c) *Ruling.* It is our conclusion that the $1,740,000 San Diego City-County Camp Authority Revenue Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting and unlimited holding by national banks. (Comptroller's letter dated June 7, 1968.)

§ 1.216 Hillsborough County Aviation Authority, Florida (Post Office Facility).

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $5,770,000 Hillsborough County Aviation Authority,

Florida, Special Purpose Bonds (Post Office Facility) for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) The Hillsborough County Aviation Authority, a body politic and corporate created by an Act of the Florida legislature for the purpose of operating airports and aviation facilities now operates the Tampa International Airport. The Authority is issuing these bonds to finance the construction at the airport of a regional postal facility to be leased to the Post Office Department.

(2) Under the lease rental agreement the United States of America acting through the Post Office Department has unconditionally promised to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds as well as certain other necessary expenses. The agreement recites that funds for the facility are to be provided by these bonds, that the rentals are for the purpose of retiring the bonds and that the Government therefore agrees to guarantee the rental payments until the bonds are retired.

(c) *Ruling.* It is our conclusion that the Hillsborough County Aviation Authority, Florida, Special Purpose Bonds (Post Office Facility) are eligible for purchase, dealing in, underwriting and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24. (Comptroller's letter dated June 21 1968.)

§ 1.217 Fountain Valley Improvement Authority Revenue Bonds.

(a) Request: The Comptroller of the Currency has been requested to rule on the eligibility of the $1,050,000 Fountain Valley Improvement Authority Revenue Bonds, for purchase, dealing in, underwriting, and unlimited holding by national banks under paragraph Seventh of 12 U.S.C. 24.

(b) Opinion: (1) The Fountain Valley Improvement Authority is a public entity created under the laws of California by an agreement between the City of Fountain Valley and the County of Orange. Under this agreement the Authority is authorized to acquire land, construct and lease public buildings and to issue bonds to finance such projects. The Authority is issuing these bonds for the purpose of financing the construction of buildings for the police, for public meetings and recreation, for the storage of city and county vehicles and equipment, an addition to an existing library and related facilities. The Authority will lease the entire project to the City and the City is expected to sublease the library facility to the County.

(2) Under the lease rental agreement the City has unconditionally promised to pay annual rentals to the Authority in an amount sufficient to meet annual interest and principal payments on these bonds as well as other necessary expenses. The City, which possesses general powers of taxation and also receives substantial revenues from statutory allocations of State and county taxes has, thus committed its faith and credit in support of the bonds.

(c) It is our conclusion that the $1,050,000 Fountain Valley Improvement Authority Revenue Bonds are general obligations of a State or a political subdivision thereof under paragraph Seventh of 12 U.S.C. 24 and accordingly are eligible for purchase, dealing in, underwriting, and unlimited holding by national banks. (Comptroller's letter dated June 21, 1968.)

Dated: June 26, 1968.

[SEAL] WILLIAM B. CAMP,
Comptroller of the Currency.

[F.R. Doc. 68-7843; Filed, July 1, 1968; 8:50 a.m.]

PART 8—ASSESSMENT OF FEES; NATIONAL BANKS, DISTRICT OF COLUMBIA BANKS

Filing Fee for Applications for Mergers

By memorandum dated September 11, 1967, the Comptroller of the Currency determined that the rising cost of processing applications for mergers required the assessment of a filing fee of $1,000 for each bank involved in the application.

Part 8, Chapter I, Title 12 of the Code of Federal Regulation is amended to reflect this increased assessment by revising § 8.4 to read as follows:

§ 8.4 Filing fee for applications for mergers.

A filing fee of $2,000 is assessed for investigating and processing each application for a merger, consolidation, or purchase of assets and assumption of liabilities. When three or more banks are involved in each merger, consolidation, or purchase and assumption, the filing fee is $1,000 for each participating institution.

(R.S. 5240, 12 U.S.C. 482; sec. 3, 47 Stat. 1566, 26 D.C. Code 102)

Dated: June 25, 1968.

[SEAL] WILLIAM B. CAMP,
Comptroller of the Currency.

[F.R. Doc. 68-7844; Filed, July 1, 1968; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 68-EA-68; Amdt. 39-616]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Hiller Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to amend Airworthiness Directive 68-3-1 so as to increase the inspection time required for the elevator trim tab on the Fairchild Hiller FH-227 type airplanes.

Airworthiness Directive 68-3-1 required under subparagraph (h) an inspection of the modified elevator trim tab prior to accumulating 500 hours time in service and every 25 hours thereafter. Fairchild Hiller has demonstrated an improved service life on the modified trim tab thereby permitting an increase in inspection periods.

Since this amendment imposes no additional burden, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89, 31 F.R. 13697, § 39.13 of Part 39 of the Federal Aviation Regulations is amended by amending Airworthiness Directive 68-3-1 as follows:

Delete paragraph (h) and insert in lieu thereof:

(h) For aircraft with a modified elevator trim tab approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region, inspections under this Airworthiness Directive need not be accomplished until prior to accumulating 600 hours time in service on this modified tab and, thereafter, at intervals not to exceed 600 hours time in service from the last inspection.

This amendment is effective June 29, 1968.

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

Issued in Jamaica, N.Y., on June 20, 1968.

R. M. BROWN,
Acting Director, Eastern Region.

[F.R. Doc. 68-7789; Filed, July 1, 1968; 8:46 a.m.]

[Docket No. 68-EA-67; Amdt. 39-615]

PART 39—AIRWORTHINESS DIRECTIVES

Piper Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an airworthiness directive which will require a periodic inspection of the fuel tank and related components and alteration of the fuel tank filler neck drain tube on PA-24 type aircraft.

There have been reported accidents involving PA-24 aircraft resulting from fuel exhaustion. This cause has been attributable to collapsed fuel bladder cells and loose filler caps. Since this condition is likely to exist or develop in other airplanes of the same type, an airworthiness directive is being issued to require a periodic inspection of the fuel supply system and alteration of one of its components.

Since a situation exists that requires immediate adoption of this regulation notice and public procedure hereon are impractical 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 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new Airworthiness Directive:

Applies to Piper Models PA-24 and PA-24-250 aircraft S/N 24-1 through 24-3530 inclusive.

Compliance required as indicated.

To prevent fuel exhaustion caused by fuel cell collapse and loss of fuel through the tank filler caps accomplish the following:

1. Within 25 hours time in service after the effective date of this AD and every 100 hours time in service thereafter perform the following inspections:

(a) Visually inspect the main fuel cells and the auxiliary fuel cells if installed for indications of fuel cell collapse. Inspect the upper and lower fasteners of the main fuel cells and the upper fasteners of the auxiliary fuel cells which retain the bladder cells to assure security in accordance with section VIII of Piper Comanche Service Manual No. 753516 or an equivalent inspection approved by the Chief, Engineering and Manufacturing Branch, Eastern Region. The fuel cells shall be empty when performing this inspection. Also, with the tank filler caps removed, inspect the tank vent tubes under the wing for dirt or ice blockage. Apply suction to each vent tube outlet to assure that there is no blockage.

(b) Inspect all fuel cell filler caps for secureness and assure installation of proper part number cap. If the rubber portion of the "thermos" type filler caps (S/N 24-581 and up) shows indications of dryness or hardness which can cause the cap to gradually loosen, the cap must be replaced.

(c) Accomplish a fuel quantity gauge sending unit check in accordance with section VIII of Piper Comanche Service Manual No. 753516 or an equivalent inspection approved by the Chief, Engineering and Manufacturing Branch, Eastern Region.

2. Within 100 hours time in service after the effective date of this AD, unless already accomplished on aircraft S/N 24-581 through 24-3495 inclusive, alter the fuel cell drain tubes in accordance with Piper Service Bulletin No. 216 dated June 21, 1963, or an equivalent alteration approved by the Chief, Engineering and Manufacturing Branch, Eastern Region.

(Piper Service Bulletins Nos. 216 and 231A and Service Letter No. 367 pertain to this subject.)

This amendment is effective June 29, 1968.

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

Issued in Jamaica, N.Y., on June 20, 1968.

R. M. BROWN,
Acting Director, Eastern Region.

[F.R. Doc. 68-7790; Filed, July 1, 1968; 8:46 a.m.]

[Airspace Docket No. 68-SO-29]

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

Alteration of Control Zones and Transition Area

On May 10, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 7042), stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Biloxi, Miss., control zone and the Gulfport, Miss., control zone and transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., August 22, 1968, as hereinafter set forth.

In § 71.171 (33 F.R. 2058), the Biloxi, Miss., control zone is amended to read:

BILOXI, MISS.

Within a 5-mile radius of Keesler AFB (lat. 30°24'39.2" N., long, 88°55'25.9" W.); within 2 miles each side of the 036° bearing from the Keesler RBN, extending from the 5-mile radius zone to 8 miles northeast of the RBN; within 2 miles each side of the Keesler TACAN 041° radial, extending from the 5-mile radius zone to 6.5 miles northeast of the TACAN; within 2 miles each side of the Keesler TACAN 208° radial, extending from the 5-mile radius zone to 6 miles southwest of the TACAN, excluding the portion west of long. 89°00'00" W.; effective from 0600 to 2200 hours, local time daily.

In § 71.171 (33 F.R. 2058), the Gulfport, Miss., control zone is amended to read:

GULFPORT, MISS.

Within a 5-mile radius of Gulfport Municipal Airport (lat. 30°24'27.5" N., long. 89°04'-05" W.); within 2 miles each side of the Gulfport VORTAC 050° radial, extending from the 5-mile radius zone to 8 miles northeast of the VORTAC; within 2 miles each side of the Gulfport VORTAC 129° radial, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC; within 2 miles each side of the Gulfport VORTAC 213° radial, extending from the 5-mile radius zone to 8 miles southwest of the VORTAC; within 2 miles each side of the Gulfport VORTAC 325° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC, excluding the portion that coincides with the Biloxi, Miss., control zone. This control zone is effective during the specific dates and times established in advance by a Notice to Airman. The effective date and time thereafter will be continuously published in the Airman's Information Manual.

In § 71.181 (33 F.R. 2137), the Gulfport, Miss., 700-foot transition area is amended to read:

GULFPORT, MISS.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of Gulfport Municipal Airport (lat. 30°24'27.5" N., long. 89°04'05" W.); within an 8-mile radius of Keesler AFB (lat. 30°24'-39.2" N., long. 88°55'25.9" W.); within 2 miles each side of the 036° bearing from the Keesler RBN, extending from the 8-mile radius area to 8 miles northeast of the RBN; within 2 miles each side of the Keesler TACAN 041° radial, extending from the 8-mile radius area to 13 miles northeast of the TACAN; within 2 miles each side of the Keesler TACAN 208° radial, extending from the 8-mile radius area to 13 miles southwest of the TACAN;

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

Issued in East Point, Ga., on June 19, 1968.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 68-7791; Filed, July 1, 1968; 8:46 a.m.]

[Airspace Docket No. 67-SO-40]

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

Alteration of Control Zones, Designation of Transition Areas, and Revocation of Control Area Extension

On April 18, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 5956) stating that the Federal Aviation Administration was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the controlled airspace within the San Juan domestic control area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t. August 22, 1968, as hereinafter set forth.

1. In § 71.165 (33 F.R. 2057) the San Juan, P.R., control area extension is revoked.

2. Section 71.171 (33 F.R. 2058) is amended as follows:

a. The Aguadilla, P.R., control zone is amended to read as follows:

AGUADILLA, P.R.

Within a 6-mile radius of Ramey AFB (lat. 18°29'50" N., long. 67°07'45" W.); within 2 miles each side of the 253° bearing from the Ramey RBN, extending from the 6-mile radius zone to 12 miles west of the RBN; within 2 miles each side of the ILS localizer west course, extending from the 6-mile radius zone to 11 miles west of the Airport; within 2 miles each side of the Ramey VORTAC 256° radial, extending from the 6-mile radius zone to 8 miles west of the airport.

b. The Roosevelt Roads, Puerto Rico, Control Zone is amended to read as follows:

ROOSEVELT ROADS, P.R.

Within a 5-mile radius of NS Roosevelt Roads (lat. 18°15'05" N., long. 65°38'35" W.); within 2 miles each side of the Roosevelt Roads TACAN 040° radial, extending from the 5-mile radius zone to 8 miles northeast of the TACAN; within 2 miles each side of the 052° bearing from the Roosevelt Roads RBN, extending from the 5-mile radius zone to 8 miles northeast of the RBN; within 2 miles each side of the extended centerline of the northeast/southwest runway, extending from the 5-mile radius zone to 6 miles southwest of the airport.

c. The San Juan, P.R. (International Airport) control zone is amended to read as follows:

SAN JUAN, P.R. (INTERNATIONAL AIRPORT)

Within a 5-mile radius of Puerto Rico International Airport (lat. 18°26'45" N., long. 66°00'05" W.); within a 3-mile radius of Isla

Grande Airport (lat. 18°27'30" N., long. 66°05'55" W.); within 2 miles each side of the 067° and 281° bearings from the San Pat RBN, extending from the 5-mile radius zone to 8 miles west of the RBN; within 2 miles each side of the San Juan VORTAC 058° radial, extending from the 5-mile radius zone to 8 miles northeast of the VORTAC; within 2 miles each side of the San Juan VORTAC 086° radial, extending from the 5-mile radius zone to 11 miles east of the VORTAC; within 2 miles each side of the San Juan VORTAC 296° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC.

3. In § 71.181 (33 F.R. 2137) the following transition areas are added:

AGUADILLA, P.R.

That airspace extending upward from 700 feet above the surface within a 12-mile radius of Ramey AFB (lat. 18°29'50" N., long. 67°07'45" W.); within a 9-mile radius of Mayaguez Airfield (lat. 18°15'25" N., long. 67°09'09" W.); within 2 miles each side of the 263° bearing from the Mayaguez RBN, extending from the 9-mile radius area to 11 miles west of the beacon.

CHARLOTTE AMALIE, ST. THOMAS, V.I.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Harry S. Truman Airport (lat. 18°-20'25" N., long. 64°58'10" W.); and that airspace extending upward from 1,200 feet above the surface within a 15-mile radius of the Harry S. Truman Airport.

CHRISTIANSTED, ST. CROIX, V.I.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Alexander Hamilton Airport (lat. 17°42'15" N., long. 64°47'55" W.); that airspace extending upward from 1,200 feet above the surface within a 15-mile radius of the Alexander Hamilton Airport and that airspace wtihin 8 miles north and 5 miles south of the St. Croix VOR 069° radial extending from the 15-mile radius area to 12 miles east of the VOR.

ROOSEVELT ROADS, P.R.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of NS Roosevelt Roads (lat. 18°15'05" N., long. 65°38'35" W.), excluding the portion within the San Juan 700-foot transition area.

SAN JUAN, P.R.

That airspace extending upward from 700 feet above the surface south of lat. 18°23'-00" N.; within a 20-mile radius of Puerto Rico International Airport (lat. 18°26'45" N., long. 66°00'05" W.); that airspace north of lat. 18°23'00" N. within a 12-mile radius of Puerto Rico International Airport; within 2 miles each side of the San Juan VORTAC 273° radial, extending from the 12-mile radius area to the San Juan (SJU) RBN; within 2 miles each side of the 281° bearing from the San Pat RBN, extending from the 12-mile radius area to the San Juan (SJU) RBN; within 8 miles north and 5 miles south of the 281° bearing from the San Pat RBN, extending from the 12-mile radius area to 12 miles west of the San Pat RBN; and that airspace extending upward from 1,200 feet above the surface beginning at the intersection of a line 4 nautical miles north of and parallel to the centerline of Route 2 and the arc of a 41-mile radius circle centered at Puerto Rico International Airport west of San Juan VORTAC; thence clockwise along this arc to the centerline of Route 3; thence southeast along the centerline of Route 3 to the arc of a 23-mile radius circle centered at Puerto Rico International Airport; thence clockwise along this arc to long. 65°55'00" W.; thence south to lat. 18°40'00" N., long. 65°55'00" W.; thence east to lat. 18°40'00" N., long. 65°26'00" W.; thence south along long. 65°26'00" W. to a line 4 nautical miles north of and parallel to the centerline of Route 2; thence east and southeast along this line to the arc of a 15-mile radius circle centered at Harry S. Truman Airport (lat. 18°20'25" N., long. 64°58'10" W.); thence counterclockwise along this arc to a line 3 nautical miles southwest of and parallel to the centerline of Route 2; thence northwest and west along this line to long. 65°26'00" W.; thence south along long. 65°26'00" W. to the arc of a 15-mile radius circle centered at NS Roosevelt Roads Airport (lat. 18°15'-05" N., long. 65°38'35" W.); thence clockwise along this arc to the intersection of a line 5 miles southeast of and parallel to the 052° bearing from the Point Tuna RBN; thence southwest along this line to lat. 18°-00'00" N.; thence west along lat. 18°00'00" N., to long. 66°19'20" W.; thence south to lat. 17°49'30" N., long. 66°23'30" W.; thence west to the intersection of long. 66°25'30" W. and the arc of a 15-mile radius circle centered at Mercedita Airport (lat. 18°00'-40" N., long. 66°33'50" W.); thence clockwise along this arc to lat. 18°00'00" N.; thence west to lat. 18°07'00" N., long. 67°22'00" W.; thence north to the intersection of long. 67°23'00" W. and the arc of a 25-mile radius circle centered at Ramey AFB (lat. 18°29'50"N., long. 67°07'45" W.); thence clockwise along this arc to a line 4 nautical miles north of and parallel to the centerline of Route 2 east of Ramey AFB; thence east along this line to the point of beginning; and that airspace extending upward from 2,000 feet MSL within a 100 nautical mile radius of the Isla Grande Airport (lat. 18°27'30" N., long. 66°05'55" W.) San Juan, P.R.; excluding the portion that coincides with the 1,200-foot floor portions of the San Juan, St. Croix, and St. Thomas transition areas.

(Secs. 307(a), 1110, Federal Aviation Act of 1958 (49 U.S.C. 1343, 1510); Executive Order 10854 (24 F.R. 9565))

Issued in Washington, D.C., on June 24, 1968.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 68-7792; Filed, July 1, 1968; 8:46 a.m.]

[Docket No. 8153; Amdt. 137-3]

PART 137—AGRICULTURAL AIRCRAFT OPERATIONS

Miscellaneous Amendments

The purpose of this amendment to Part 137 of the Federal Aviation Regulations is to modify the definition of agricultural aircraft operation; to relax the requirement regarding carriage in the aircraft of airworthiness and registration certificates; to change the title of § 137.37 to reflect the proper meaning of that section; and to restrict operations over noncongested areas to the actual dispensing operation.

This amendment is based upon a notice of proposed rule making (Notice 67-20) published in the FEDERAL REGISTER on May 12, 1967 (32 F.R. 7183).

Part 137 requires a person to have an agricultural aircraft operator certificate to conduct agricultural aircraft operations. The definition of agricultural aircraft operation as presently worded in § 137.3 limits the meaning of the term to the dispensing of economic poison and any other substance intended for plant nourishment, soil treatment, propogation of plant life, or pest control, but clause (3) of the definition does not limit the other activities covered to dispensing operations.

The specialized experience, training, and testing required to assure safety in dispensing material from an aircraft is not required, in the interest of safety, of a person who wishes to conduct activities which do not involve any dispensing of materials, such as bird chasing and antifrost agitation of the air. The same considerations apply in the case of a person who drops live insects for pest control purposes, to the extent that the dispensing of economic poisons or other substances is not involved.

Accordingly, this amendment to clause (3) of § 137.3 limits other activities directly affecting agriculture, horticulture, or forest preservation to those involving dispensing and expressly excludes the dropping of live insects as a dispensing activity. This permits persons other than Part 137 certificate holders to conduct nondispensing type agricultural activities without an agricultural aircraft operator certificate if, where appropriate, they obtain a waiver from the provisions of FAR Part 91. On the other hand, the holder of an agricultural aircraft operator certificate, by virtue of the certificate, has demonstrated his ability to safely conduct nondispensing operations as well as dispensing operations. For this reason, paragraph (c) is added to § 137.29 by this amendment to permit a Part 137 certificate holder to deviate from FAR Part 91 to the extent authorized for dispensing operations by Part 137, without obtaining a certificate of waiver, when conducting certain nondispensing activities in accordance with the operating rules of Part 137.

The notice recognized that as a result of the chemical properties of certain materials dispensed from aircraft and the frequent cleaning of aircraft to remove the residue of chemicals, the airworthiness and registration certificates, which must be permanently displayed in the aircraft, often are damaged and must be replaced with new certificates obtained from the FAA. This creates a burden on both the owner and the FAA. As proposed in the notice, this amendment permits the airworthiness and registration certificate to be removed from the aircraft. When any airworthiness or registration certificate is removed from an aircraft, it must be kept at the base from which the dispensing operation is conducted and available for inspection by appropriate authorities. For the purpose of this amendment, the base from which the dispensing operation is conducted is intended to mean the permanent base of the operator, unless dispensing operations are being conducted from a temporary base where the operator has temporarily stationed maintenance facilities and personnel. If such a temporary base is established, it is the intent of the amendment that such base be considered

the base from which the dispensing operation is conducted and, therefore, the place where the certificates removed from the aircraft must be kept and made available for inspection by appropriate authorities.

This amendment changes the title to § 137.37 to read "Manner of Dispensing" so that it will more accurately reflect the purpose of that section.

Section 137.49 is also amended to clearly reflect that it covers only the actual dispensing operation, but includes the approaches, departures, and turnarounds reasonably necessary for the operation. In addition, this amendment deletes § 137.13 and references to it, since the section is no longer applicable.

Finally, there is the matter of § 137.39 which presently prohibits, in part, the dispensing of an economic poison for a use other than that for which it is registered with the U.S. Department of Agriculture (USDA). Notice 67–20 proposed to amend § 137.39 to permit the dispensing of a USDA registered economic poison for other than registered uses when approved by the State in which it is to be used.

However, by letter dated February 21, 1968, the Assistant Secretary, U.S. Department of Agriculture requested that FAA withdraw the proposed amendment to § 137.39. The following excerpts from that letter explain the reasons for the USDA request:

> We have again reviewed the notice of proposed rule making concerning agricultural aircraft operations published in the FEDERAL REGISTER on May 12, 1967, which would permit the dispensing of an economic poison for a purpose other than that for which it was registered with the U.S. Department of Agriculture or contrary to use limitations. After further consideration, we are concerned about the serious problems in administering the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135–135K), which would result from the enactment of this proposal.
>
> This amendment would hamper our enforcement activities.
>
> * * * one effect of the proposed amendment to § 137.39 would be that a manufacturer could ship a registered economic poison into a State for a use entirely consistent with the proposed amendment and yet violate the criminal provision of the Federal Insecticide, Fungicide, and Rodenticide Act if the intended use differed in substance from that accepted in connection with the registration.
>
> * * * Section 137.39 could be construed as condoning a use which we believe to be improper under our Act and regulations.
>
> It is conceivable that some States may not have the technical competence to evaluate the safety of an economic poison that has not been registered with the U.S. Department of Agriculture, particularly in regard to residues in food. This could lead to seizure and condemnation of the crops shipped in interstate commerce.
>
> Although our letter of October 12, 1966, does not support our present views, we hope you will give serious consideration to withdrawing § 137.39 of the notice of proposed rule making. The Federal Aviation Administration's regulations now in effect provide the States with adequate control measures. In the past, delays in registration may have presented a problem to the States in cases of emergency situations, but this should no longer be considered an obstacle since the Department is now prepared to handle such matters on an emergency basis.

Accordingly, in response to the foregoing request of the Assistant Secretary of the U.S. Department of Agriculture, the proposal published in Notice 67–20 to amend FAR 137.39 is hereby withdrawn.

Interested persons have been afforded an opportunity to participate in the making of this amendment and due consideration has been given to all comments received.

In consideration of the foregoing, Part 137 of the Federal Aviation Regulations is amended, effective August 1, 1968, as follows:

1. By amending subparagraph (3) of the definition of Agricultural Aircraft Operation in § 137.3 to read as follows:

§ 137.3 Definition of terms.

* * * * *

* * * (3) engaging in dispensing activities directly affecting agriculture, horticulture, or forest preservation, but not including the dispensing of live insects.

* * * * *

§ 137.11 [Amended]

2. By striking out the words "§ 137.13 and" in § 137.11(a).

§ 137.13 [Deleted]

3. By deleting § 137.13.

4. By adding a new paragraph (c) to § 137.29 to read as follows:

§ 137.29 General.

* * * * *

(c) The holder of an agricultural aircraft operator certificate may deviate from the provisions of Part 91 of this chapter without a certificate of waiver, as authorized in this subpart for dispensing operations, when conducting nondispensing aerial work operations related to agriculture, horticulture, or forest preservation in accordance with the operating rules of this subpart.

5. By amending § 137.33 by designating the provisions of that section as paragraph (a) and by adding a new paragraph (b) to read as follows:

§ 137.33 Carrying of certificates.

* * * * *

(b) Notwithstanding Part 91 of this chapter, the registration and airworthiness certificates issued for the aircraft need not be carried in the aircraft. However, when those certificates are not carried in the aircraft they shall be kept available for inspection at the base from which the dispensing operation is conducted.

§ 137.37 [Amended]

6. By striking out the word "hazardous" in the title of § 137.37 and inserting the words "manner of" in place thereof.

7. By amending § 137.49 to read as follows:

§ 137.49 Operations over other than congested areas.

Notwithstanding Part 91 of this chapter, during the actual dispensing operation, including approaches, departures, and turnarounds reasonably necessary for the operation, an aircraft may be operated over other than congested areas below 500 feet above the surface and closer than 500 feet to persons, vessels, vehicles, and structures, if the operations are conducted without creating a hazard to persons or property on the surface.

(Secs. 307(c), 313(a), 601, 607, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421, 1427)

Issued in Washington, D.C., on June 26, 1968.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 68–7793; Filed, July 1, 1968; 8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[11th Gen. Rev. of Export Regs., Amdt. 3]

MISCELLANEOUS AMENDMENTS TO CHAPTER

Parts 370, 371, 372, and 373 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–63 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959–63 Comp.)

Effective date: June 26, 1968.

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

I. *Revision of the requirement of an export order in support of an application for an export license.* Purpose and effect: The Office of Export Control has revised the Export Regulations as they relate to the provisions requiring an export order in support of an application for an export license. In addition to a clarification and redefinition of the term "order" as used in the Export Regulations, the provisions for requesting a waiver of the required order have been amplified and explained in greater detail. Further, the willingness of the Office of Export Control to provide, in advance of submission of an application, a preliminary opinion as to the outlook for approval of a license or other export control action has been set forth in the Export Regulations.

An order, for purposes of the Export Regulations, is defined as a communication from a person abroad or his representative expressing an intent to import commodities or technical data from the proposed U.S. exporter or a U.S. order party.

An order need not necessarily be an unconditional offer to buy which, if accepted by either the proposed exporter or the order party, results in a binding contract. Moreover, although the order must be more than a mere inquiry regarding a possible export, it may be contingent upon variable conditions. These conditions may include market price, time of delivery, or availability of the commodities in the kinds and quantities desired. Such a contingent offer is still considered an order under the Export Regulations. If, however, all of the terms of an order are not finally determined, before an application is submitted all negotiations toward the settlement of the terms must have been advanced sufficiently to establish the intent of the person placing the order to consummate the proposed transaction.

The Export Regulations have been further clarified to point out specifically that the order requirement is also applicable to a request for authorization to reexport U.S. origin commodities or technical data to certain specified destinations.

The provisions regarding exceptions to the order requirement have also been explained more fully. The Office of Export Control will consider granting an exception to, or a waiver of, the order requirement in cases where the applicant shows that an exception is warranted. A request for waiver of the order requirement shall accompany an application for an export license, and shall state in full the reasons for the request. Whenever possible, all supporting documentation must be obtained and submitted with the request for waiver of the export order. If it is not possible to obtain such documentation at the time the waiver request is submitted, these supporting documents shall, nevertheless, be submitted as soon as they are obtainable. The following are examples which, if fully substantiated, might warrant an exception:

1. An unusual expenditure of time, money, or technical skill, in excess of ordinary sales expenses, is necessary before a bid can be submitted and an order obtained.

2. The applicant is under an unusual obligation to export immediately the commodities or technical data covered, because of a special trade or industry practice.

3. The export involves a sample, gift, relief or charitable shipment, or other shipment where an order is not normally an element of the export transaction.

Regardless of whether an order was obtained prior to applying for an export license, exporters are reminded that any validated or general license or other authorization to export or reexport may be revised, suspended, or revoked at any time without notice; e.g., whenever this is necessary to prevent an unauthorized export or reexport. If a shipment is already en route, it may further be necessary to order the return or unloading of such shipment at any port of call.

Exporters are also reminded that an application for a Periodic Requirements (PRL) License or a Time Limit (TL) License does not require the support of an export order. An exporter eligible to apply under either of these bulk license procedures, is advised to do so rather than to request an exception to the requirement of an order in support of an application for an individual license. (See Parts 376 and 377 of the Code of Federal Regulations.)

The Office of Export Control issues a formal licensing decision respecting a specific license application or other request for an export control action only by means of a license or other document. Such decisions are issued only on the basis of the actual submission of a formal application or other formal request setting forth all of the facts relevant to the export transaction and supported by all required documentation. Upon request, however, the Office of Export Control will, to the extent practicable, provide a preliminary opinion regarding the outlook for approval of a prospective transaction. If the negotiation of the terms of an export order depends upon an indication of the prospects of obtaining an export license, the person proposing the export may submit an inquiry, prior to the submission of an application for an export license, explaining the proposed transaction in full detail and explaining why advance indication of the Office of Export Control action is needed. To the extent feasible, the Office of Export Control will discuss with the prospective applicant the outlook for approval of the proposed export.

Accordingly, §§ 370.2(c), 372.4(f) (1), (2), and (3), 372.5(j)(5), and 372.12(c)(2)(ii)(c) of the Export Regulations are revised as set forth below:

PART 370—SCOPE OF EXPORT CONTROL BY DEPARTMENT OF COMMERCE

Paragraph (c) of § 370.2 is revised to read as follows:

§ 370.2 Prohibited exports.

* * * * *

(c) *Revocation of export licenses and other authorizations.* All export licenses and other authorizations to export or reexport are subject to revision, suspension, or revocation without notice. It may be necessary for the Office of Export Control to stop a shipment or an export transaction at any stage of its progress; e.g., in order to prevent an unauthorized export or reexport. If a shipment is already en route, it may be further necessary to order the return or unloading of such shipment at any port of call in accordance with the provisions set forth in § 379.11 of this chapter.

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

1. Paragraph (f) (1), (2), and (3) of § 372.4 is revised to read as follows:

§ 372.4 Applications for validated licenses.

* * * * *

(f) *Substantiation of representations made in license application—(1) Orders and substantiation of other material facts.* Except as provided in subparagraph (3) of this paragraph, or except in connection with the submission of an application for a Time Limit License or a Periodic Requirements License, no application for an export license and no request for reexport authorization subject to the provisions of § 372.12(c)(2), shall be made unless and until the applicant has, supported by documentary evidence in his possession, or in the possession of the order party (as defined in paragraph (a)(2) of this section) who signs the application in accordance with the requirements of paragraph (a)(2) of this section:

(i) An order for export for the commodities or technical data covered by the application. If the applicant for the export license is not the person who conducted the direct negotiations or correspondence relative to the order with the ultimate consignee or foreign purchaser, as designated in the application for export license, and did not receive the order from the ultimate consignee or foreign purchaser, the application must be completed in accordance with paragraph (a)(2) of this section.

(2) *Definitions—(i) Order.* "Order", used in this Part 372, means a communication from a person in a foreign country or his representative expressing an intent to import commodities or technical data from the proposed U.S. exporter or order party as defined in paragraph (a)(2) of this section. While an order must, in any case, be more than a mere business inquiry relating to a possible export, it need not be an agreement that can presently be executed or that would become a binding contract upon acceptance. Furthermore, an order need not be an unconditional offer to buy. An order, for instance, may be contingent upon certain variable conditions such as market price, time of delivery, availability of the commodities in kinds and quantities desired, and other undetermined factors. Such a contingent offer still constitutes an order within the meaning of these provisions. Similarly, a continuing or "open" order that remains at all times flexible in some respects may be acceptable. If, however, all of the terms of the order are not finally determined, before an application is submitted all negotiations toward the settlement of the terms must have been advanced sufficiently to establish the intent of the person placing the order to consummate the proposed transaction.

(ii) *Evidence of an order.* Evidence of an order as used herein means any document or documents emanating from the foreign purchaser which set forth the terms and conditions of his offer to buy the materials or articles for which the export license is requested. Such evidence may take the form of a contract signed by both parties, or of letters, telegrams, cables, confirmations, or other documents which set forth in definite terms the offer of the foreign purchaser to buy or the acceptance by the foreign purchaser of the exporter's offer to sell.

(iii) *Evidence of facts relating to the purchase transaction.* Evidence of the facts relating to the purchase transaction means any documents emanating from the purchaser or ultimate consignee which relate to statements in the application enumerated in subparagraph (1) of this paragraph. Such evidence may be contained in the document or documents constituting evidence of the order, or in additional documents emanating from the purchaser or ultimate consignee. The printed name, address, or nature of business of the ultimate consignee or purchaser appearing on his letterhead or order form shall not constitute evidence of either his identity, the country of ultimate destination, or end use of the commodities described in the application.

(iv) *Order from foreign agent.* An order from the foreign agent of the U.S. exporter does not qualify as a proper order under this requirement where it is based on an order in the agent's hands from a specific purchaser. The regulations require that in such cases the purchaser's order must be transmitted to the U.S. exporter. However, an order from the foreign agent of the exporter would be acceptable if the goods are intended for general resale to presently unknown end users.

(3) *Export transactions where no order has been received*—(i) *Exceptions to the order requirement.* (*a*) *If no order* has been received, or if an inquiry has been received which does not clearly meet the requirements of an order as defined in subparagraph (2) (i) of this paragraph, the Office of Export Control will consider granting a request for an exception to, or a waiver of, the order requirement where the applicant is able to show that an exception is warranted. The request for an exception to the order requirement shall accompany the application for an export license, and shall explain fully why an exception is warranted. Whenever possible, all required supporting documentation must be obtained and submitted with the request for waiver of the export order. If it is not possible to obtain such documentation at the time the waiver request is submitted, these supporting documents shall, nevertheless, be submitted as soon as they are obtainable.

(*b*) An exporter eligible to apply for a Periodic Requirements (PRL) License or a Time Limit (TL) License is advised to do so rather than request an exception to the requirement of an order in support of an individual license application. An order is not required in support of an application for a Periodic Requirements License or a Time Limit License. (See Parts 376 and 377 of this chapter.)

(*c*) If such license application is approved, the license issued may include certain conditions precedent to, or impose certain limitations on, exports made under the license.

NOTE: The following are examples of reasons which, if fully substantiated, might warrant an exception:

1. An unusual expenditure of time, money, or technical skill, in excess of ordinary sales expenses, is necessary before negotiations for an order may be pursued and before a bid can be submitted or an order obtained.

2. The applicant is under an unusual obligation to export immediately the commodities or technical data covered, because of a special trade or industry practice.

3. The export involves a sample, gift, relief, or charitable shipment, or other shipment where an order is not normally an element of the export transaction.

(ii) *Inquiry regarding prospects of obtaining license or other authorization.* The Office of Export Control gives a formal decision respecting a specific license application or other request for an export control action only through the issuance of a license or other document based upon the actual submission of a formal application or other formal request setting forth all of the facts relevant to the export transaction and supported by all required documentation. (See § 372.5(j) (5).) Upon request, however, the Office of Export Control will, to the extent practicable, provide a preliminary opinion regarding the outlook for approval of a prospective transaction with respect to particular commodities and destinations. If the negotiations of the terms of an export order depend upon an indication of the prospects of obtaining an export license covering the transaction, the person proposing to export may submit an inquiry, prior to the submission of an application for an export license, describing the proposed transaction in full detail and explaining why an advisory opinion of the Office of Export Control regarding the transaction is needed in advance. To the extent feasible, the Office of Export Control will discuss with the prospective applicant the outlook for approval of the proposed export.

* * * * *

2. Paragraph (j) (5) of § 372.5 is revised to read as follows:

§ 372.5 How to file an application for a validated license.

* * * * *

(j) * * *

(5) *Decisions given on application or request only.* (i) The Office of Export Control gives a formal decision regarding a specific license application or other request for an export control action only through the issuance of a license or other document based upon the actual submission of a formal application or other formal request setting forth all of the facts relevant to the export transaction and supported by all required documentation.

(ii) If unusual circumstances exist which any person believes warrant an exception to this rule, he may submit a request for an exception to the Office of Export Control, describing the proposed transaction in full detail and explaining why an advisory opinion of the Office of Export Control respecting the proposed export is needed in advance of the submission of a license application. To the extent feasible, the Office of Export Control will endeavor to discuss with the person requesting an exception the outlook for approval of the proposed export.

* * * * *

3. Paragraph (c) (2) (ii) (*c*) of § 372.12 is revised to read as follows:

§ 372.12 Reexport.

* * * * *

(c) * * *

(2) * * *

(ii) * * *

(*c*) Consignee/purchaser statement or other documentation from the new ultimate consignee which would be required by Part 373 of this chapter if the reexport were a direct export from the United States to the new country. Where this document is a Yugoslav End-Use Certificate or a Swiss Blue Import Certificate, and the same document must be furnished to the export control authorities of the country from which reexport will be made, the Office of Export Control will accept a reproduced copy of the document being furnished to the country of reexport. The order requirements of § 372.4(f) also apply to these reexports. If the required documentation or order cannot be obtained, waiver may be requested in accordance with the applicable provisions of the Export Regulations. (See § 373.65(b) (6) of this chapter for waiver of a Consignee/Purchaser Statement; § 373.2(j) of this chapter for waiver of an Import Certificate; § 373.67 (d) of this chapter for waiver of a Swiss Blue Import Certificate; and § 373.70(d) of this chapter for waiver of a Yugoslav End-Use Certificate.)

* * * * *

PART 371—GENERAL LICENSES

II. *Prohibited shipments under general license provisions.* Purpose and effect: The Export Regulations have been revised to emphasize that no general license may be used to export commodities that are not listed on the Commodity Control List. Generally, when commodities are not on the Commodity Control List, they come under the export jurisdiction of a Federal Government agency other than the Department of Commerce, as described in § 370.5 of the Export Regulations.

Accordingly, § 371.2(c) (1) of the Export Regulations is amended to read as set forth below.

In § 371.2 paragraph (c) (1) is revised to read as follows:

§ 371.2 General provisions.

* * * * *

(c) *Applicability*—(1) *Prohibited shipments.* No general license set forth in this Part 371 or in Part 385 of this chapter may be used to effect an export of:

(i) Commodities and/or technical data to a destination for which such license has been suspended or revoked;

(ii) Commodities and/or technical data that will be unladen from a vessel or aircraft in Country Group Y or Z or that will move in transit through Country Group Y or Z en route to another country, except as provided by § 370.10 of this chapter; or

(iii) Commodities that are not listed on the Commodity Control List, § 399.1 of this chapter.

* * * * *

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

III. *Additional country adhering to limited nuclear test ban treaty.* Purpose and effect: Section 373.7 of the Export Regulations sets forth the procedures to be followed when exporting commodities and technical data related to nuclear weapons, nuclear explosive devices, or nuclear testing. Certain provisions of these regulations do not apply to countries that are adherents to the Limited Nuclear Test Ban Treaty. A list of countries adhering to this treaty is set forth in Supplement No. 4 to Part 373 of the Export Regulations.

The country of Botswana on March 4, 1968, notified the U.S. Department of State that it considers itself unrestrictedly bound by the prior ratification of the treaty by the United Kingdom. Consequently, Botswana is now added to the list of countries adhering to the Limited Nuclear Test Ban Treaty.

Accordingly Supplement No. 4 to Part 373 of the Export Regulations is amended as set forth below.

Supplement 4—Countries Adhering to the Limited Nuclear Test Ban Treaty is amended by adding "Botswana".

[F.R. Doc. 68-7810; Filed, July 1, 1968; 8:48 a.m.]

[11th Gen. Rev. of Export Regs., Amdt. 1]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 385—EXPORTS OF TECHNICAL DATA

Miscellaneous Amendments

Parts 373 and 385 of the Code of Federal Regulations are amended as set forth below.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–63 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959–63 Comp.)

Effective date: May 10, 1968.

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

1. Section 373.9 is hereby added to read as follows:

§ 373.9 Samples exported to Country Groups W and Y.

(a) *Scope.* (1) In considering an application for a license to export, or a request for authorization to reexport, a sample of the commodities described in paragraph (b) of this section to Country Groups W and Y, the Office of Export Control usually considers concurrently the question of whether a commercial quantity of the commodity to be shipped as a sample could also be approved. In many cases the latter question requires an extensive and time-consuming review. As a result, there may be a considerable delay in reaching a decision. To avoid this delay where it is not essential to have an advance indication of whether a commercial quantity of the sample commodity would be approved, this § 373.9 provides a procedure to permit an exporter to apply to the Office of Export Control for a license to export, or for authorization to reexport, such samples without the usual review to determine whether a commercial quantity of the commodity sent as a sample could also be approved.

(2) Neither a license to export nor an authorization to reexport a sample under this procedure implies that the Office of Export Control intends, or is committed, to approve an application for a license to export any quantity of the commodity sent as a sample. All persons sending a sample under this procedure are therefore advised to include in any contract to sell the commodity a provision relieving themselves of liability in the event that an export license is not approved by the Office of Export Control. The sample procedure does not apply if an indication is requested of the prospects of approval of an application for a license to export a commercial quantity of the sample commodity. Again, however, it must be emphasized that an indication of the prospects of approval of an application for a license does not imply that the Office of Export Control is committed to approve an application.

(b) *Applicability.* The provisions set forth in this § 373.9 apply to applications for licenses to export, and requests for authorizations to reexport, to Country Group W or Y any sample of a commodity in any of the categories listed in subparagraphs (1) through (5) of this paragraph valued at no more than two hundred dollars ($200.00); provided further that the sample is sent in accordance with established business practices and is sent either without charge or at no more than the usual charge.

(1) Chemicals, drugs, and pharmaceuticals;

(2) Synthetic rubber;

(3) Petroleum and petroleum products;

(4) Lubricants, additives, and operational fluids; or

(5) Metals and minerals.

(c) *Definition.* As used in this § 373.9, a sample is defined as a small quantity of a commodity to be sent to a prospective purchaser for his examination, evaluation, or comparison in deciding upon subsequent orders for commercial quantities.

(d) *Application or letter of request.* (1) An applicant for a license to export a sample described above who wishes to request action on the proposed sample under this procedure without consideration of possible future commercial quantity shipments shall enter across the top of each application for a license, Form FC–419, the word "Sample" immediately over the printed words "United States of America." A person requesting similar authorization to reexport a sample shall similarly enter the word "Sample" across the top of his letter of request.

(2) The value of the sample shall be indicated in each reexport request. The value shall be indicated in the space provided for the commodity description on each license application if the value is not the same as the selling price.

(3) A license to export, or an authorization to reexport, a sample under this procedure will be accompanied by a written notice that the license or other authorization is not a commitment by the Office of Export Control to approve a future export license application or request for authorization to reexport a commercial quantity of the approved sample. The notice will caution all persons sending samples under this procedure to include in any contracts for the sale of such commodities, a provision relieving themselves of liability in the event that authorization for an export or reexport of a commercial quantity of the sample commodity is not granted.

(4) If an indication of the prospects of approval of a commercial quantity of the commodity sent as a sample is desired prior to exporting or reexporting the sample, this information must be requested specifically. The proposed commercial transaction should be described in full detail, giving the quantities, values, end-uses, and all other information normally required by the Office of Export Control in considering an export license. The Office of Export Control will indicate in advance the prospects of approval of a license application only upon receiving a specific request for this information showing that the request is clearly warranted. In no case, however, does an indication of the prospects of approval of a license application constitute a commitment by the Office of Export Control to take the action indicated. Obviously, changing circumstances may require a different action at the time an application is actually submitted.

(e) *Statement by exporter.* An application for a license to export, or a request for authorization to reexport, a sample described above shall include immediately after the commodity description the following statement:

> The commodity described above is a sample sent without charge or at no more than our usual price for examination, evaluation, or comparison by a prospective purchaser.

(f) *Decision by the Office of Export Control.* The Office of Export Control will render its decision regarding the export or reexport of a sample as promptly as possible, regardless of whether expedited action is requested under this § 373.9. In some cases, however, the Office of Export Control may find that it is unable to avoid extended deliberation resulting in a delayed decision. Such extended deliberation is usually necessary when the sample:

(1) Is not a commodity within any of the categories set forth in paragraph (b) of this section;

(2) Is valued in excess of $200;

(3) Is identified by the symbol "A" in the last column of the Commodity Control List;

(4) Contains or incorporates unique or advanced extractable technical data that would make a significant contribution to the military or economic potential of the country of destination to the detriment of the national security and welfare of the United States; or

(5) Is to be sent only upon receipt of an indication from the Office of Export Control that there is a favorable prospect that a commercial quantity of the commodity to be sent as a sample would be approved for the same destination.

2. Section 373.20, paragraphs (a)(2), (b)(2), and the last sentence of (b)(3) are revised to read as follows:

§ 373.20 Copper ores, concentrates, matte, ash, residues, waste, scrap and blister copper.

(a) *Copper ores, concentrates, matte, and blister copper.* * * *

(2) *Exceptions to general policy of denial.* Consideration will be given to approval of applications covering the proposed export of commodities described in subparagraph (1) of this paragraph which because of technological or economic reasons, cannot be processed commercially in the United States. Such an application shall include:

(i) A statement describing the commodities, an analysis of the metal content, and an explanation of the difficulty in processing the commodity in the United States;

(ii) The following certifications:

I (We) certify that to my (our) best knowledge and belief the commodities described on this application cannot be commercially processed in the United States;

(iii) The identification of the foreign consumer by setting forth one of the following applicable statements in the space on the license application entitled "Additional Information" or on an attachment thereto:

The foreign consumer of the commodities covered by this application is the same as that shown in the "ultimate consignee in foreign country" space on this license application.

or, if the foreign consumer is not the same as that shown in the space on the license application entitled "Ultimate Consignee in Foreign Country":

The name and address of the foreign consumer is _____;

and

(iv) A Single Transaction Statement by Consignee and Purchaser, Form FC–842, submitted in accordance with the provisions of § 373.65 and bearing the endorsement of the designated representative of the U.S. Agency for International Development (AID) Mission, Saigon, if the proposed shipment, regardless of value, is destined for the Republic of Vietnam (area not under Communist control). To obtain this endorsement, the consignee and/or purchaser shall submit his statement, in original and two copies, to the U.S. AID Mission, Saigon, Vietnam. Upon endorsement, the original of the statement will be returned to the consignee or purchaser, for forwarding to the U.S. exporter; the copies will be retained by the U.S. AID Mission.

(b) *Copper and copper-base alloy waste and certain nickel scrap.* * * *

(2) *Shipments not commercially processable in the United States.* An application for a license to export any of the commodities described in subparagraph (1) of this paragraph that for any technological or economic reasons cannot be processed commercially in the United States will be considered for licensing without a charge against the copper export quota. Where an application covers commodities that cannot be processed for a technological reason, such application shall be accompanied by a copy(ies) of a letter(s) received by the applicant from a recognized scrap processor(s) who has (have) declined to process the scrap described on the application. Additionally, such an application shall be accompanied by the documentation set forth in paragraph (a)(2) of this section. An application for license to export any of the commodities described above that cannot be processed for an economic reason shall include a statement setting forth such reason in full detail.

(3) *Other shipments.* * * *

(ii) In addition, the foreign consumer shall be identified on the license application in the manner set forth in paragraph (a)(2)(iii) of this section; and if the proposed shipment, regardless of value, is destined for the Republic of Vietnam, the application shall be supported by a Single Transaction Statement, Form FC–842, endorsed by the designated representative of the U.S. Agency for International Development Mission, Saigon, as set forth in paragraph (a)(2)(iv) of this section.

* * * * *

3. Section 373.43(b)(2)(i) is revised to read as follows:

§ 373.43 Blister and refined copper, copper-base alloy ingots, master alloys; and semifabricated copper products.

* * * * *

(b) * * *

(2) * * *

(i) The application is submitted to the Office of Export Control within 3 months following the date of the related Customs Import Entry. However, such an application may be submitted to the Office of Export Control subsequent to the 3 months following the date of the Customs Import Entry: *Provided*, That the Customs Import Entry is dated on or after May 15, 1967, and the application is submitted not later than May 15, 1968.

* * * * *

4. In Part 385 a new (*kk*) is added to § 385.2(c)(4)(iii), reading as follows:

§ 385.2 General licenses.

* * * * *

(c) *General License GTDU; unpublished technical data.* * * *

(4) *Requirement of written assurance for certain data, services, and materials.* * * *

(iii) Technical data relating to the following materials and equipment:

* * * * *

(*kk*) Transonic (Mach 0.8 to 1.4), supersonic (Mach 1.4 to 5.5), hypersonic (Mach 5.5 to 15), and hypervelocity (above Mach 15) wind tunnels and devices (including hot-shot tunnels, plasma, arc tunnels, shock tunnels, gas tunnels, shock tubes, and light gas guns) for simulating environments at Mach 0.8 and above; and specially designed parts and accessories, n.e.c. (Export Control Commodity Nos. 71980, 72952, 86182, 86191, 86193, 86195, 86196, 86197, 86198, and 86199).

[F.R. Doc. 68–7808; Filed, July 1, 1968; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Promotional Assistance Based on Percentage of Purchases During a Fixed Time Period

§ 15.261 Promotional assistance based on percentage of purchases during a fixed time period.

(a) The Commission was requested to render an advisory opinion with respect to the legality of a supplier's proposed promotional program under an outstanding Commission order which, in pertinent part, prohibits the supplier from making promotional payments to its customers in a discriminatory manner. According to information provided by the supplier, all its sales are made to retailer customers—distributors or other intermediaries are not utilized in the the distribution of the supplier's products.

(b) Under the proposed program as set forth and explained by the supplier, promotional allowances would be made available to all customers of the supplier and could be applied by the customers to the costs incurred by them in three categories of advertising and promotional activity: Point-of-sale materials, cooperative advertising in daily and Sunday newspapers listed in Standard Rate and Data; and so-called other store promotions, including advertising in newspapers not listed in Standard Rate and Data, catalog and local radio and T.V. advertising, envelope stuffers, and sales incentive programs and contests.

(c) Further, the amounts of such allowances would be determined at the rate of 7 percent of each participating customer's net purchases from the supplier in a 6-month period, although this figure could be adjusted within any given trading area (defined by Management Survey of Metropolitan County Areas) as operating experience requires. In the case of Standard Rate and Data newspapers, the allowances could be applied to two-thirds the cost of such advertising, and for all other forms of eligible advertising and promotional activity, allowances could be applied to the full cost of the activity. In

all cases, and whether any customer chooses to participate in any or all of said categories of advertising and promotional activity, the supplier's total contribution to the customer's costs would be subject to the 7 percent of purchases limit. Allowances earned but not used by any customer in a 6-month period could not be carried forward to the following such period.

(d) Regarding the point-of-sale materials, the supplier would mail or deliver quantities of these materials to all customers, and each customer would be advised in advance that such point-of-sale materials would be charged against his available promotional and advertising allowances, unless returned to the supplier within 10 (ten) days of receipt, by mail or delivery to the supplier's salesman.

(e) The supplier was advised that the proposed promotional program, if implemented in a nondiscriminatory manner, would not be in violation of the Commission's order or section 2(d) of the Clayton Act.

(f) The Commission cautioned that its opinion was predicated upon the supplier's assurance that all provisions of the proposed program, particularly that concerning the availability of cooperative advertising allowances for advertising in non-Standard Rate and Data newspapers, providing only that such newspapers have verifiable costs and circulation, and that concerning the return privilege regarding point-of-sale materials which would be mailed or delivered to the supplier's customers, would be effectively communicated to all customers of the supplier.

(g) The Commission further cautioned that a customer who is located on the periphery of a particular trading area and who competes in fact with a customer located within such trading area, should be offered the particular promotional plan available to the customer within the trading area so as to preclude discrimination between customers competing in the resale of the supplier's products.

(38 Stat. 717, as amended; 15 U.S.C. 41–58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: July 1, 1968.

By direction of the Commission.

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

[F.R. Doc. 68–7699; Filed, July 1, 1968; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Use of Manufacturers' Suggested Retail Prices Accompanied by a Disclaimer

§ 15.262 Use of manufacturers' suggested retail prices accompanied by a disclaimer.

(a) The Commission was recently requested to render an advisory opinion as to the propriety of an advertisement referring to a product as "$1.09 size, for 69¢" accompanied by a statement that "All regular prices are the manufacturers' suggested retail prices and are furnished here to help you identify the size being offered for sale."

(b) The opinion advised that the answer to this question depended wholly upon whether or not the prices used as the basis for comparison complied with Guide III of the Guides Against Deceptive Pricing, since, in the Commission's view, the use of the phrase "$1.09 size" in the body of the advertisement and the reference to "manufacturers' suggested retail prices" in the statement place the representation in the category of a trade area price comparison. Therefore, the opinion added, unless the higher prices used do in fact represent the prices at which substantial sales are made by the principal retail outlets in the area, their use would be deceptive.

(c) The Commission further stated that it was of the opinion that the capacity of such advertisements to deceive would not be relieved or removed by the statement or disclaimer proposed in situations where the prices used do not meet the test of the guides. At best, such a statement would simply render the advertisement ambiguous and leave it subject to two interpretations, one of which is false. It would still leave substantial numbers of consumers under the impression that the higher prices used were in fact the actual trade area prices within the meaning of the guides.

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

Issued: July 1, 1968.

By direction of the Commission.

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

[F.R. Doc. 68–7700; Filed, July 1, 1968; 8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Administration, Department of Health, Education, and Welfare

[Reg. 22]

PART 422—ORGANIZATION AND PROCEDURES

Availability of Information and Records of Social Security Administration to the Public

To comply with the provisions of section 552 of title 5, United States Code, as amended by Public Law 90–23, new Subpart E is added to Part 422 of Chapter III of Title 20 of the Code of Federal Regulations (Regulations No. 22 of the Social Security Administration). New Subpart E reads as follows:

Subpart E—Availability of Information and Records to the Public

AUTHORITY: The provisions of this Subpart E issued under secs. 205, 1102, and 1871, 53 Stat. 1368, as amended, 49 Stat. 647, as amended, 79 Stat. 331; sec. 5, Reorganization Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 405, 1302, and 1395hh; 5 U.S.C. 552, as amended by Public Law 90–23.

Subpart E—Availability of Information and Records to the Public

§ 422.401 Scope and purpose.

The regulations in this subpart relate to the availability to the public, pursuant to 5 U.S.C. 552, of records of the Social Security Administration and its components, other than the Bureau of Federal Credit Unions. (For regulations relating to availability of records of the Bureau of Federal Credit Unions, see 45 CFR Part 320.) They set out what records are available and how they may be obtained. These regulations do not revoke, modify, or supersede the regulations of the Social Security Administration relating to disclosure of information published in Part 401 of this chapter. Further, the regulations in this subpart supplement the regulations of the Department of Health, Education, and Welfare relating to availability of information pursuant to 5 U.S.C. 552, set out in 32 F.R. 9315 (6–30–67), codified in 45 CFR 5.1 et seq., and do not replace or restrict them.

§ 422.402 Record defined.

As used in this subpart, the term "record" has the same meaning as that provided in 45 CFR 5.5 (32 F.R. 9316).

§ 422.406 Publication.

(a) *Methods of publication.* Materials required to be published pursuant to the provisions of 5 U.S.C. 552(a)(1) have been and shall continue to be so published, in one of the following ways:

(1) By publication in the FEDERAL REGISTER of Social Security Administration regulations, and by their subsequent inclusion in the Code of Federal Regulations;

(2) By publication in the FEDERAL REGISTER of appropriate general notices; and

(3) By other forms of publication, when incorporated by reference in the FEDERAL REGISTER with the approval of the Director of the Federal Register.

(b) *Availability for inspection.* Those materials which are published in the FEDERAL REGISTER pursuant to 5 U.S.C. 552(a)(1) shall, to the extent practicable and to further assist the public, be made available for inspection at the places specified in § 422.428.

§ 422.408 Statements of policy and interpretations not published in the "Federal Register."

Precedent final opinions and orders and statements of policy and interpretations that have been adopted by the Administration and that are not published in the FEDERAL REGISTER will be made available by publication in the Social Security Rulings (see § 422.410 (d)).

§ 422.410 Publications for sale.

The following publications containing information pertaining to the program, organization, functions, and procedures of the Social Security Administration may be purchased from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

(a) Title 20 of the Code of Federal Regulations.

(b) FEDERAL REGISTER issues.

(c) Compilation of the Social Security Laws.

(d) Social Security rulings.

(e) Social Security Handbook: The information in the Handbook is not of precedent or interpretative force.

(f) Social Security Bulletin.

(g) Directory of Providers of Services, Hospitals, Title XVIII.

(h) Directory of Providers of Services, Extended Care Facilities, Title XVIII.

(i) Directory of Providers of Services, Home Health Agencies, Title XVIII.

(j) Directory of Suppliers of Services, Independent Laboratories, Title XVIII.

§ 422.412 Availability of administrative staff manuals.

Administrative staff manuals of the Social Security Administration and instructions to staff personnel which contain policies, procedures, or interpretations that affect the public are available to the public for inspection and copying. Materials which provide guidelines or instructions to employees relating to tolerances, selection of cases, quantums of proof, and the like, or instructions relating to clerical or machine operations, are not available for inspection or copying (see 45 CFR 5.72). For a list of staff manuals and instructions to staff which are available for inspection and copying in the Social Security Administration district offices and branch offices and the Bureau of Hearings and Appeals field offices, see §§ 422.430(b) and 422.432(b).

§ 422.416 Availability of records upon request.

(a) *General.* In addition to the records made available pursuant to §§ 422.406, 422.408, 422.410, and 422.412, the Social Security Administration will, upon request made in accordance with this subpart, make identified records available to any person, unless they are exempt from disclosure under the provisions of section 552(b) of Title 5, United States Code (see § 422.426), or any other provision of law.

(b) *Misappropriation, alteration, or destruction of records.* No person may remove any record made available to him for inspection or copying under this part, from the place where it is made available. In addition, no person may steal, alter, mutilate, obliterate, or destroy in whole or in part, such a record. See sections 641 and 2071 of title 18 of the United States Code.

§ 422.418 Deletion of identifying details.

When the Social Security Administration publishes or otherwise makes available an opinion or order, statement of policy, or other record which relates to a private party or parties, the name or names or other identifying details will be deleted.

§ 422.420 Creation of records.

Records will not be created by compiling selected items from the files, and records will not be created to provide the requester with such data as ratios, proportions, percentages, per capitas, frequency distributions, trends, correlations, and comparisons. If such data have been compiled and are available in the form of a record, the record shall be made available as provided in this subpart.

§ 422.426 Information or records that are not available.

(a) *Specific exemptions from disclosure.* Pursuant to paragraph (b) of 5 U.S.C. 552 certain classes of records are exempt from disclosure. For the classes of records which are exempt and some examples of the kinds of materials which are exempt see Subpart F of the public information regulation of the Department of Health, Education, and Welfare and Appendix A to such regulation (45 CFR 5.70–5.79).

(b) *Matters exempt from disclosure by statute.* Pursuant to paragraph (b)(3) of 5 U.S.C. 552, matters described in section 1106 of the Social Security Act, as amended, are prohibited from disclosure except as authorized by Part 401 of this chapter or as expressly authorized by the Commissioner of Social Security.

(c) *Effect of exemption.* Neither 5 U.S.C. 552 nor this regulation (except insofar as they refer to section 1106 of the Social Security Act and Regulation No. 1 of the Social Security Administration) directs the withholding of any record or information. Materials exempt from mandatory disclosure will nevertheless be made available when this can be done consistently with obligations of confidentiality and administrative necessity. The disclosure of materials or records under these circumstances in response to a specific request, however, is of no precedent force with respect to any other request.

§ 422.428 Where requests for information or records may be made.

Requests for information, for copies of records, or to inspect or copy records may be made at any of the Social Security Administration district offices or branch offices. Similar requests relating to information or records available in the Bureau of Hearings and Appeals may be made at any of its field offices. For materials in district offices and branch offices, see § 422.430. For materials in Bureau of Hearings and Appeals field offices, see § 422.432. The materials available at district offices and branch offices are also available at the Social Security Administration headquarters, Social Security Building, 6401 Security Boulevard, Baltimore, Md. 21235, and at the Washington Inquiries Section of the Office of Information, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 4193, 330 Independence Avenue SW., Washington, D.C. 20201. The materials available at the Bureau of Hearings and Appeals field offices are also available at the latter office. In addition, a request for information or a record may be submitted through any office of the Social Security Administration or to any employee of the Social Security Administration in the regular course of his conduct of official business.

§ 422.430 Materials in district offices and branch offices.

(a) *Materials available for inspection.* The following are available for inspection in the district offices and branch offices:

(1) Compilation of the Social Security Laws.

(2) The Public Information Regulation of the Department of Health, Education, and Welfare (45 CFR Part 5).

(3) Regulations of the Social Security Administration under the retirement, survivors, disability, and health insurance program, i.e., Regulation No. 1 (Part 401 of this chapter), Regulations No. 4 (Part 404 of this chapter), Regulations No. 5 (Part 405 of this chapter), and Regulations No. 22 (this Part 422).

(4) Social Security rulings.

(5) Social Security Handbook.

(b) *Materials available for inspection and copying.* The following materials are available for inspection and copying in the district offices and branch offices:

(1) Claims Manual of the Social Security Administration.

(2) Department Staff Manual on Organization, Department of Health, Education, and Welfare, Part 8, Chapter 8–000.

(3) Handbook for State Social Security Administrators.

(4) Disability Insurance State Manual.

(5) Part 3 of Part A Intermediary Manual (Provider Services).

(6) Part 3 of Part B Intermediary Manual (Physician and Supplier Services).

(7) BHI (Bureau of Health Insurance) Intermediary Letters Related to Parts 3 of the Part A and Part B Intermediary Manuals.

(8) BHI State Buy-In Handbook and Letters.

(9) BHI Group Practice Prepayment Plan Letters.

(10) BHI Letters to State Agencies.

(11) Service Area Directory (including the addresses and geographic areas serviced by district offices, branch offices, regional offices, and payment centers).

(12) Indexes to the materials listed in this paragraph (b) and paragraph (a) of this section and an index to the Bureau of Hearings and Appeals Handbook.

§ 422.432 Materials in field offices of the Bureau of Hearings and Appeals.

(a) *Materials available for inspection.* The following materials are available for inspection in the field offices of the Bureau of Hearings and Appeals:

(1) Title 45 of the Code of Federal Regulations (including the public information regulation of the Department of Health, Education, and Welfare and regulations of the Bureau of Federal Credit Unions).

(2) Regulations of the Social Security Administration (see § 422.430(a)(3)).

(3) Title 5, United States Code.

(4) Compilation of the Social Security Laws.

(5) Social Security rulings.

(6) Social Security Handbook.

(b) *Handbook available for inspection and copying.* The Bureau of Hearings and Appeals Handbook is available for inspection and copying in the field offices of the Bureau of Hearings and Appeals.

§ 422.436 Requests for information or records.

A request for information or records may be made orally or in writing. The requester has the sole responsibility to identify each record sought in sufficient detail so that it can be located by personnel familiar with the filing of Administration records. When more than one item is requested, the requester shall clearly itemize each record or other item of information requested so that it may be identified and its availability separately determined. A request for copies should include a check or money order in the amount of the necessary fee (see § 422.440) made payable to the Social Security Administration.

§ 422.440 Fees and charges.

(a) *Applicability.* The provisions of this section do not apply to a request for information pursuant to Part 401 of this chapter (see §§ 401.5 and 401.6 of Part 401 of this chapter) or to a request for a detailed statement of earnings for a purpose not related to title II of the Act (see § 422.125(e)(2)).

(b) *Policy on fees.* It is the policy of the Social Security Administration to provide routine information to the general public without charge. Special information services involving a benefit that does not accrue to the general public are subject to the payment of fees which are fixed in such amounts as to recover the cost to the Government of providing such services. Fees will be charged for the following special services:

(1) Reproduction, duplication, or copying of records;

(2) Searches of or for records;

(3) Certification or authentication of records; and

(4) Forwarding records or copies thereof.

(c) *Copying.* A charge of 25 cents per page (one side of a sheet) will be made for each copy of documents or records.

(d) *Searches.* No fee will be charged for searching for materials described in §§ 422.430 and 422.432. In the event a search is required to locate other materials, a charge of $5 per hour will be made (fractional parts of an hour will be charged on a quarter-hour basis). If it appears that the cost of the search will exceed $5 per hour, e.g., where machine costs are involved, a fee based on such cost will be established prior to search.

(e) *Certification.* A fee of $5 will be charged for each certification of records or documents if certification is requested.

(f) *Forwarding costs.* Postage, registration, packaging, or other forwarding fees will be charged on an actual cost basis.

§ 422.444 Denials of requests.

(a) *Oral requests.* If it is determined, in accordance with this subpart, that information or a record requested orally is not to be disclosed, the request will be denied orally and the basis for the denial explained orally. If the requester takes exception to the denial, he will be advised that he may put his request in writing and that he may submit any written argument in support of his request. If he files a written request, he will be furnished a written acknowledgment of the previous denial and notification that the matter is being submitted for review in accordance with § 422.448.

(b) *Written requests.* Denials of written requests will be in writing. The requester will also be informed in writing of the basis for the denial. If he expresses dissatisfaction, he will be informed of his right to have such denial reviewed as provided in § 422.448, and that if he does request a review, he may submit any written argument in support of his request for information or a record. A request for review must be in writing and signed by the requester. It must be filed within 30 days of the date on which he is notified of his right to request a review, and may be filed at the office which denied the request or with any district office, branch office, or Bureau of Hearings and Appeals field office of the Social Security Administration.

§ 422.448 Review by the Commissioner.

The Commissioner of Social Security or his delegate will, when a request for review has been filed as provided in § 422.444, review the decision in question and the findings upon which it was based, and upon the basis of the data considered in connection with the decision and whatever other evidence and written argument is submitted by the person requesting the review or which is otherwise obtained, the Commissioner or his delegatee will affirm or revise in whole or in part the findings and decision in question. Written notice of the decision of the Commissioner or his delegatee shall be mailed to the person who requested the review. The decision shall state the basis therefor.

§ 422.452 Court review.

Where the Commissioner or his delegatee upon review affirms the denial of a request for records, in whole or in part, the requester may seek court review by instituting a civil action in the district court of the United States pursuant to 5 U.S.C. 552(a)(3).

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

Dated: June 5, 1968.

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: June 24, 1968.

WILBUR J. COHEN,
Secretary of Health, Education, and Welfare.

[F.R. Doc. 68-7824; Filed, July 1, 1968; 8:49 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 2—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Subpart H—Delegations of Authority Subpart M—Organization

MISCELLANEOUS AMENDMENTS

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055, as amended; 21 U.S.C. 371(a)) and delegated to the Commissioner of Food and Drugs (21 CFR 2.120), Part 2 is amended as follows to reflect changes regarding organization and delegations of authority:

1. In § 2.121, paragraphs (f), (h), and (i) are revised to read as follows:

§ 2.121 Redelegations of authority from the Commissioner to other officers of the Administration.

* * * * *

(f) *Delegations regarding certification of color additives.* The Director of the Bureau of Science and the Director of the Division of Colors and Cosmetics of that Bureau are authorized to certify batches of color additives for use in food, drugs, or cosmetics, pursuant to section 706 of the Federal Food, Drug, and Cosmetic Act.

* * * * *

(h) *Delegations regarding certification of insulin.* The Director of the Office

of Certification Services, a unit within the Office of the Associate Commissioner for Compliance, is authorized to exercise the functions and duties of the Commissioner under the regulations insofar as such duties and functions involve the certification of batches of drugs containing insulin as contemplated by § 164.3 (a) and (c) of this chapter or approval of the use of materials as contemplated by § 164.2 (j) and (k) of this chapter.

(i) *Delegations regarding certification of antibiotic drugs.* The Director of the Office of Certification Services, a unit within the Office of the Associate Commissioner for Compliance, is authorized to certify or reject batches of antibiotic drugs, or any derivative of these drugs, pursuant to section 507(a) of the Federal Food, Drug, and Cosmetic Act.

* * * * *

§ 2.171 [Amended]

2. Section 2.171 *Washington headquarters* is amended by inserting under the item "Associate Commissioner for Compliance" a subitem reading "Office of Certification Services."

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

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: June 20, 1968.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 68-7825; Filed, July 1, 1968; 8:49 a.m.]

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Medicated Feeds; Approval of New-Drug Applications

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 505, 701(a), 52 Stat. 1052–53, as amended, 1055, 72 Stat. 1785–88, as amended; 21 U.S.C. 348, 355, 371(a)) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), Part 3 is amended by adding thereto the following new section setting forth a statement of policy on approval of new-drug applications for medicated feeds:

§ 3.68 Medicated feeds; approval of new-drug applications.

(a) The Food and Drug Administration cannot approve an initial new-drug application for a drug that is to be added to animal feed until a food additive regulation providing for the safe use of the new-drug substance as a food additive has been promulgated by publication in the FEDERAL REGISTER in accordance with section 409 of the Federal Food, Drug, and Cosmetic Act.

(b) In the past the Food and Drug Administration has received many medicated feed new-drug applications from feed manufacturers prior to the promulgation of the required food additive regulation, and these applications could not or cannot be reviewed until such promulgation. Frequently when such applications were finally reviewed after issuance of the food additive regulation, they were found to contain information and labeling not in conformance with such regulation. This resulted in considerable unnecessary work on the part of the applicants and the Food and Drug Administration.

(c) Accordingly, effective on date of publication of this section in the FEDERAL REGISTER, the following is the policy of the Food and Drug Administration regarding the processing of medicated feed new-drug applications:

(1) Only those applications for a new drug for which a food additive regulation has been established in Subpart C of Part 121 of this chapter will be accepted and reviewed.

(2) Applications for new drugs for which no such regulation has been established will be returned to the applicant without review or comment.

(Secs. 409, 505, 701(a), 52 Stat. 1052–53, as amended, 1055, 72 Stat. 1785–88, as amended; 21 U.S.C. 348, 355, 371(a))

Dated: June 24, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-7826; Filed, July 1, 1968; 8:49 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

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

Diuron

No comments were received in response to the notice published in the FEDERAL REGISTER of May 7, 1968 (33 F.R. 6880), proposing that the tolerance for residues of the herbicide diuron in or on the raw agricultural commodity bananas be reduced from 0.2 to 0.1 part per million for reasons specified in said notice. Also, no requests were received for referral of the proposal to an advisory committee pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act.

The Commissioner of Food and Drugs concludes that the amendments should be adopted as proposed. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)) and delegated to the Commissioner (21 CFR 2.120), § 120.106 is amended by deleting the item "0.2 part per million in or on bananas" and by changing the item "0.1 part per million * * *" to read as follows:

§ 120.106 Diuron; tolerances for residues.

* * * * *

0.1 part per million (negligible residue) in or on bananas, nuts.

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

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

(Sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e))

Dated: June 24, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-7829; Filed, July 1, 1968; 8:49 a.m.]

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

α-Naphthaleneacetic Acid

No comments were received in response to the notice published in the FEDERAL REGISTER of May 7, 1968 (33 F.R. 6881), proposing the establishment of a tolerance of 0.05 part per million for residues of the plant regulator α-naphthaleneacetic acid in or on the raw agricultural commodity pineapples. Also, no requests were received for referral of the proposal to an advisory committee pursuant to section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Establishment of the tolerance was requested by the Pineapple Research Institute of Hawaii, Honolulu, Hawaii 96822, and their request was designated as a pesticide petition (PP 8E0663).

The Commissioner of Food and Drugs concludes that the proposal should be adopted without change. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)) and delegated to the Commissioner (21 CFR 2.120), § 120.155 is revised to read as follows:

§ 120.155 α-Naphthaleneacetic acid; tolerances for residues.

Tolerances are established for residues of the plant regulator α-naphthaleneacetic acid in or on raw agricultural commodities as follows:

1 part per million in or on apples, pears, quinces.

0.05 part per million (negligible residue) in or on pineapples from the application of the sodium salt to the growing crop.

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

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

(Sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e))

Dated: June 24, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-7828; Filed, July 1, 1968; 8:49 a.m.]

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

Trifluralin

A petition (PP 8F0715) was filed with the Food and Drug Administration by the Elanco Products Co., a division of Eli Lilly & Co., Indianapolis, Ind. 46206, proposing the establishment of a tolerance of 0.05 part per million for negligible residues of the herbicide trifluralin in or on the raw agricultural commodity sugarcane.

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

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerance established by this order will protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner (21 CFR 2.120), § 120.207 is amended to establish the subject tolerance by revising the paragraph "0.05 part per million * * *" to read as follows:

§ 120.207 Trifluralin; tolerances for residues.

* * * * *

0.05 part per million (negligible residue) in or on alfalfa (fresh), cottonseed, cucurbits, forage legumes, fruiting vegetables, leafy vegetables, peanuts, potatoes, safflower seed, seed and pod vegetables, sugar beets, sugarcane, sunflower seed.

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

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

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

Dated: June 24, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-7830; Filed, July 1, 1968; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

DIOCTYL SODIUM SULFOSUCCINATE

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 7A2151) filed by American Cyanamid Co., Fine Chemicals Department, Pearl River, N.Y. 10965, and Yoo-Hoo Beverage Co., 600 Commercial Avenue, Carlstadt, N.J. 07072, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use as set forth below of dioctyl sodium sulfosuccinate as an emulsifying agent for cocoa fat in noncarbonated beverages containing cocoa. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner (21 CFR 2.120), § 121.1137 is amended by adding thereto a new paragraph, as follows:

§ 121.1137 Dioctyl sodium sulfosuccinate.

* * * * *

(d) As an emulsifying agent for cocoa fat in noncarbonated beverages containing cocoa, whereby the amount of the additive does not exceed 25 parts per million of the finished beverage.

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

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

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

Dated: June 24, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-7827; Filed, July 1, 1968; 8:49 a.m.]

Title 29—LABOR

Chapter XIV—Equal Employment Opportunity Commission

PART 1600—EMPLOYEE RESPONSIBILITIES AND CONDUCT

Outside Employment and Other Activity

Pursuant to Executive Order 11408 of April 25, 1968, which revoked Executive Order 9 of January 17, 1873, various Executive orders that interpreted Executive Order 9, and Executive Order 9367 of August 4, 1943, the EEOC is hereby revising Part 1600 of its regulations, Title 29, Code of Federal Regulations, to conform its own regulations to the corresponding amendments of the Civil Service Regulations.

The changes in the revised Part 1600 concern § 1600.735-203 (b) and (c).

Paragraph (c) of § 1600.735-203 is now revoked. Paragraph (b) of § 1600.735-203 is amended to read as follows:

§ 1600.735-203 Outside employment and other activity.

* * * * *

(b) Employees are encouraged to engage in teaching, lecturing and writing that is not prohibited by law, the Executive order, this part, or the agency regulations. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing, including teaching, lecturing, or writing for the purpose of the special preparation of a person or class of persons for an examination of the Commission or Board of Examiners for the Foreign

Service, that depends on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the agency head gives written authorization for use of nonpublic information on the basis that the use is in the public interest. In addition, an employee who is a Presidential appointee covered by section 401(a) of the order shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of his agency, or which draws substantially on official data or ideas which have not become part of the body of public information.

(c) [Revoked]

* * * * *

This revision is effective upon publication in the FEDERAL REGISTER.

Approved by the Civil Service Commission May 10, 1968.

CLIFFORD L. ALEXANDER, Jr.,
Chairman.

JUNE 28, 1968.

[F.R. Doc. 68-7933; Filed, July 1, 1968; 10:28 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS

[Dept. Circ. 655, Amdt. 3]

PART 211—DELIVERY OF CHECKS AND WARRANTS TO ADDRESSES OUTSIDE THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS

Withholding of Delivery of Checks

On the basis of information available to the Secretary of the Treasury, including advice received from the Department of State, the Secretary has determined that postal, transportation and banking facilities in general, and local conditions in Hungary are such that there is a reasonable assurance that the payee of a check or warrant drawn against funds of the United States, or any agency or instrumentality thereof, will actually receive such a check or warrant and be able to negotiate it for full value. The Treasury Department therefore finds it necessary to amend its regulations at 31 CFR Part 211 (Treasury Department Circular No. 655, as amended) so as to delete Hungary from the list of restricted areas in § 211.2(a) to which such a check or warrant may not be sent from the United States for delivery. The Department also finds, in accord with 5 U.S.C. 553, that notice and public procedure thereon are not necessary since the amendment involves a foreign affairs function of the United States.

Accordingly, § 211.2(a), Subchapter A, Chapter II of Title 31 of the Code of Federal Regulations is amended to read as follows:

§ 211.2 Withholding of delivery of checks.

(a) It is hereby determined that postal, transportation or banking facilities in general or local conditions in Albania, Communist-controlled China, Cuba, Estonia, Latvia, Lithuania, North Korea, North Viet-Nam, the Union of Soviet Socialist Republics, the Russian Zone of Occupation of Germany, and the Russian Sector of Occupation of Berlin, Germany, are such that there is not a reasonable assurance that a payee in those areas will actually receive checks or warrants drawn against funds of the United States, or agencies or instrumentalities thereof, and be able to negotiate the same for full value.

* * * * *

(Sec. 5, 54 Stat. 1087; 31 U.S.C. 127)

Effective date. This amendment shall become effective upon signature.

Dated: June 27, 1968.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 68-7894; Filed, July 1, 1968; 8:52 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

White, Arkansas, and Verdigris Rivers, Ark. and Okla.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.275 is hereby prescribed to govern the use, administration and navigation of the White, Arkansas, and Verdigris Rivers and the Arkansas Post Canal, Arkansas and Oklahoma, effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.275 White River, Arkansas Post Canal, Arkansas River, and Verdigris River between Mississippi River, Ark., and Catoosa, Okla.; use, administration, and navigation.

(a) The regulations in this section shall apply to:

(1) *Waterways.* White River between Mississippi River and Arkansas Post Canal, Ark.; Arkansas Post Canal, Ark.; Arkansas River between Arkansas Post Canal, Ark., and Verdigris River, Okla.; Verdigris River between Arkansas River and Catoosa, Okla.; and reservoirs on these waterways between Mississippi River, Ark., and Catoosa, Okla.

(2) *Locks.* All locks and appurtenant structures in the waterways described in subparagraph (1) of this paragraph.

(3) *Bridges, wharves and other structures.* All bridges, wharves, and other structures in or over the waterways described in subparagraph (1) of this paragraph.

(4) *Vessels and rafts.* The term "vessels" as used in this section includes every description of watercraft used, or capable of being used, as a means of transportation on water, other than rafts.

(b) Authority of District Engineers: The use, administration, and navigation of the waterways and structures to which this section applies shall be under the direction of the officers of the Corps of Engineers, U.S. Army, detailed in charge of the respective districts, and their authorized assistants. The cities in which these District Engineers are located, and the limits of their jurisdictions, are as follows:

(1) *District Engineer, U.S. Army Engineer District, Little Rock, Ark.* From Mississippi River, Ark., to Arkansas-Oklahoma State line at Fort Smith, Ark.

(2) *District Engineer, U.S. Army Engineer District, Tulsa, Okla.* From Arkansas-Oklahoma State line at Fort Smith, Ark., to Catoosa, Okla.

(c) Commercial statistics:

(1) As required by section 11 of the River and Harbor Act of September 22, 1922 (42 Stat. 1043; 33 U.S.C. 555), owners, agents, masters, and clerks of vessels plying upon the waterways to which this section applies shall furnish information on such activities for statistical purposes.

(2) The Waterway Traffic Report, ENG Form 3102, is prescribed for collecting information and data on vessels transiting locks and regulated canals. Copies of this form may be obtained free of charge from the District Engineer or the lockmaster at each lock.

(3) A report on the prescribed form shall be made and presented to the lockmaster at any of the federally operated locks for each trip made. Where no federally operated lock is passed, the report shall be mailed promptly to the District Engineer. Upon receipt of a written request from persons or corporations making frequent use of the waterways, permission may be granted to submit monthly reports in lieu of reports by trips.

(4) All persons rafting and towing logs shall submit reports giving such statistical information as may be required by the District Engineer.

(d) Locks:

(1) *Authority of lockmasters.* The lockmaster shall be charged with the immediate control and management of the lock and of the area set aside as the lock area, including the lock approach channels. He shall ensure that all laws, rules, and regulations for the use of the lock and lock area are duly complied with, to which end he is authorized to give all necessary orders and directions in accordance therewith, both to employees of the Government and to any and every

person within the limits of the lock or lock area, whether navigating the lock or not. No one shall cause any movement of any vessel or other floating thing in the lock or approaches except by or under the direction of the lockmaster or his assistants. For the purpose of the regulations in this section, the "lock area" is considered to extend from the downstream to the upstream arrival posts.

(2) *Sound signals.* Vessels desiring passage through a lock in either direction shall give notice to the lockmaster by one long and distinct blast of a horn or whistle when not less than one-half mile from the lock. When carrying dangerous cargo, the signal will be one long and one short blast of the horn or whistle. When the lock is ready for entrance, the lockmaster shall reply with one long blast of a horn or whistle. When the lock is not ready for entrance, the lockmaster shall reply by four or more short, distinct blasts of a horn or whistle (danger signal). Permission to leave the lock shall be indicated by the lockmaster by one short blast. A distinct blast is defined as a clearly audible blast of any length. A long blast means a blast of from 4 to 6 seconds' duration. A short blast is of about 1 second's duration.

(3) *Visual signals.* Signal lights will be displayed outside each lock gate to supplement the sound signals, as follows:

(i) One flashing green light to indicate that the lock is open to approaching navigation.

(ii) One flashing red light to indicate that the lock is not open to approaching navigation. Vessels shall stand clear.

(iii) One flashing amber light to indicate that the lock is being made ready to receive vessels for lockage.

(iv) Navigation over the dam is possible only at Lock and Dam No. 1 during high water. When this condition exists, a flashing purple light, visable upstream and downstream, will be displayed to indicate that traffic will bypass the lock and pass over the dam.

(4) *Radiotelephone.* Two-way radio equipment is provided at all locks. The "Safety and Calling" channel (Channel 16, frequency of 156.8mhz), will be monitored at all times for initial communication with vessels. Information transmitted or received in these communications shall in no way affect the requirements for the use of sound signals or display of visual signals as provided in subparagraphs (2) and (3) of this paragraph.

(5) *Precedence at locks.* (i) The vessel arriving first at a lock will be first to lock through. In the case of vessels approaching the lock simultaneously from opposite directions, the vessel approaching at the same elevation as the water in the lock chamber will be locked through first. Precedence shall be given to vessels belonging to the United States, passenger vessels, commercial vessels, rafts, and pleasure craft, in the order named. Arrival posts or markers will be established ashore above and below the locks. Vessels arriving at or opposite such posts or markers will be considered as having arrived at the lock within the meaning of this subparagraph. The lockmaster may prescribe such departure from the normal order of precedence stated above as, in his judgment, is warranted under prevailing circumstances to achieve best lock utilization.

(ii) The lockage of pleasure boats, houseboats, or like craft may be expedited by locking them through with commercial craft (other than barges carrying dangerous cargoes). If, after the arrival of such craft, no combined lockage can be accomplished within a reasonable time, not to exceed the time required for three other lockages, then separate lockage shall be made. Dangerous cargoes are described in Part 146, Title 46, Code of Federal Regulations.

(iii) Vessels, tows, or rafts with overall dimensions greater than 105 feet wide, 600 feet long, and 9 feet draft, or tows or rafts requiring breaking into two or more sections to pass through the lock may transit the lock at such time as the lockmaster determines that they will neither unduly delay the transit of craft of lesser dimensions, nor endanger the lock structure and appurtenances because of wind, current or other adverse conditions. These craft are also subject to such special handling requirements as the lockmaster finds necessary at the time of transit.

(6) *Entrance to and exit from locks.* No vessel or raft shall enter or leave locks before being signaled to do so. While waiting their turn, vessels or rafts must not obstruct navigation and must remain at a safe distance from locks. Before entering a lock they shall take position in the rear of any vessels or rafts that precede them, and there arrange the tow for locking in sections if necessary. Masters and pilots of vessels or persons in charge of rafts shall cause no undue delay in entering or leaving locks upon receiving the proper signal. They shall take such action as will insure that the approaches are not at any time unnecessarily obstructed by parts of a tow awaiting lockage or already passed through. They shall provide sufficient men to move through locks promptly without damage to the structures. Vessels or tows shall enter locks with reasonable promptness after being signaled to do so.

(7) *Lockage and passage of vessels.* (i) Vessels shall enter and leave locks under such control as to prevent any damage to the locks, gates, guide walls, guard walls, and fenders. Vessels shall be provided with suitable lines and fenders, shall always use fenders to protect the walls and gates, and when locking at night shall be provided with suitable lights and use them as directed. Fenders on vessels shall be water-soaked or otherwise fireproofed before being utilized in the lock or approaches. Vessels shall not meet or pass each other anywhere between the guide walls or fender system at the approaches to locks.

(ii) Vessels which do not have a draft of at least 2 feet less than the depth over sills, or which have projections liable to damage gates, walls, or fenders, shall not enter the approaches to or pass through locks. Information concerning depth over sills may be obtained from the lockman on duty.

(iii) Vessels having chains, lines, or drags either hanging over the sides or ends or dragging on the bottom for steering or other purposes will not be permitted to pass locks or dams.

(iv) Towing vessels shall accompany all tows or partial tows through locks.

(v) No vessel whose cargo projects beyond its sides will be admitted to lockage.

(vi) Vessels in a sinking condition shall not enter locks or approaches.

(vii) The lockmaster may refuse to lock vessels which, in his judgment, fail to comply with the regulations in this paragraph.

(8) *Lockage of rafts.* Rafts shall be locked through in sections as directed by the lockmaster. No raft will be locked that is not constructed in accordance with the requirements stated in paragraph (f) of this section. The person in charge of a raft desiring lockage shall register with the lockmaster immediately upon arriving at the lock and receive instructions for locking.

(9) *Number of lockages.* Tows or rafts locking in sections will generally be allowed only two consecutive lockages if individual vessels are waiting for lockage, but may be allowed more in special cases. If tows or rafts are waiting above and below a lock for lockage, sections will be locked both ways alternately whenever practicable. When two or more tows or rafts are waiting lockage in the same direction, no part of one shall pass the lock until the whole of the one preceding it shall have passed.

(10) *Mooring.* (i) Vessels and rafts when in a lock shall be moored where directed by the lockmaster by bow, stern, and spring lines to the bitts provided for that purpose, and lines shall not be let go until the signal is given for the vessel or raft to leave. Tying to the lock ladders is prohibited.

(ii) The mooring of vessels or rafts near the approaches to locks except while waiting for lockage, or at other places in the pools where such mooring interferes with general navigation, is prohibited.

(11) *Operating locks.* The lock gates, valves, and accessories will be moved only under the direction of the lockmaster; but, if required, all vessels and rafts using the locks shall furnish ample help on the lock walls for handling lines under the direction of the lockmaster.

(e) Waterways:

(1) *Fairway.* A clear channel shall at all times be left open to permit free and unobstructed navigation by all types of vessels and rafts that normally use the various waterways or sections thereof. The District Engineer may specify the width of the fairway required in the waterways under his charge.

(2) *Anchoring or mooring in waterway.* (i) No vessels or rafts shall anchor or moor in any of the land cuts or other narrow parts of the waterway, except in an emergency. Whenever it becomes necessary for a vessel or raft to stop in any such portions of the waterway, it

shall be securely fastened to one bank and as close to the bank as possible. This shall be done only at such a place and under such conditions as will not obstruct or prevent the passage of other vessels or rafts. Stoppages shall be only for such periods as may be necessary.

(ii) Except temporarily, as authorized in subdivision (i) of this subparagraph, no vessel or raft will be allowed to use any portion of the fairway as a mooring place without written permission from the District Engineer.

(iii) When tied up individually, all vessels shall be moored by bow and stern lines. Rafts and tows shall be secured at sufficiently close intervals to insure their not being drawn away from the bank by winds, currents, or the suction of passing vessels. Towlines shall be shortened so that the different parts of the tow will be as close together as possible. In narrow sections, no vessel or raft shall be tied abreast of another if the combined width of vessels or rafts is greater than 70 feet.

(iv) Lights shall be displayed in accordance with provisions of the Federal Pilot Rules for Western Rivers.

(v) When a vessel is moored under an emergency condition, as provided in subdivision (i) of this subparagraph, at least one crew member shall remain in attendance to display proper lights and signals and tend the mooring lines. The crew member shall be provided with an adequate means of communication or signalling a warning in the event that, for any reason, the vessel or tow should go adrift. Immediately after completion of the emergency mooring, the lockmaster of the first lock downstream shall be notified of the character and cargo of the vessel and the location of such mooring.

(vi) Vessels will not be permitted to load or unload in any of the land cuts, except at a regular established landing or wharf, without written permission secured in advance from the District Engineer.

(vii) Except in an emergency, no vessel or raft shall anchor over revetted banks of the waterway, nor shall any type vessel except launches and other small craft land against banks protected by revetment except at regular commercial landings.

(3) *Speed.* (i) Excessive speed in narrow sections is prohibited. Official signs indicating limiting speeds through critical sections shall be strictly obeyed.

(ii) When approaching and passing through a bridge, all vessels and rafts, regardless of size, shall control their speed so as to insure that no damage will be done to the bridge or its fenders.

(iii) Within the last mile of approach to unattended, normally open automatic, movable span bridges, the factor of river flow velocity, of vessel (and tow) velocity, and of vessel power and crew capability are never to be permitted to result in a condition whereby the movement of vessel (and tow) cannot be completely halted or reversed within a 3-minute period.

(iv) A vessel shall reduce its speed sufficiently to prevent any damage when approaching another vessel in motion or tied up, a wharf or other structure, works under construction, plant engaged in river and harbor improvement, levees withstanding floodwaters, buildings submerged or partially submerged by high waters, or any other manner of structure or improvements likely to be damaged by collison, suction, or wave action.

(4) *Assembly and handling of tows.* (i) All vessels drawing tows not equipped with rudders in restricted channels and land cuts shall use two towlines, or a bridle on one towline, shortened to the greatest possible extent so as to have maximum control at all times. The various parts of a tow shall be securely assembled with the individual units connected by lines as short as practicable. In open water, the towlines and fastenings between barges may be lengthened so as to accommodate the wave surge. In the case of lengthy or cumbersome tows, or tows in restricted channels, the District Engineer may require that tows be broken up, and may require the installation of a rudder or other approved steering device on the tow in order to avoid obstructing navigation or damaging the property of others. Pushing barges with towing vessel astern, towing barges with towing vessel alongside, or pushing and pulling barges with units of the tow made up both ahead and astern of the towing vessel is permissible provided that adequate power is employed to keep the tow under full control at all times.

(ii) No tow shall be drawn by a vessel that has insufficient power or crew to permit ready maneuverability and safe handling.

(iii) No vessel or tow shall navigate through a drawbridge until the movable span is fully opened.

(5) *Projections from vessels.* No vessels carrying a deck load which overhangs or projects over the side, or whose rigging projects over the side, so as to endanger passing vessels, wharves, or other property, shall enter or pass through any of the narrow parts of the waterway.

(6) *Meeting and passing.* Vessels on meeting or overtaking shall give the proper signals and pass in accordance with Federal Pilot Rules for Western Rivers. Rafts shall give to vessels the side demanded by proper signal. All vessels approaching dredges or other plant engaged on improvements to a waterway shall give the signal for passing and slow down sufficiently to stop if so ordered or if no answering signal is received. On receiving the answering signal, they shall then pass at a speed sufficiently slow to insure safe navigation. Vessels approaching an intersection or bend where the view is obstructed must exercise due caution. At certain intersections where strong currents may be encountered, sailing directions may be issued from time to time through navigation bulletins or signs posted on each side of the intersections which must be observed.

(f) Rafts: Rafts will be permitted to navigate a waterway only if properly and securely assembled. The passage of loose logs over any portion of a waterway is prohibited. Each section of a raft shall be so secured within itself as to prevent the sinking of any log and so fastened or tied with chains or wire rope that it cannot be separated or bag out so as to materially change its shape. All dogs, chains, and other means used in assembling rafts shall be in good condition and of ample size and strength to accomplish their purpose.

(1) No section of a raft will be permitted to be towed over any portion of a waterway unless the logs float sufficiently high in the water to make it evident that the section will not sink en route.

(2) All rafts shall carry sufficient men to enable them to be managed properly, and to keep them from being an obstruction to other craft using the waterway. To permit safe passage in a narrow channel rafts shall, if necessary, stop and tie up alongside the bank. Care must be exercised both in towing and mooring rafts to avoid the possibility of damage to aids to navigation maintained by or under authority of the United States.

(3) When rafts are left for any reason with no one in attendance, they shall be securely tied at each end and at as many intermediate points as may be necessary to keep the timbers from bagging into the stream and must be moored so as to conform to the shape of the bank. From sunset to sunrise, rafts moored to the bank shall have lights at 200-foot intervals along their entire length. Rafts shall not be moored at prominent projections of the bank or at critical sections.

(4) Logs may be stored in certain tributary stream provided at least one-half the width of the stream be left for navigation. Such storage spaces shall be protected by booms and, if necessary to maintain an open channel, piling shall also be used. Authority for placing such booms and piling shall be obtained by written permit from the District Engineer.

(5) The building, assembling, or breaking up of a raft in a waterway will be permitted only upon special authority obtained from the District Engineer and under such conditions as he may prescribe.

(g) Damage: This section shall not affect the liability of the owners and operators of vessels for any damage caused by their operations to canal revetments, lock piers and walls, bridges, and bridge fenders, or for displacing or damaging buoys, stakes, spars, range lights, or other aids to navigation. Should any part of a revetment, lock, or bridge be damaged, the master shall report that fact, and furnish a clear statement of how the damage occurred, to the nearest Government lockmaster, or bridgetender, and by mail to the District Engineer in charge of the section of the waterway in which the damage occurred. Should any aid to navigation be damaged, the master shall report that fact immediately to the Commander, Second Coast Guard District, St. Louis, Mo.

(h) Marine accidents: Masters, mates, pilots, owners, or other persons using the waterways to which the regulations in

this section apply shall report to the District Engineer or his authorized representative by the most expeditious means available all marine accidents, such as fire, collision, sinking, or stranding, where there is possible obstruction of the channel or interference with navigation, furnishing a clear statement as to the name, address, and ownership of the vessel or vessels involved, the time and place, and the action taken. In all cases, the owner of a sunken vessel shall take immediate steps to mark the wreck properly.

(i) Trespass on U.S. property: Trespass on lock grounds or other waterway property or injury to the banks, lock entrances, locks, cribs, dams, piers, fences, trees, buildings, or any other property of the United States pertaining to the waterway is strictly prohibited. No landing of freight, passengers, or baggage will be allowed on or over Government piers, lock walls, guide or guard walls, except by permission of the lockmaster. No person except employees of the United States or persons assisting with the locking operations under the direction of the lockmaster will be allowed on the dam, lock walls, guide walls, guard walls, abutments, or appurtenant structures.

(j) Vessels to carry regulations: A copy of the regulations in this section shall be kept at all times on board each vessel regularly navigating the waterways to which the regulations in this section apply. Copies may be obtained free of charge at any of the locks or from the District Engineers upon request.

[Regs., June 5, 1968. 1507-32 (White, Arkansas, and Verdigris Rivers, Ark. and Okla.)-ENGCW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

For the Adjutant General.

J. W. HURD,
Colonel, AGC, Comptroller, TAGO.

[F.R. Doc. 68-7760; Filed, July 1, 1968; 8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4457]

[Anchorage 2673]

ALASKA

Withdrawal for Native School

By virtue of the authority contained in the act of May 31, 1938 (52 Stat. 593; 48 U.S.C. 353a), it is ordered as follows:

1. Subject to valid existing rights, the following described lands which are under the jurisdiction of the Secretary of the Interior, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., Ch. 2), but not from leasing under the mineral leasing laws, and reserved for school purposes in connection with the Kodiak-Aleutian Vocational School:

KODIAK

Beginning at a point from which corner 4 of U.S. Survey 562 bears S. 47°30' W., 228.57 feet, the true point of beginning of this description; thence N. 36°58' E., 469.88 feet; thence N. 43°52'30" E., 149.32 feet; thence S. 34°43' E., 323.51 feet; thence N. 55°17' E., 100 feet; thence S. 34°43' E., 25 feet; thence S. 43°38' W., 350.30 feet; thence W. 425 feet to the true point of beginning.

The tract described contains 3.17 acres.

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

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 24, 1968.

[F.R. Doc. 68-7765; Filed, July 1, 1968; 8:45 a.m.]

[Public Land Order 4458]

[Sacramento 080122]

CALIFORNIA

Withdrawal for National Forest Administrative Site and Recreation Areas

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

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

MOUNT DIABLO MERIDIAN

SIERRA AND STANISLAUS NATIONAL FORESTS

Merced River Recreation Areas and Administrative Site

T. 3 S., R. 19 E.,
Sec. 13, S½N½ lot 13, S½N½ lot 14, S½N½ lot 15;
Sec. 14, NE¼NE¼SW¼, E½W½NE¼SW¼, W½SE¼NE¼SW¼, NW¼SE¼SE¼, W½NE¼SE¼SE¼, N½SW¼SE¼SE¼, NE¼NE¼SW¼SE¼;
Sec. 20, W½SW¼NE¼SW¼, S½NW¼SW¼;
Sec. 22, E½SE¼ lot 2, N½SW¼ lot 4;
Sec. 23, S½NW¼NW¼NW¼, NW¼NW¼SW¼NW¼, W½SW¼NW¼NW¼, W½E½SW¼NW¼NW¼ (except a 1.25-acre tract in the NW¼NW¼SW¼NW¼ and W½SW¼NW¼NW¼ occupied by Indian Flat substation, Power Project 1153);
Sec. 30, W½NW¼ lot 2, E½NE¼ lot 3, N½SE¼ lot 3, E½SW¼ lot 3.

The areas described aggregate 145.25 acres in Mariposa County.

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

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 24, 1968.

[F.R. Doc. 68-7764; Filed, July 1, 1968; 8:45 a.m.]

[Public Land Order 4459]

[Montana 1170; 1188]

MONTANA

Withdrawal for National Forest Administrative Sites and Recreation Areas

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

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

(Montana 1170)

FLATHEAD NATIONAL FOREST

PRINCIPAL MERIDIAN

Summit Recreation Area

Unsurveyed, but probably will be when surveyed:

T. 30 N., R. 13 W.,
Sec. 31, those portions of the N½NW¼SW¼, SE¼SW¼NW¼, that lie south of the Flathead National Forest boundary.

Fielding Recreation Area

Unsurveyed, but probably will be when surveyed:

T. 29 N., R. 14 W.,
Sec. 16, SW¼ except HES 663, W½SE¼ except HES 819, W½E½SE¼ except HES 819, W½SE¼NE¼, and SE¼SW¼NE¼.

Devil Creek Campground

T. 29 N., R. 15 W.,
Sec. 26, lot 1, N½SE¼NE¼, and NE¼SW¼NE¼.

Bear Creek-Middle Fork Picnic Ground

T. 29 N., R. 15 W.,
Sec. 31, lot 3.

Holland Lake Recreation Area

T. 19 N., R. 16 W.,
Sec. 2, N½NE¼NW¼ and N½N½NW¼NW¼.
T. 20 N., R. 16 W.,
Sec. 34, lot 2, and E½W½SE¼;
Sec. 35, lots 1 to 8, inclusive, S½NW¼NW¼, and N½SW¼SE¼;
Sec. 36, lots 1 to 6, inclusive.

Crossover Recreation Area

Unsurveyed, but probably will be when surveyed:

T. 26 N., R. 16 W.,
Sec. 14, W½E½NE¼, and that portion of the W½NE¼ above the Bureau of Reclamation first form reclamation withdrawal of December 15, 1947.

Paola Creek Recreation Area

Unsurveyed, but probably will be when surveyed:

T. 30 N., R. 16 W.,
Sec. 21, those portions of the E½SW¼SE¼ and W½SE¼SE¼ that lie west of the Flathead National Forest boundary;
Sec. 28, E½NW¼NE¼, and that portion of W½NE¼NE¼ that lies west of the Flathead National Forest boundary.

Lindberg Lake Recreation Area

T. 19 N., R. 17 W.,
Sec. 14, lots 1 to 7, inclusive, S½N½NE¼.

Devil's Corkscrew Campground

Unsurveyed, but probably will be when surveyed:

T. 27 N., R. 17 W.,
Sec. 12, SW¼SW¼SW¼SE¼, and that portion of the S½SE¼SE¼SW¼ above the Bureau of Reclamation first form reclamation withdrawal of April 8, 1946;
Sec. 13, those portions of lot 1 and the W½NW¼NW¼NE¼ above the Bureau of Reclamation first form reclamation withdrawal of April 8, 1946.

Murray Creek Recreation Area

Unsurveyed, but probably will be when surveyed:

T. 29 N., R. 17 W.,
Sec. 18, SW¼NE¼SW¼SE¼, and those portions of the NW¼SW¼SE¼ and S½SW¼SE¼ above the Bureau of Reclamation first form reclamation withdrawal of April 8, 1946;
Sec. 19, those portions of the N½NE¼ and SW¼NE¼ above the Bureau of Reclamation first form reclamation withdrawal of April 8, 1946.

Cascade Creek-Nyack Recreation Area

T. 31 N., R. 17 W.,
Sec. 18, lots 11 and 12;
Sec. 19, lots 1 and 2;
Sec. 20, lot 3.

Cascadilla Recreation Area

T. 31 N., R. 17 W.,
Sec. 21, lots 6 and 7;
Sec. 27, lot 4;
Sec. 28, lot 1.

Emery Bay Recreation Area

Unsurveyed, but probably will be when surveyed:

T. 30 N., R. 18 W.,
Sec. 30, SE¼NW¼, S½SW¼NW¼, and those portions of the SW¼NE¼, SW¼, and NW¼SE¼ above the Bureau of Reclamation first form reclamation withdrawal of December 15, 1947.

Flathead Picnic Grounds

T. 25 N., R. 19 W.,
Sec. 9, NW¼SW¼.

Half Moon Recreation Area

T. 31 N., R. 19 W.,
Sec. 11, lots 1 and 2.

The areas described aggregate 1,900.45 acres in Glacier, Flathead, Missoula, and Lake counties.

(Montana 1188)

KOOTENAI NATIONAL FOREST

PRINCIPAL MERIDIAN

Sunday Mountain Lookout

T. 33 N., R. 25 W.,
Sec. 29, SW¼NE¼SE¼.

Murphy Lake Recreation Area

T. 34 N., R. 25 W.,
Sec. 5, lot 11;
Sec. 8, lot 1.

South Dickey Lake Recreation Area

T. 34 N., R. 25 W.,
Sec. 15, lot 6.

Marston Lookout

Unsurveyed, but which probably will be when surveyed:

T. 35 N., R. 25 W.,
Sec. 26, SW¼NW¼SE¼.

Big Therriault Lake Recreation Area

Unsurveyed, but which probably will be when surveyed:

T. 37 N., R. 25 W.,
Sec. 29, N½SE¼SW¼ and SW¼SE¼SW¼.

Stahl Peak Lookout

Unsurveyed, but which probably will be when surveyed:

T. 37 N., R. 25 W.,
Sec. 33, S½NE¼SE¼SE¼ and N½SE¼SE¼SE¼.

Horse Hill Lookout

T. 30 N., R. 26 W.,
Sec. 30, SW¼ of lot 3.

Frank Lake Recreation Area

T. 35 N., R. 26 W.,
Sec. 17, lot 1.

Pinkham Mountain Lookout

T. 33 N., R. 27 W.,
Sec. 9, NE¼NW¼NE¼.

Black Butte Lookout

T. 36 N., R. 27 W.,
Sec. 20, NE¼SW¼SW¼.

Calx Mountain Lookout

T. 28 N., R. 27½ W.,
Sec. 10, SE¼NW¼NE¼.

Ziegler Mountain Lookout

T. 33 N., R. 28 W.,
Sec. 31, SW¼NE¼SE¼.

Sylvan Lake Recreation Area

T. 25 N., R. 29 W.,
Sec. 24, lots 2 and 3.

Kenelty Mountain Lookout

T. 27 N., R. 29 W.,
Sec. 22, SE¼NE¼SE¼.

Webb Mountain Lookout

T. 35 N., R. 29 W.,
Sec. 10, NE¼NW¼NW¼.

Horse Mountain Lookout

T. 28 N., R. 30 W.,
Sec. 33, SW¼SW¼SW¼.

Big Swede Lookout

T. 30 N., R. 30 W.,
Sec. 17, SW¼ of lot 2.

Blue Mountain Lookout

T. 32 N., R. 30 W.,
Sec. 32, S½NE¼NE¼.

Mount Henry Lookout

T. 36 N., R. 30 W.,
Sec. 17, NE¼NW¼SW¼.

Big Creek Baldy Lookout

T. 33 N., R. 31 W.,
Sec. 12, SW¼NW¼SE¼.

Turner Mountain Winter Sports Area

T. 33 N., R. 31 W.,
Sec. 20, W½SE¼, N½SW¼, and S½NW¼.

Scenery Lookout

Unsurveyed, but which probably will be when surveyed:

T. 31 N., R. 32 W.,
Sec. 29, NE¼SW¼SE¼.

Garver Mountain Lookout

Unsurveyed, but which probably will be when surveyed:

T. 37 N., R. 32 W.,
Sec. 32, SE¼SW¼NE¼.

Bad Medicine Recreation Area

T. 28 N., R. 33 W.,
Sec. 4, lot 4.

Baldy Mountain Lookout

T. 35 N., R. 33 W.,
Sec. 6 (unsurveyed). Beginning at a point from which the center of the fire lookout tower on Baldy Mountain bears west 5 chains, thence south 5 chains; west 10 chains; north 10 chains; east 10 chains; south 5 chains to point of beginning.

Yaak Mountain Lookout

T. 32 N., R. 34 W.,
Sec. 2, SE¼SW¼SW¼.

The areas described aggregate 717.18 acres in Flathead, Lincoln, and Phillips Counties.

The total of the areas described in this order aggregates 2,617.63 acres.

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

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 24, 1968.

[F.R. Doc. 68-7766; Filed, July 1, 1968; 8:45 a.m.]

[Public Land Order 4460]

[Nevada 047439]

NEVADA

Partial Revocation of Stock Driveway Withdrawal

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, it is ordered as follows:

1. The departmental order of November 26, 1919, creating Stock Driveway Withdrawal No. 117, is hereby revoked so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 38 N., R. 58 E.,
Sec. 12.
T. 37 N., R. 59 E.,
Secs. 2 and 14;
Sec. 24, W½NW¼.
T. 38 N., R. 59 E.,
Secs. 18, 20, 28, and 34.

The areas described aggregate 4,564.56 acres in Elko County.

The lands are situated northwest of Deeth, Nev. Topography is flat to rolling and supports a vegetative cover of sagebrush and weeds.

2. At 10 a.m. on July 30, 1968, the lands shall be open to operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law and procedures. All valid applications received at or prior to 10 a.m. on July 30, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

The lands have been open to applications and offers under the mineral leasing laws, and to location under the U.S. mining laws subject to the regulations in 43 CFR 3400.3.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nev.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 24, 1968.

[F.R. Doc. 68-7767; Filed, July 1, 1968; 8:45 a.m.]

[Public Land Order 4461]

[Utah 5255]

UTAH

Modification of Uinta National Forest Boundary

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

That portion of the boundary of the Uinta National Forest established by Proclamation of August 3, 1901, lying from 0.5 to 1.5 chains east of the third meridional line of T. 11 S., R. 3 E., Salt Lake Meridian, is hereby modified to coincide with that line as it was surveyed in 1916 and approved March 6, 1920.

The lands excluded from the national forest by this order aggregate approximately 46 acres of nonpublic land in Utah County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 24, 1968.

[F.R. Doc. 68-7768; Filed, July 1, 1968; 8:45 a.m.]

[Public Land Order 4462]

[Nevada 051779]

NEVADA

Revocation of Air Navigation Site Withdrawal No. 220

By virtue of the authority contained in section 4 of the Act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), it is ordered as follows:

1. The departmental order of October 7, 1944, which withdrew the following described public land as Air Navigation Site Withdrawal No. 220, is hereby revoked:

MOUNT DIABLO MERIDIAN

T. 2 N., R. 44 E.,
Sec. 32, NW¼NW¼SE¼.

Containing 10 acres in Nye County, Nev.

The land lies approximately 9 miles southeast of Tonopah, Nev., in Ralston Valley. Topography is nearly level with a sparse salt tolerant desert shrub and grass vegetative cover.

2. At 10 a.m. on July 30, 1968, the land shall be open to operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law and procedures. All valid applications received at or prior to 10 a.m. on July 30, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The land has been open to applications and offers under the mineral leasing laws.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nev.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 24, 1968.

[F.R. Doc. 68-7769; Filed, July 1, 1968; 8:45 a.m.]

[Public Land Order 4463]

[Montana 1171]

MONTANA

Withdrawal for National Forest Administrative Sites and Recreation Areas

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

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

PRINCIPAL MERIDIAN

DEERLODGE NATIONAL FOREST

Elkhorn Picnic Ground

T. 6 N., R. 3 W.,
Sec. 14, lot 7, SW¼ of lot 13, SE¼ of lot 14, N½NE¼SW¼SW¼, and NW¼NW¼SE¼SW¼.

Pigeon Campground

T. 1 N., R. 6 W.,
Sec. 30, S½ of lot 4;
Sec. 31, N½NE¼NE¼NW¼ and NE¼NW¼NE¼NW¼.

Anaconda Job Corps Spike Camp

T. 2 N., R. 6 W.,
Sec. 4, E½NE¼, SW¼NE¼, S½NW¼, NE¼SW¼, and N½SE¼ of lot 10.

Homestake Lake Recreation Area

T. 2 N., R. 6 W.,
Sec. 18, W½ of lot 8, and NW¼ of lot 9.
T. 2 N., R. 7 W.,
Sec. 13, SE¼NE¼, NE¼SE¼, and E½NW¼SE¼.

Delmoe Lake Recreation Area

T. 3 N., R. 6 W.,
Sec. 21, SW¼ of lot 5, lot 8, E½NE¼SW¼SW¼, and NE¼SE¼SW¼SW¼;
Sec. 22, SW¼ of lot 2 and NW¼ of lot 4;
Sec. 27, W½ of lot 6;
Sec. 28, lot 1, lot 2, NE¼SW¼NE¼, E½NW¼SW¼NE¼, and N½SE¼SW¼NE¼.

Cinderella Campground

T. 4 N., R. 6 W.,
Sec. 18, W½NE¼NE¼SE¼, W½NE¼SE¼, NW¼SE¼NE¼SE¼, E½NW¼SE¼, E½NW¼NW¼SE¼, and NE¼SW¼NW¼SE¼.

Jack Mountain Lookout

T. 7 N., R. 6 W.,
Sec. 24, S½SE¼SW¼SE¼;
Sec. 25, N½NE¼NW¼NE¼.

Lime Kiln Campground

T. 1 N., R. 7 W.,
Sec. 15, W½NW¼SW¼SW¼, and NW¼SW¼SW¼SW¼;
Sec. 16, NE¼SE¼SE¼, and N½SE¼SE¼SE¼.

Lowland Campground

T. 5 N., R. 7 W.,
Sec. 32, SE¼NE¼SW¼, NE¼SE¼SW¼, W½SW¼NW¼SE¼, SE¼SW¼NW¼SE¼, and N½NW¼SW¼SE¼.

Blizzard Hill Lookout

T. 6 N., R. 8 W.,
Sec. 23, S½SW¼SE¼SW¼;
Sec. 26, N½NW¼ of lot 2.

Beaver Dam Campground

T. 2 N., R 10 W. (unsurveyed but when surveyed will probably be),
Sec. 36, SW¼NE¼NE¼, SW¼SE¼NE¼NE¼, NE¼SE¼NW¼NE¼, S½SE¼NW¼NE¼, NE¼SW¼NE¼, E½NW¼SW¼NE¼, N½SE¼SW¼NE¼, NW¼NE¼SE¼NE¼, and NW¼SE¼NE¼.

Anaconda Job Corps Camp

T. 5N., R 12 W.,
Sec. 17, S½SE¼SW¼NW¼ and SW¼SW¼SE¼NW¼;
Sec. 20, NE¼NE¼NW¼, E½NW¼NE¼NW¼, and N½SE¼NE¼NW¼.

Georgetown Lake Recreation Area

T. 5 N., R. 13 W.,
Sec. 6, lots 1 and 2;
Sec. 20, lot 20.
T. 5 N., R. 14 W.,
Sec. 12, lots 1 through 8 inclusive, NW¼NE¼, NE¼NW¼, and SW¼NW¼;
Sec. 14, lots 1, 4, and 5, all of lot 2 except N½ and N½S½, all of lot 3 except W½NW¼, E½NW¼NE¼, E½W½NW¼NE¼, SE¼NE¼NW¼SW¼, S½S½NW¼SW¼, and SW¼SW¼;
Sec. 22, N½NE¼NE¼, N½S½NE¼NE¼, W½NE¼, E½NE¼NE¼SE¼, NE¼SE¼NE¼SE¼, N½NW¼SE¼, N½S½NW¼SE¼, and SW¼SW¼NW¼SE¼;
Sec. 24, S½NW¼SE¼.

Stewart Lake Recreation Area

T. 7 N., R. 13 W. (unsurveyed but when surveyed will probably be),
Sec. 16, W½SW¼NW¼NE¼, W½NW¼SW¼NE¼, S½NE¼NW¼, N½N½SE¼NW¼, and SE¼NE¼SE¼NW¼.

East Fork Recreation Area

T. 5 N., R. 14 W.,
Sec. 32, SW¼NW¼SW¼SW¼, SW¼SW¼SW¼, and SW¼SE¼SW¼SW¼.

Black Pine Lookout

T. 8 N., R. 15 W.,
Sec. 26, SE¼SE¼NW¼NW¼, N½NE¼SW¼NW¼, and NW¼NW¼SE¼NW¼.

Silver Plume Recreation Area

T. 3 N., R. 16 W.,
Sec. 24, SW¼NE¼NE¼NE¼, SE¼NW¼NE¼NE¼, SW¼NE¼NE¼, W½SE¼NE¼NE¼, W½NE¼SE¼NE¼, W½SE¼NE¼, and NW¼SE¼SE¼NE¼.

Moose Lake Guard Station

T. 4 N., R. 16 W.,
Sec. 25, S½N½NE¼NE¼, N½S½NE¼NE¼, SE¼SW¼NE¼NE¼, S½SE¼NE¼NE¼, and NW¼NE¼SE¼NE¼.

Emerine Lookout

T. 5 N., R. 16 W. (unsurveyed but when surveyed will probably be),
Sec. 7, NE¼NE¼NE¼SE¼;
Sec. 8, SW¼SW¼SW¼NW¼, N½NW¼NW¼SW¼, and SW¼NW¼NW¼SW¼.

Bridge Campground

T. 6 N., R. 16 W. (unsurveyed but when surveyed will probably be),
Sec. 29, E½SW¼SE¼NW¼, SW¼SW¼SE¼NW¼, W½SE¼SE¼NW¼, SE¼SE¼SE¼NW¼, N½NE¼NE¼SW¼, SW¼NE¼NE¼SW¼, N½NW¼NE¼SW¼, and SE¼NW¼NE¼SW¼.

Medicine Lake Recreation Area

T. 4 N., R. 17 W. (unsurveyed but when surveyed will probably be),
Sec. 2, S½N½SW¼NE¼, SW¼SW¼SE¼NE¼, S½NE¼SE¼NW¼, SE¼SE¼NW¼, S½SW¼NE¼, E½NE¼SW¼, SE¼NW¼NE¼SW¼, E½SW¼NE¼SW¼, NW¼NW¼NE¼SE¼, N½NW¼SE¼, SW¼NW¼SE¼, and N½SE¼NW¼SE¼.

Hell's Canyon Guard Station

T. 2 S., R. 7 W.,
Sec. 1, NW¼NW¼SW¼;
Sec. 2, NE¼NE¼SE¼.

The areas described aggregate approximately 1,828.10 acres in Jefferson, Powell, Silver Bow, Deer Lodge, Granite, and Madison Counties.

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

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 24, 1968.

[F.R. Doc. 68-7770; Filed, July 1, 1968; 8:45 a.m.]

[Public Land Order 4464]

[Montana 8255 (Minn.)]

MINNESOTA

Restoration of Lands to Tribal Ownership

Whereas, pursuant to the authority contained in the act of March 1, 1907 (34 Stat. 1032), the townsite of White Earth was established within the White Earth Indian Reservation, Minn.; and

Whereas, there are certain undisposed of lands within the townsite; and

Whereas, the Tribal Council and the Commissioner of Indian Affairs have recommended restoration of the townsite lands involved to tribal ownership;

Now, therefore, by virtue of the authority contained in sections 3 and 7 of the act of June 18, 1934 (48 Stat. 984; 25 U.S.C. 463(a)), I hereby find that the restoration to tribal ownership of the lands described below will be in the public interest, and the said lands are hereby restored to tribal ownership of the Minnesota, Chippewa Tribe of the White Earth Indian Reservation, Minn., subject to any valid existing rights:

FIFTH PRINCIPAL MERIDIAN

TOWNSITE OF WHITE EARTH

T. 142 N., R. 41 W.,
In sec. 23,
Block 4, lots 4 and 5;
Block 9, N⅓ of lot 5;
Block 16, lots 1, 2, and 4.

The areas described aggregate approximately 6 acres in Becker County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 24, 1968.

[F.R. Doc. 68-7771; Filed, July 1, 1968; 8:45 a.m.]

[Public Land Order 4465]

[Montana 7705]

MONTANA AND SOUTH DAKOTA

Revocation of National Forest Administrative Site and Ranger Station Withdrawals

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

1. The departmental orders of November 14, 1906, January 12, 1907, February 18, May 7, June 16, 22, and 29, August 12, September 4, and December 24, all in 1908, January 30, 1909, November 23, 1914, June 3, 1957, and May 4, 1959, withdrawing lands as administrative sites and ranger stations, are hereby revoked so far as they affect the following described lands:

MONTANA PRINCIPAL MERIDIAN

CUSTER NATIONAL FOREST

Breakneck Administrative Site

T. 5 S., R. 13 E. (unsurveyed),
Sec. 34, W½NW¼NE¼, E½NE¼NW¼.

Wounded Man Administrative Site

T. 6 S., R. 13 E. (unsurveyed),
Sec. 35, NW¼SE¼.

Bad Canyon Creek Ranger Station

T. 4 S., R. 15 E.,
Sec. 10, NE¼NE¼.

Woodbine Administrative Site

T. 5 S., R. 15 E.,
Sec. 32, SW¼NE¼ and N½NW¼SE¼.

Crooked Creek Ranger Station

T. 9 S., R. 27 E.,
Sec. 14, E½SW¼ (public domain).

Cub Creek Administrative Site

T. 7 S., R. 45 E.,
Sec. 14, NW¼SE¼SW¼ and SE¼SE¼SW¼.

Tooley Creek Administrative Site

T. 7 S., R. 45 E.,
Sec. 20, N½SE¼.

Tooley Creek Administrative Site

T. 7 S., R. 45 E.,
Sec. 20, N½SW¼.

Daily Creek Administrative Site

T. 2 S., R. 45 E.,
Sec. 25, N½NE¼ and SE¼NE¼.
T. 2 S., R. 46 E.,
Lots 3 and 4.

Liscon Creek Administrative Site

T. 1 S., R. 46 E.,
Sec. 3, NW¼SE¼.

Taylor Creek Ranger Station

T. 6 S., R. 46 E.,
Sec. 34, SE¼.

Three Mile Administrative Site

T. 4 S., R. 47 E.,
Sec. 8, SW¼NE¼.

Dot Bar Ranger Station

T. 1 S., R. 57 E.,
Sec. 15, S½SE¼NE¼, S½N½SE¼NE¼, E½NE¼SE¼, and E½W½NE¼SE¼.

Welcome Ranger Station

T. 2 N., R. 58 E.,
Sec. 35, NE¼.

Lonesome Ranger Station

T. 1 S., R. 60 E.,
Sec. 24, SE¼SE¼.
T. 1 S., R. 61 E.,
Sec. 19, lots 3 and 4;
Sec. 20, S½SW¼;
Sec. 29, NW¼NW¼;
Sec. 30, lot 1.

Maverick No. 3 Ranger Station

T. 2 S., R. 61 E.,
Sec. 32.
T. 3 S., R. 61 E.,
Sec. 5.
(A total of 158 acres described by metes and bounds in above two sections.)

The areas described aggregate 1,459.67 acres in Carbon, Carter, Powder River, Stillwater, and Sweetgrass Counties.

SOUTH DAKOTA BLACK HILLS MERIDIAN

CUSTER NATIONAL FOREST

Green Granite Ranger Station

T. 16 N., R. 3 E.,
Sec. 10, E½SE¼ and SE¼NE¼;
Sec. 11, NW¼SW¼ and S½SW¼.

Hay Creek Administrative Site

T. 20 N., R. 5 E.,
Sec. 4, lots 1, 2, and 3, SE¼NE¼.
T. 21 N., R. 5 E.,
Sec. 33, S½SW¼.

Eagle's Nest Administrative Site

T. 22 N., R. 5 E.,
Sec. 9, NE¼ and NE¼SE¼;
Sec. 10, NW¼SW¼.

Riley Pass Administrative Site

T. 22 N., R. 5 E.,
Sec. 27, S½NE¼ and N½SE¼.

Harper Jones Administrative Site

T. 18 N., R. 8 E.,
Sec. 5, SW¼SW¼;
Sec. 6, SE¼ and SW¼NE¼.

Basin Ranger Station Administrative Site

T. 18 N., R. 8 E.,
Sec. 19, E½NW¼.

The areas described aggregate 1,189.65 acres in Harding County.

2. Except for the E½SW¼ sec. 14, T. 9 S., R. 27 E., Principal Meridian, Montana, the lands shall be open at 10 a.m. on July 30, 1968, to such forms of disposition as may by law be made of national forest lands.

3. Until 10 a.m. on December 23, 1968, the State of Montana shall have a preferred right of application to select the E½SW¼ sec. 14, T. 9 S., R. 27 E., Principal Meridian, as provided by R.S. 2276, as amended (43 U.S.C. 852). After that time the lands shall be open to the operation of the public land laws generally, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable laws. All valid applications received at or prior to 10 a.m. on December 23, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. The lands have been open to applications and offers under the mineral leasing laws.

Inquiries concerning the lands described in paragraph 3 should be addressed to the Manager, Land Office, Bureau of Land Management, Billings, Mont.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 24, 1968.

[F.R. Doc. 68-7772; Filed, July 1, 1968; 8:45 a.m.]

[Public Land Order 4466]

[Montana 6495]

MONTANA

Revocation of Executive Order No. 1664

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

Executive Order No. 1664 of December 17, 1912, withdrawing the following described lands as the Pishkun Reservation, the name of which has been changed to Pishkun National Wildlife Refuge, is hereby revoked:

PRINCIPAL MERIDIAN

T. 22 N., R. 7 W.,
Sec. 1, lots 3 and 4, S½NW¼, SW¼;
Sec. 2;
Sec. 3, lots 1 and 2, S½NE¼, SE¼, and S½SW¼;
Sec. 9, NE¼, N½SE¼, and SE¼SE¼;
Sec. 10;
Sec. 11, W½, NE¼, and NE¼SE¼;
Sec. 12, NE¼, NW¼SW¼;
Sec. 15, NE¼.

The areas described aggregate 3,154.80 acres in Teton County. These lands remain withdrawn for reclamation purposes.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JUNE 25, 1968.

[F.R. Doc. 68-7773; Filed, July 1, 1968; 8:45 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 725]

FLUE-CURED TOBACCO

Farm Acreage Allotments and Marketing Quotas for 1966–67 and Subsequent Marketing Years

Pursuant to the authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended and supplemented, the Department is preparing to amend the regulations (31 F.R. 9775, including amendments) for establishing farm acreage allotments and marketing quotas, the issuance of marketing cards, the identification of marketings of tobacco, the collection and refund of penalties, and the records and reports incident thereto for flue-cured tobacco.

The Department gave notice in the FEDERAL REGISTER of June 7, 1968 (33 F.R. 8458), of proposed changes in the regulations. Among the changes was a proposal to change the definition of "leaf account tobacco" to limit the amount of floor sweepings authorized in the States of South Carolina, North Carolina, and Virginia, but to make no change in the percentage figure of 1.10 for the States of Florida and Georgia. The purpose of this document is to give notice that it is now proposed to change this percentage in Florida and Georgia from 1.10 to 0.50.

Prior to the issuance of the proposed regulations, any data, views, or recommendations pertaining thereto which are submitted to the Director, Farmer Programs Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, will be given consideration, provided such submissions are postmarked not later than 10 days after the date of publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in the manner convenient to the public business (7 CFR 1.27(b)).

Signed at Washington, D.C., on June 28, 1968.

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

[F.R. Doc. 68-7887; Filed, July 1, 1968; 8:52 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

β-NAPHTHOXYACETIC ACID

Proposed Establishment of Pesticide Tolerance

The Pineapple Research Institute of Hawaii, Honolulu, Hawaii 96822, and its member companies, have requested the Commissioner of Food and Drugs to establish a tolerance of 0.06 part per million for negligible residues of the plant regulator β-naphthoxyacetic acid in or on the raw agricultural commodity pineapples, and the request has been designated as a pesticide petition (PP 8E0703). Data submitted with the request to support the proposed tolerance show that a tolerance level of 0.05 part per million is adequate. The residue would result from application of the sodium salt of β-naphthoxyacetic acid to the growing crop to delay ripening of the fruit to prevent peaks of harvest whereby the amount of ripened fruit would exceed cannery capacity.

The Secretary of Agriculture has certified that the plant regulator is useful for the purpose for which the tolerance is being proposed.

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner concludes that the tolerance proposed herein is safe and would protect the public health. Therefore, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)) and delegated to the Commissioner (21 CFR 2.120), it is proposed that Part 120 be amended by adding to Subpart C a new section as follows:

§ 120.__ β-Naphthoxyacetic acid; tolerances for residues.

A tolerance of 0.05 part per million is established for negligible residues of the plant regulator β-naphthoxyacetic acid in or on the raw agricultural commodity pineapples from the application of the sodium salt of β-naphthoxyacetic acid to the growing crop.

Any person who has registered or who has submitted an application for the registration of an economic poison under the Federal Insecticide Fungicide, and Rodenticide Act containing β-naphthoxy acetic acid may request, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, that the proposal herein be referred to an advisory committee in accordance with section 408(e) of the act.

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

(Sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e))

Dated: June 19, 1968.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 68-7831; Filed, July 1, 1968; 8:49 a.m.]

[21 CFR Part 120]

O,O-DIETHYL O-[p-(METHYLSULFINYL)PHENYL] PHOSPHOROTHIOATE

Proposed Tolerance

Chemagro Corp., Post Office Box 4913, Hawthorn Road, Kansas City, Mo. 64120, in behalf of Farbenfabriken Bayer of West Germany, has requested that a tolerance of 0.02 part per million be established for residues of the insecticide *O,O*-diethyl *O*-[*p*-(methylsulfinyl) phenyl] phosphorothioate in or on bananas. Submitted data show (1) that application of 30 grams of a 10 percent granular formulation in a band approximately 30 centimeters wide around each cluster of the carrying plant is effective in the control of banana root worm, (2) that residues in or on bananas from this use would not exceed 0.02 part per million, and (3) that such residues in or on bananas will not be a hazard to man.

The U.S. Department of Agriculture advises that this insecticide is useful for the purpose proposed.

Based on consideration given the data submitted, and other relevant information, the Commissioner of Food and Drugs concludes that such a tolerance is safe and would protect the public health. Accordingly, by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)) and delegated to the Commissioner (21 CFR 2.120), it is proposed that § 120.234 be amended by inserting the following tolerance after the tolerance "0.1 part per million * * * ":

§ 120.234 *O,O*-Diethyl *O*-[*p*-(methylsulfinyl)phenyl] phosphorothioate; tolerances for residues.

* * * * *

0.02 part per million (negligible residue) in or on bananas.

Any person who has registered or who has submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing the subject insecticide may request, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, that this proposal be referred to an advisory committee in accordance with section 408(e) of the act.

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

Dated: June 21, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-7832; Filed, July 1, 1968; 8:49 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 68-AL-9]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Unalakleet, Alaska, control zone and transition area.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO, International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The VOR instrument approach procedure to the Unalakleet, Alaska Airport has been revised to provide for a descent over open water after procedure turn, thereby permitting lower landing minimums.

It, therefore, is proposed to redesignate the Unalakleet control zone as that airspace within a 5-mile radius of the Unalakleet Airport (lat. 63°53'10" N., long. 160°47'40" W.); within 2 miles each side of the Unalakleet RR northwest course, extending from the 5-mile radius zone to 14 miles northwest of the RR; within 2 miles each side of the Unalakleet VOR 225° radial, extending from the 5-mile radius zone to 14 miles southwest of the VOR; and within 2 miles each side of the Unalakleet TACAN 175° radial, extending from the 5-mile radius zone to 10.5 miles south of the TACAN. The control zone is effective from 0545 to 2145 hours, local time.

It is also proposed to redesignate the Unalakleet transition area as that airspace extending upward from 700 feet above the surface within 5 miles north and 8 miles south of the Unalakleet RR northwest course, extending from the RR to 17 miles northwest of the RR; and within 8 miles northwest and 5 miles southeast of the Unalakleet VOR 225° radial, extending from the VOR to 17 miles southwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within 7 miles northeast and 8 miles southwest of the RR southeast and northwest courses, extending from 7 miles southeast to 23 miles northwest of the RR.

The proposed alteration of the control zone and transition area would provide the necessary controlled airspace for aircraft executing the revised prescribed instrument approach procedure for the Unalakleet Airport.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on June 24, 1968.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 68-7794; Filed, July 1, 1968; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-EA-16]

TRANSITION AREAS

Proposed Alteration and Designation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Nantucket, Mass., transition area and designate a transition area in the vicinity of Gloucester, Mass.

As parts of these proposals relate to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO International Standards and Recommended Practices.

Applicability of International Standards and Recommended Practices by the Air Traffic Service, FAA, in areas outside domestic airspace of the United States is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting the safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever

a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the United States agreed by Article 3(d) that its state aircraft will be operated in international airspace with due regard for the safety of civil aircraft.

Since these actions involve, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

An air traffic control requirement exists for the airspace within W–104, when it is not utilized by the using agency. In addition, several adjacent small areas of uncontrolled airspace are also required.

It, therefore, is proposed to alter the Nantucket, Mass., transition area by deleting, in the last line of the text, "the arc of a 10.2-mile radius circle centered on the Nantucket CONSOLAN station" and substitute therefor, "the arc of a 10.2-mile radius circle centered on the Nantucket CONSOLAN station; the airspace northeast of Nantucket bounded on the northwest by Control 1143, on the southeast by Control 1146, and the east by a line along long. 67°00′00″ W. The airspace east of long. 68°00′00″ W., is excluded below 5,500 feet MSL.

It is also proposed to designate a transition area in the vicinity of Gloucester, Mass., which includes Warning Area W–104, as that airspace extending upward from 11,000 feet MSL east of Gloucester, Mass., bounded by Control 1141, 1142, and 1143, which would be in effect 1801 to 2359 and 0000 to 0600 hours, local time, Monday through Friday; continuous on Saturday and Sunday.

The additional controlled airspace would be used to provide air traffic control service, primarily radar vectoring, for air traffic operating between European and United States terminals ingressing and egressing Jet Routes/High Level Airways 575 and 585, Controls 1141, 1142, 1143, 1144, and 1146. In conjunction with that portion of the transition area coinciding with Warning Area W–104, ancillary non-rule-making action would be taken to establish joint-use procedures to obtain maximum utilization of the airspace within said area at 11,000 feet MSL and above.

These amendments are proposed under the authority of sections 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348 and 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on June 24, 1968.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 68–7795; Filed, July 1, 1968; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68–SO–41]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Vicksburg, Miss., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 18097, Memphis, Tenn. 38118. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

The Vicksburg transition area described in § 71.181 (33 F.R. 2137) would be redesignated as follows:

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Vicksburg Municipal Airport (lat. 32°-14′20″ N., long. 90°55′40″ W.); within 2 miles each side of the Vicksburg VOR 311° radial, extending from the 10-mile radius area to 8 miles northwest of the VOR; and that airspace extending upward from 1,200 feet above the surface within 5 miles each side of the 096° bearing from Vicksburg Municipal Airport, extending from the airport to 12 miles east; within 8 miles south and 5 miles north of the 276° bearing from Vicksburg Municipal Airport, extending from the airport to 12 miles west; within 8 miles southwest and 5 miles northeast of the Vicksburg VOR 311° radial, extending from the VOR to 12 miles northwest.

Since the original designation of the Vicksburg transition area, turbojet aircraft have begun utilizing the Vicksburg Municipal Airport. Current transition area criteria appropriate to this airport requires an increase in the basic radius circle to 10 miles. The proposed alteration permits the revocation of the 700-foot transition area extension predicated on the 276° bearing from the Vicksburg Municipal Airport.

The Vicksburg VOR to be located at lat. 32°18′05″ N., long. 91°00′42″ W. is scheduled to be commissioned on or about October 15, 1968. A VOR standard instrument approach procedure to Vicksburg Municipal Airport is proposed in conjunction with the commissioning of the VOR and the alteration of this transition area.

The proposed additional 700-foot and 1200-foot transition area extensions predicated on the VOR 311° radial are required to provide controlled airspace protection for aircraft executing the VOR standard instrument approach procedure.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)).

Issued in East Point, Ga., on June 19, 1968.

GORDON A. WILLIAMS, Jr.,
Acting Director, Southern Region.

[F.R. Doc. 68–7796; Filed, July 1, 1968; 8:47 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68–WE–14]

VOR FEDERAL AIRWAY

Withdrawal of Proposed Designation

In a notice of proposed rule making published in the FEDERAL REGISTER as Airspace Docket No. 68–WE–14 on March 30, 1968 (33 F.R. 5225), it was proposed to designate a VOR Federal airway from Baker, Oreg., via Walla Walla, Wash., Moses Lake, Wash.; to Ephrata, Wash.

Three comments were received in response to the notice. The Air Transport Association of America concurred in the proposal while the other two comments received from the U.S. Air Force strongly opposed the proposed action.

The Air Force opposition was based on the fact that the proposed airway would

bisect the Pasco, Wash., low altitude Intercept Training Area and thus seriously impair the Aerospace Defense Command (ADC) training activities. The Federal Aviation Administration has given full consideration to the comments received and is of the opinion that the proposed route would place an undue burden on ADC training activities. The FAA is in the process of reviewing the activities in the affected airspace in order to provide for the movement of en route traffic and ADC training activities.

Accordingly, in consideration of the foregoing, the notice of proposed rule making contained in Airspace Docket No. 68–WE–14 is hereby withdrawn.

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

Issued in Washington, D.C., on June 24, 1968.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 68–7797; Filed, July 1, 1968; 8:47 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 68–WE–47]

JET ROUTE

Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 75 of the Federal Aviation Regulations that would designate a jet route from Wilson Creek, Nev., direct to Meeker, Colo. This proposed jet route would provide a transition segment for routing westbound high altitude air traffic between Jet Routes Nos. 84 and 80 destined to land in the San Francisco/Oakland, Calif., terminal area.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 90007, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 24, 1968.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 68–7798; Filed, July 1, 1968; 8:47 a.m.]

[14 CFR Part 75]

[Airspace Docket No. 68–SW–39]

JET ROUTE

Proposed Establishment

The Federal Aviation Administration is considering an amendment to Part 75 of the Federal Aviation Regulations that would designate J–131 from San Antonio, Tex., via the intersection of San Antonio 007° T (358° M) and Greater Southwest, Tex., 219° T (210° M) radials; to Greater Southwest. This would provide an additional jet route to codesignated J–21/25 between San Antonio and Greater Southwest and relieve the heavy congestion of traffic at Austin, Tex. En route mileage via the proposed route would be the same as that via J–21/25.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Washington, D.C., on June 24, 1968.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 68–7799; Filed, July 1, 1968; 8:47 a.m.]

Notices

DEPARTMENT OF STATE

Agency for International Development

AMERICAN DENTISTS FOR FOREIGN SERVICE, INC.

Registration as Voluntary Foreign Aid Agency

In accordance with the regulations of the Agency for International Development concerning Registration of Agencies for Voluntary Foreign Aid (A.I.D. Regulation 3) 22 CFR Part 203, promulgated pursuant to section 621 of the Foreign Assistance Act of 1961, as amended, notice is hereby given that a Certificate of Registration [1] as a voluntary foreign aid agency has been issued by the Advisory Committee on Voluntary Foreign Aid of the Agency for International Development to the following agency:

American Dentists for Foreign Service, Inc., 619 Church Avenue, Brooklyn, N.Y. 11218.

Dated: June 24, 1968.

HERBERT SALZMAN,
Assistant Administrator for Private Resources.

[F.R. Doc. 68-7788; Filed, July 1, 1968; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Portland Area Office Redelegation Order 1, Amdt. 20]

SUPERINTENDENTS ET AL.

Redelegation of Authority With Respect to Leases and Permits (Non-Mineral)

Portland Order 1, 20 F.R. 234 (an Order by which the Area Director, Portland Area, redelegates authority to Superintendents, School Superintendent, Project Engineer, and Assistant Superintendents), as amended, is further amended as hereinafter indicated:

Section 2.12, under the heading "Functions Relating to Lands and Minerals," is amended to read as follows:

SEC. 2.12 *Leases and permits (Non-mineral).* All those matters set forth in 25 CFR Part 131 except

(1) The approval of leases which provide for a duration in excess of 10 years, inclusive of any provisions for extensions or renewals thereof; and, the approval of any amendment of such lease changing the use purpose or reducing the rental. This exception does not apply to the leasing of tribal land for homesite purposes to members of the tribe or to tribal housing authorities.

(2) Modification of any forms approved by the Secretary of the Interior, the Commissioner of Indian Affairs, or the Area Director.

DALE M. BALDWIN,
Area Director.

Approved: June 24, 1968.

ROBERT L. BENNETT,
Commissioner.

[F.R. Doc. 68-7812; Filed, July 1, 1968; 8:48 a.m.]

[Portland Area Office Redelegation Order 1, Amdt. 21]

SUPERINTENDENTS ET AL.

Redelegation of Authority With Respect to Title Transfers and Alienations of Trust or Restricted Indian Lands

Portland Order 1, 20 F.R. 234 (an Order by which the Area Director, Portland Area, redelegates authority to Superintendents, School Superintendent, Project Engineer, and Assistant Superintendents), as amended, is further amended as hereinafter indicated:

A new section, No. 2.4, is added under the heading "Functions Relating to Lands and Minerals" as follows:

SEC. 2.4 *Sales, fee patents, and other matters in 25 CFR Part 121.* The approval of applications by individuals for acquisition, sale, exchange, partition, patent in fee, certificate of competency, and removal of restrictions on Indian land. The approval by the respective officials of applications, by those tribes possessing statutory authority, for acquisition, sale, and exchange of trust or restricted Indian lands. The authority herein does not extend to the issuance of land sale advertisements without the prior approval of the Area Director.

DALE M. BALDWIN,
Area Director.

Approved: June 24, 1968.

ROBERT L. BENNETT,
Commissioner.

[F.R. Doc. 68-7813; Filed, July 1, 1968; 8:48 a.m.]

[Portland Area Office Redelegation Order 1, Amdt. 22]

SUPERINTENDENTS ET AL.

Redelegation of Authority With Respect to Closure of Indian Service Road

Portland Order 1, 20 F.R. 234 (an Order by which the Area Director, Portland Area, redelegates authority to Superintendents, School Superintendent, Project Engineer, and Assistant Superintendents), as amended, is further amended as hereinafter indicated:

A new section, No. 2.28, is added under the heading "Functions Relating to Lands and Minerals" as follows:

SEC. 2.28 *Roads.* The closure of roads, as defined in 25 CFR 162.2(b), to public use when required for public safety, fire prevention or suppression, or fish or game protection, or to prevent damage to unstable roadbed (25 CFR 162.6; Secretarial Order 2508, sec. 28; and Bureau Order 551, sec. 28).

DALE M. BALDWIN,
Area Director.

Approved: June 24, 1968.

ROBERT L. BENNETT,
Commissioner.

[F.R. Doc. 68-7814; Filed, July 1, 1968; 8:48 a.m.]

Bureau of Land Management

[A 1908]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The U.S. Forest Service, Department of Agriculture, has filed an application, Serial Number A 1908, for the withdrawal of the lands described below, from mineral location and entry under the general mining laws; subject to valid existing claims.

The Forest Service desires to enlarge the Tusayan Ranger Station site which presently occupies a part of the lands. The additional lands will be used to accommodate housing and office space for additional personnel.

For a period of 30 days from the date of publication of this notice all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal, may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 3022 Federal Building, Phoenix, Ariz. 85025.

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

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

[1] Certificate filed as part of original document.

GILA AND SALT RIVER MERIDIAN, ARIZONA

KAIBAB NATIONAL FOREST

Tusayan Ranger Station Administrative Site

T. 30 N., R. 2 E.,
Sec. 13, N½NE¼NE¼, N½S½NE¼NE¼, SW¼SW¼NE¼NE¼, SE¼SE¼NE¼NE¼, NW¼NW¼SE¼NE¼, NE¼NE¼SE¼NE¼, S½N½SE¼NE¼, and S½SE¼NE¼.
Sec. 18, W½W½NW¼ (W½ lots 1 and 2).

The areas described aggregate approximately 110 acres within the Kaibab National Forest.

Dated: June 25, 1968.

FRED J. WEILER,
State Director.

[F.R. Doc. 68-7763; Filed, July 1, 1968; 8:45 a.m.]

Geological Survey

[Order No. 15]

WYOMING

Phosphate Land Classification Order

Correction

In F.R. Doc. 68-7351 appearing at page 9203 in the issue of Friday, June 21, 1968, Sec. 26 under "Nonphosphate Lands" should read as follows:

Sec. 26, W½NE¼, SE¼NE¼, W½, SE¼;

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

PUBLIC AFFAIRS ADVISER

Notice of Basic Compensation

Pursuant to the provisions of section 309 of Public Law 88-246, as modified by the Federal Employees Salary Act of 1967 (Public Law 90-206), and in conformance with Executive Order No. 11413 of June 11, 1968, issued by the President under section 212 of said Act, notice is hereby given that the rate of basic compensation of the Public Affairs Adviser of the U.S. Arms Control and Disarmament Agency has been adjusted to $30,239 per annum, but limited by section 216 of said Act and section 4 of said order to $28,000 until such time as the rate of compensation for level V of the Executive Schedule in section 5316 of Title 5, United States Code is increased. If the rate of compensation for level V of said Executive Schedule is increased during the period the adjustments effected by sections 1, 2, and 3 of the order are in effect, the new higher rate for level V or $30,239, whichever is the lesser, shall automatically become effective as the rate of basic compensation of the Public Affairs Adviser. The rate of basic compensation of $28,000 shall take effect on July 14, 1968.

Dated: June 20, 1968.

WILLIAM C. FOSTER,
Director.

[F.R. Doc. 68-7761; Filed, July 1, 1968; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Packers and Stockyards Administration

BOWMAN STOCK YARDS ET AL.

Notice of Changes in Names of Posted Stockyards

It has been ascertained, and notice is hereby given, that the names of the livestock markets referred to herein, which were posted on the respective dates specified below as being subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), have been changed as indicated below.

Original name of stockyard, location, and date of posting	*Current name of stockyard and date of change in name*
ALABAMA	
Bowman Stock Yards, Montgomery, Nov. 1, 1921	Montgomery Livestock Commission Co., Jan. 1, 1968.
COLORADO	
Alsbury's Sales Pavilion, Glenwood Springs, Mar. 23, 1957.	Alsbury Sales Pavilion, Inc., Nov. 20, 1967.
Limon Livestock Sales Company, Limon, Mar. 6, 1957.	Limon Livestock Commission Co., Aug. 9, 1967.
ILLINOIS	
Stoutenborough Sales, Inc., Springfield, Nov. 18, 1959.	Stoutenborough Auction, Feb. 1, 1968.
INDIANA	
Etna Bourbon Livestock Sales, Etna Green, June 18, 1959.	Wallace Investments, Incorporated, Jan. 20, 1968.
IOWA	
Low Moor Sales Company, Inc., Low Moor, Apr. 3, 1957.	Low Moor Sales Company, May 1, 1968.
Marvel Livestock Market Center, Inc., Webster City, Feb. 10, 1941.	Webster City Livestock Auction, Mar. 4, 1968.
MISSISSIPPI	
Tupelo Stock Yard, Tupelo, Jan. 17, 1962	Tupelo Stock Yard, Inc., May 14, 1968.
NORTH CAROLINA	
Norlina Stock Yards, Norlina, July 1, 1959	Creech Livestock Market, Inc., May 1, 1968.
OREGON	
Eugene Livestock Auction, Junction City, Apr. 27, 1967.	Eugene Livestock Auction, Inc., May 9, 1968.
Klamath Stockmen's Commission Company, Inc., Klamath Falls, Sept. 25, 1959.	Klamath Auction Yard, Inc., Apr. 23, 1968.
TEXAS	
Cleveland Commission Company, Inc., Cleveland, Apr. 17, 1959.	Cleveland Livestock Market, Apr. 1, 1968.
Hico Commission Company, Hico, Sept. 11, 1961	Hico Commission Company Ltd., Mar. 1, 1967.
WASHINGTON	
Farmers Auction Sale Barn, Inc., Snohomish, Oct. 3, 1959.	The Farmers Auction Sale Barn, Inc., Apr. 5, 1968.

Done at Washington, D.C., this 25th day of June 1968.

G. H. HOPPER,
Acting Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[F.R. Doc. 68-7807; Filed, July 1, 1968; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

INSTITUTE FOR MEDICAL RESEARCH

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

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

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

Docket No. 68-00548-00-46040. Applicant: Institute for Medical Research, Sheridan and Copewood Streets, Camden, N.J. 08103. Article: Decontamination device for Elmiskop IA electron microscope. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used for reduction of specimen contamination during high resolution electron microscopy. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured

in the United States. Reasons: The foreign article is an accessory to an electron microscope now in the applicant's possession, which was manufactured by Siemens Aktiengesellschaft of West Germany.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-7779; Filed, July 1, 1968; 8:45 a.m.]

LANE COMMUNITY COLLEGE

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

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

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

Docket No. 68-00478-98-26000. Applicant: Lane Community College, 200 North Monroe, Eugene, Oreg. 97102. Article: One each; EG ZA/ZT Dr. Clemenz standard construction device for the theory of electricity, Ba ring frame and Bb rectangular frame. Manufacturer: Dr. Clemenz, Dusseldorf, West Germany. Intended use of article: The article will be used for teaching the basic theory of electricity. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The application relates to a set of units that are to be assembled by the student as an objective demonstration of the principles underlying alternating current and direct current generators, three-phase motors, and other electrical apparatus.

The Department of Commerce knows of no comparable apparatus being manufactured in the United States, which is capable of fulfilling the purposes for which the foreign article is intended to be used.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-7777; Filed, July 1, 1968; 8:45 a.m.]

PENNSYLVANIA STATE UNIVERSITY

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

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

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

Docket No. 68-00270-60-31550. Applicant: The Pennsylvania State University, Commonwealth of Pennsylvania, Department of Property and Supplies, Harrisburg, Pa. 17125. Article: Vacuum induction glass melting equipment, Model TI 30 FE/SV. Manufacturer: Siatem, Italy. Intended use of article: Applicant states: "Undergraduate and graduate research and instruction in field of Glass Science involving melting special glasses." Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a relatively simple unit designed for melting special types of glass in connection with a program of instruction in glass science. For this purpose, the applicant requires an apparatus which can be readily operated by students. The only known similar unit being manufactured in the United States is a melting furnace manufactured by the Arthur D. Little, Inc. The domestic apparatus is a relatively highly complex unit which was primarily developed for research by trained scientists. Therefore, for instructional purposes for which the foreign article is intended to be used, we find that the Arthur D. Little, Inc.'s unit is not of equivalent scientific value to the foreign article.

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

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-7780; Filed, July 1, 1968; 8:45 a.m.]

SEATTLE SCHOOL DISTRICT NO. 1

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

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

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

Docket No. 68-00512-98-26000. Applicant: Seattle School District No. 1, 815 Fourth Avenue North, Seattle, Wash. 98109. Article: Standard construction device for the theory of electricity. Manufacturer: Dr. Max Clemenz, West Germany. Intended use of article: The article will be used for teaching the basic theory of electricity. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The application relates to a set of units that are to be assembled by the student as an objective demonstration of the principles underlying alternating current and direct current generators, three-phase motors, and other electrical apparatus.

The Department of Commerce knows of no comparable apparatus being manufactured in the United States, which is capable of fulfilling the purposes for which the foreign article is intended to be used.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-7782; Filed, July 1, 1968; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

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

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

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

Docket No. 68-00537-00-46040. Applicant: University of California, 405 Hilgard Avenue, Los Angeles, California 90024. Article: Exposure meter for Elmiskop IA electron microscope. Manufacturer: Siemens, West Germany. Intended use of article: The article will be

used to measure exact exposure time in conjunction with electron microscopy. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is an accessory to an electron microscope now in the applicant's possession, which was manufactured by Siemens Aktiengesellschaft of West Germany.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-7775; Filed, July 1, 1968; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

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

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

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

Docket No. 68-00538-00-46040. Applicant: University of California, 405 Hilgard Avenue, Los Angeles, Calif. 90024. Article: Lens for Elmiskop IA electron microscope, Manufacturer: Siemens, AG, West Germany. Intended use of article: The article will be used for high resolution electron microscopy with the Elmiskop IA electron microscope. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a component of an electron microscope now in the possession of the applicant institution, which was manufactured by Siemens AG of West Germany.

The Department of Commerce knows of no similar component which is interchangeable with the foreign article.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-7776; Filed, July 1, 1968; 8:45 a.m.]

UNIVERSITY OF MICHIGAN

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

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

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

Docket No. 68-00477-91-46040. Applicant: University of Michigan, Ann Arbor, Michigan 48104. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronics, The Netherlands. Intended use of article: The article will be used for both teaching and research programs which will include examining a wide variety of biological materials using the techniques of thin sectioning, negative staining, replication, etc. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: (1) The foreign article has a guaranteed resolution of 5 Angstroms. The only known comparable domestic electron microscope is the Model EMU-4 manufactured by the Radio Corporation of America (RCA), which has a guaranteed resolution of 8 Angstroms. (The lower the numerical rating in terms of Angstrom units, the better the resolving capabilities.) For the purposes for which the foreign article is intended to be used, the additional resolving capabilities of the foreign article are pertinent. (2) The foreign article provides accelerating voltages of 20, 40, 60, 80, and 100 kilovolts, whereas the RCA Model EMU-4 provides only two accelerating voltages of 50 and 100 kilovolts. It has been experimentally established that the lower accelerating voltages provide optimum contrast for unstained biological specimens and that the accelerating voltages intermediate between 50 and 100 kilovolts provide optimum contrast for negatively stained specimens. Since the experiments to be conducted with the foreign article require the use of negatively stained and unstained biological specimens, the additional accelerating voltages of the foreign article are pertinent.

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

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

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-7778; Filed, July 1, 1968; 8:45 a.m.]

UNIVERSITY OF ROCHESTER

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

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

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

Docket No. 68-00383-00-77050. Applicant: University of Rochester, River Campus Station, Rochester, N.Y. 14627. Article: Microwave cavity for electron spin resonance spectrometer. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used for detection of organic radicals. Comments: Comments have been received from one domestic manufacturer which alleges inter alia that "a microwave cavity for electron spin resonance spectrometer of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States." (Letter from Varian Associates (Varian) dated Mar. 21, 1968, par. 2.) Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is an accessory for an electron spin resonance spectrometer already in the possession of the applicant. In order to function properly, the accessory must be electrically compatible with the instrument with which it is intended to be used. We are advised by the National Bureau of Standards (NBS) that "The domestic Varian Associates did not have a unit for sale that was capable of providing the essential microwave cavity at the time of the original purchase." (Memorandum from NBS dated Apr. 15, 1968, par. 3.) We are similarly advised by the Department of Health, Education, and Welfare (HEW) that "no scientifically equivalent article is manufactured in the United States as an interchangeable accessory for the foreign ESR (electron spin resonance) spectrometer." (Memorandum from HEW dated Apr. 17, 1968.) We also note that Varian Associates states "Doubt in our minds, as to the V-4535 (model of microwave cavity manufactured by

Varian), being compatible with the JEOL spectrometer is expressed due to odd dimensions of waveguides of foreign manufacturer, as well as electrical compatibility." (Item V, page 2 of attachment to Varian letter cited above.)

For the foregoing reasons, we find that the Varian model V-4535 microwave cavity is not of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-7781; Filed, July 1, 1968; 8:45 a.m.]

UNIVERSITY OF VERMONT

Amendment to Notice of Application for Duty-Free Entry of Scientific Article

The following notice of application published in Vol. 33, No. 118 of the FEDERAL REGISTER (Tuesday, June 18, 1968) pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) is hereby amended to read Docket No. 68-00604-00-41895, instead of Docket No. 68-00064-00-4189.

Docket No. 68-00604-00-41895. Applicant: University of Vermont, Department of Surgery, Division of Urology, Burlington, Vt. 05401. Article: Nikkor Lens, 500 mm, CTMZ 193. Manufacturer: Nikon, Japan. Intended use of article: The article will be used for taking photographs in the operating room for demonstrating operating room techniques to students, as well as for collecting historical photographs at the various national urological meetings. Application received by Commissioner of Customs: May 22, 1968.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 68-7783; Filed, July 1, 1968; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CERTIFIED COLOR INDUSTRY COMMITTEE

Notice of Filing of Petition Regarding FD&C Blue No. 2

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 402; 21 U.S.C. 376(d)), notice is given that a petition (CAP 64) has been filed by the Certified Color Industry Committee, c/o Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va. 22046, proposing the issuance of a regulation to provide for the safe use and certification of FD&C Blue No. 2 (the disodium salt of 5,5'-disulfo-3,3'-dioxo-Δ2,2'-biindoline) as a color for foods and ingested drugs in amounts consistent with good manufacturing practice.

Dated: June 24, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-7833; Filed, July 1, 1968; 8:49 a.m.]

CERTIFIED COLOR INDUSTRY COMMITTEE

Notice of Filing of Petition Regarding FD&C Red No. 3

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 402; 21 U.S.C. 376(d)), notice is given that a petition (CAP 67) has been filed by the Certified Color Industry Committee, c/o Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va. 22046, proposing the issuance of a regulation to provide for the safe use and certification of FD&C Red No. 3 (the disodium salt of 9-*o*-carboxyphenyl-6-hydroxy-2,4,5,7-tetraiodo-3-isoxanthone) as a color for foods (including dietary supplements) and ingested drugs in amounts consistent with good manufacturing practice.

Dated: June 19, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-7834; Filed, July 1, 1968; 8:49 a.m.]

CIBA AGROCHEMICAL CO.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 8F0729) has been filed by the CIBA Agrochemical Co., Post Office Box 1105, Vero Beach, Fla. 32960, proposing the establishment of a tolerance of 0.2 part per million for residues of the herbicide N-(*p*-bromophenyl)-N'-methyl-N'-methoxyurea in or on the raw agriculture commodity potatoes.

The analytical method proposed in the petition for determining residues of the herbicide is a colorimetric technique in which the residue is hydrolyzed to *p*-bromoaniline, steam distilled and extracted into isooctane, diazotized, and coupled with *alpha*-naphthol to provide a colored compound. Plant material is separated from the colored compound by thin-layer chromatography. The absorbance of the colored compound is measured on a spectrophotometer at 500 millimicrons.

Dated: June 20, 1968.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 68-7835; Filed, July 1, 1968; 8:50 a.m.]

DIMETHOATE AND ITS OXYGEN ANALOG

Notice of Extension of Temporary Tolerances

At the request of the American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540, temporary tolerances were established for total residues of the insecticide dimethoate (*O,O*-dimethyl *S*-(*N*-methylcarbomoylmethyl) phosphorodithioate) and its oxygen analog (*O,O*-dimethyl *O*-(*N*-methylcarbomoylmethyl) phosphorothioate) in or on wheat at 0.1 part per million and in or on wheat straw at 0.5 part per million (notice was published in the FEDERAL REGISTER of July 25, 1967; 32 F.R. 10871). These temporary tolerances will expire on July 18, 1968.

In order to obtain additional data to help define the effective dosage rates needed for control of aphid and mite populations and to obtain additional residue data, the company has requested an extension of these temporary tolerances for another year. The Commissioner of Food and Drugs has determined that such extension of the temporary tolerances will protect the public health.

A condition under which these temporary tolerances are extended is that the insecticide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the American Cyanamid Co. name.

These temporary tolerances expire on July 18, 1969.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and delegated to the Commissioner (21 CFR 2.120).

Dated: June 24, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 68-7836; Filed, July 1, 1968; 8:50 a.m.]

NEO-DECANOIC ACID

Notice of Extension of Temporary Tolerance

A temporary tolerance of 1 part per million for residues of the desiccant and defoliant neo-decanoic acid (a mixture of 10-carbon trialkyl acetic acids (calculated as C_9H_{19} COOH)) in or on cottonseed, which was established at the request of Enjay Chemical Co., New York,

N.Y. 10020, expired February 13, 1968. The company has requested an extension of the temporary tolerance to permit additional tests in accordance with the temporary permit issued by the U.S. Department of Agriculture.

The Commissioner of Food and Drugs has determined that extension of this temporary tolerance will protect the public health; therefore, an extension has been granted that will expire February 13, 1969.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a (j)) and delegated to the Commissioner (21 CFR 2.120).

Dated: June 20, 1968.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 68-7837; Filed, July 1, 1968; 8:50 a.m.]

[Docket No. FDC-D-110; NDA No. 10-729V]

STERWIN CHEMICALS, INC.

Trithiadol; Withdrawal of Approval of New-Drug Application

A notice of Opportunity for Hearing was published in the FEDERAL REGISTER of March 26, 1968 (33 F.R. 5020), extending to Sterwin Chemicals, Inc., subsidiary of Sterling Drug, Inc., 90 Park Avenue, New York, N.Y. 10016, and to any interested person who might be adversely affected an opportunity for a hearing on the proposal of the Commissioner of Food and Drugs to issue an order withdrawing approval on specified grounds of new-drug application No. 10-729V and all amendments and supplements thereto held by Sterwin Chemicals, Inc., for the drug "Trithiadol (bithionol methiotriazamine)" for veterinary use in poultry feeds.

Neither the applicant nor any interested person who might be adversely affected filed an appearance of election within the 30 days provided by said notice, and this is construed as an election by such persons not to avail themselves of the opportunity for a hearing. Therefore, under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)) and delegated to the Commissioner (21 CFR 2.120), and on the grounds set forth in said notice, approval of new-drug application No. 10-729V, including all amendments and supplements thereto, is hereby withdrawn.

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

Dated: June 20, 1968.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 68-7838; Filed, July 1, 1968; 8:50 a.m.]

WHITMOYER LABORATORIES, INC.

Notice of Filing of Petition for Food Additives Carbarsone (Not U.S.P.), Bacitracin Methylene Disalicylate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by Whitmoyer Laboratories, Inc., 19 North Railroad Street, Myerstown, Pa. 17067, proposing that the food additive regulations be amended (21 CFR Subpart C) to provide for the safe use of carbarsone (not U.S.P.) in combination with bacitracin methylene disalicylate in turkey feed as an aid in the prevention of blackhead and for the prevention and treatment of infectious sinusitis and blue comb (mud fever).

Dated: June 20, 1968.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 68-7839; Filed, July 1, 1968; 8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 68-76]

PORTION OF NAVIGABLE WATERS OFF COAST OF BRUNSWICK COUNTY, N.C.

Closure to Navigation for Use as Explosive Anchorage

JUNE 26, 1968.

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by 49 CFR 1.4 (32 F.R. 5606) and Executive Order 10173 as amended by Executive Orders 10277, 10352, and 11249, I hereby affirm for publication in the FEDERAL REGISTER the order of E. C. Allen, Jr., Rear Admiral, U.S. Coast Guard, Commander, 5th Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

PORTION OF THE NAVIGABLE WATERS OF THE UNITED STATES OFF THE COAST OF BRUNSWICK COUNTY, N.C.

Under the authority of Title II of the Espionage Act of June 15, 1917, 40 Stat. 220, 50 U.S.C. 191 and Executive Order 10173, as amended, I declare that the following area is a security zone and I order that it be closed to any person or vessel due to the area being utilized as an explosive anchorage.

The navigable waters of the United States off the coast of Brunswick County, N.C., within the coordinates of a line drawn from latitude 33°52'31" N., longitude 78°18'49" W. to latitude 33°51'31" N., longitude 78°18'42" W. thence to latitude 33°51'51" N., longitude 78°14'35" W. thence to latitude 33°52'52" N., longitude 78°14'40" W. thence to origin.

This anchorage is reserved for the exclusive use of ammunition laden vessels. With the permission of the Captain of the Port, acting for the District Commander, this anchorage may be used by other vessels.

Vessels in this anchorage shall not anchor closer than 1,500 yards to one another. This provision is not intended to prohibit barges or lighters from lying alongside vessels for transfer of cargo.

Vessels shall not anchor closer than 1,000 yards to the limits of this anchorage.

Every vessel laden with explosives shall, while within an explosives anchorage, display by day at its masthead, or at least 10 feet above the upper deck if the vessel has no masthead, a red flag 16 square feet or more in area, and shall display by night, in the same position specified for the flag, an electric red light visible through 360° for a distance of at least 1 mile.

The maximum quantity of explosives aboard any ship that may be in this anchorage is 8,000 short tons.

No person or vessel may remain in or enter this security zone without permission from the Captain of the Port, acting for the District Commander.

The Captain of the Port, acting for the District Commander, shall enforce this order.

The Captain of the Port may be assisted by employees and facilities of any State or political subdivision thereof or any Federal Agency.

Nothing in this order shall be construed as relieving the owner or person in charge of any vessel from the penalties of law for not complying with the navigation laws in regard to lights, fog signals, or for otherwise violating the law.

For violation of this order Title II of the Espionage Act of June 15, 1917 (40 Stat. 220 as amended, 50 U.S.C. 192) provides:

"If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this chapter, or obstructs or interferes with the exercise of any power, conferred by this chapter, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be punished by imprisonment for not more than 10 years and may, in the discretion of the court, be fined not more than $10,000.

"If any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this chapter, or knowingly obstructs or interferes with the exercise of any power conferred by this chapter, he shall be punished by imprisonment for not more than ten years and may, at the discretion of the court, be fined not more than $10,000."

This security zone will remain in effect until a permanent explosive anchorage is established.

Dated: June 26, 1968.

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

[F.R. Doc. 68-7842; Filed, July 1, 1968; 8:50 a.m.]

Office of the Secretary

DIRECTOR, DIVISION OF DEMONSTRATION PROGRAMS AND STUDIES, URBAN MASS TRANSPORTATION ADMINISTRATION

Redelegation of Authority With Respect to Urban Mass Transportation Program

Pursuant to the authority delegated to me by § 1.4(e) of the Regulations of the

Office of the Secretary of Transportation (49 CFR 1.4(e)), the Director, Division of Demonstration Programs and Studies, Urban Mass Transportation Administration, is hereby authorized in connection with the administration of contracts for grants for demonstration projects under section 6(a) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1605(a)), to approve requisitions for funds; third-party contracts; and project budget amendments.

This redelegation of authority becomes effective on July 1, 1968.

Issued in Washington, D.C., on June 26, 1968.

JOHN E. ROBSON,
Urban Mass Transportation Administrator.

[F.R. Doc. 68-7800; Filed, July 1, 1968; 8:47 a.m.]

DIRECTOR, DIVISION OF PROJECT DEVELOPMENT, URBAN MASS TRANSPORTATION ADMINISTRATION

Redelegation of Authority With Respect to Urban Mass Transportation Program

Pursuant to the authority delegated to me by § 1.4(e) of the Regulations of the Office of the Secretary of Transportation (49 CFR 1.4(e)), the Director, Division of Project Development, Urban Mass Transportation Administration, is hereby authorized in connection with the administration of contracts for grants or loans under section 3, and of contracts for grants under section 9, of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602 and 1607a), to approve requisitions for funds; third-party contracts; and project budget amendments.

This redelegation of authority becomes effective on July 1, 1968.

Issued in Washington, D.C., on June 26, 1968.

JOHN E. ROBSON,
Urban Mass Transportation Administrator.

[F.R. Doc. 68-7801; Filed, July 1, 1968; 8:47 a.m.]

DEPUTY ADMINISTRATOR, URBAN MASS TRANSPORTATION ADMINISTRATION

Delegation of Authority

The officer appointed to the position of Deputy Administrator, Urban Mass Transportation Administration, is hereby authorized to act for and perform the duties of the Administrator, Urban Mass Transportation Administration, in the absence or disability of the Administrator and as otherwise directed by the Administrator.

This designation becomes effective on July 1, 1968.

Issued in Washington, D.C., on June 26, 1968.

JOHN E. ROBSON,
Urban Mass Transportation Administrator.

[F.R. Doc. 68-7802; Filed, July 1, 1968; 8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 18219-18220; FCC 68M-992]

BRADLEY AVIATION CO., INC., AND SKYTEL AVIATION, INC.

Order Scheduling Hearing

In re applications of Bradley Aviation Co., Inc., Fort Lauderdale, Fla., Docket No. 18219, File No. 23-A-L-127; Skytel Aviation, Inc., Fort Lauderdale, Fla., Docket No. 18220, File No. 140-A-AL-107; for aeronautical advisory station to serve the Executive Airport, Fort Lauderdale, Fla.:

It is ordered, That Millard F. French shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on August 13, 1968, at 10 a.m.; and that a prehearing conference shall be held on July 31, 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: June 26, 1968.

Released: June 26, 1968.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] JAMES D. CUNNINGHAM,
Chief Hearing Examiner.

[F.R. Doc. 68-7855; Filed, July 1, 1968; 8:51 a.m.]

[Docket Nos. 18223, 18224; FCC 68-647]

WALMAC CO.

Memorandum Opinion and Order and Notice of Apparent Liability Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Howard W. Davis, trading as The Walmac Co., Docket No. 18223, File No. BR-411; for renewal of license of station KMAC, San Antonio, Tex.; and Howard W. Davis, trading as The Walmac Co., Docket No. 18224, File No. BRH-691; for renewal of license of station KISS (FM), San Antonio, Tex.

1. The Commission has under consideration (1) the above-captioned renewal applications, (2) Official Notices of Violation issued November 13, 1964, May 26, 1965, and July 17, 1967, concerning violations of rules and terms of station authorization by Station KMAC, (3) Official Notice of Violations of Commission rules and regulations issued July 12, 1967 to Station KISS-FM; and (4) various replies and correspondence in connection with these notices.

2. Station KMAC was cited on November 13, 1964, for violation of §§ 73.47(a) (failure to make equipment performance measurements), 73.46(d) (the latest equipment performance measurements were improper), 73.55 (improper modulation), 73.58(b)(2) (failed to notify that the base current meter was defective), 73.57(b) (excessive deviation of base and loop current ratios), and violation of the license in that antenna base currents were not logged, tower lights were not proper, and field strength readings at various monitoring points deviated excessively from licensed values. The licensee submitted a series of responses to the Official Notices of Violations issued November 13, 1964, which assured the Commission that remedial action was being taken.

3. Subsequent inspections of Station KMAC on May 19, 20, 1965, disclosed many of the same violations found in the previous inspections still extant. The station was cited again on May 26, 1965, for violation of §§ 73.47(a) (failure to make equipment performance measurements), and 73.57(b) (excessive deviation of base and loop current ratios), and for violation of the terms of the station license in that the field strength readings at many monitoring points deviated excessively from licensed values, and the nighttime indications at towers 2 and 3 deviated excessively.

4. The most recent inspection of KMAC conducted on June 28, 29, and 30, 1967[1] disclosed numerous violations of the Commission's rules and serious noncompliance with the terms of the station's authorizaztion and that in many instances the licensees' responses concerning these violations were evasive and otherwie unacceptable and that many of these violations are repetitive and continuing.

5. Difficulties in the KMAC directional antenna were noted as long ago as 1951. The subsequent inspections and engineering data filed by the licensee showed that the directional antenna continued to be out of adjustment at least through June 1967.[2]

[1] That inspection disclosed the following violations: § 73.39(d)(1)(vi) (failure to maintain calibration curves at the transmitter showing the relationship between arbitrary scales of the phase monitor and scales of the base meters); § 73.60(b) (failure to notify the Commission that the frequency monitor is out of service; failure to obtain and log results of an external frequency measurement at least weekly; failure to obtain authorization to operate in excess of 60 days without a frequency monitor, which at at the time of inspection had been out of service since Febraury 4, 1967); § 73.113(a)(5) (inability of operators to operate phase monitor to obtain phase indications despite consistent hourly loggings of fictitious "normal" readings); § 73.922 (required EBS receiver has not been provided at the transmitter for at least several months). In addition, the inspection also disclosed the noncompliance with terms of the station authorization and indicated that measured field strength at various licensed monitoring points greatly exceeded the licensed maximum values.

[2] On Apr. 18, 1968, Davis submitted an extensive and detailed proof of performance, which, at the time of this writing, has not been evaluated.

6. We must also inquire into the question of whether the licensee of Station KISS–FM is guilty of willful and repeated violations of the Commission's rules and regulations. The most recent inspection of KISS–FM, for which an Official Notice of Violation was issued on July 12, 1967, disclosed the following rule violations: § 73.254(c)—failure to provide data on equipment performance measurements; § 73.268—faulty modulation; § 73.267(b)(1)—operating substantially below power; § 73.267(b)(2)—failure to calibrate transmission line meter; § 73.267(c)—failure to notify FEB when operating on reduced power; and § 73.922—required EBS receiver not at transmitter. Several of these violations were repeated from the May 1965 inspection and, in the judgment of our Field Engineering Bureau, none of the applicant's responses to these violations were satisfactory.

7. The continuing engineering problems at these stations, and the recurring rule violations and apparent derelictions by this applicant, as licensee of KMAC and KISS–FM, raise the question of whether he is technically qualified to be a licensee of the Commission. There is also a question of whether the applicant's many responses contained misrepresentations of material facts or lacked candor.

8. Also to be explored is the question of whether the licensee Howard Davis has willfully misrepresented to the Commission material facts concerning his alleged employment of consulting engineer Kenneth Hyman at KISS–FM during August 1967. Davis' representations regarding his employment of Hyman have been denied under oath by Mr. Hyman; also to be examined is the related question of whether Howard Davis has knowingly made a false statement to the Commission in connection with a statement required to be submitted to the Commission.

9. After consideration of the foregoing, the Commission is unable to find that a grant of the above-captioned renewal applications would serve the public interest, convenience, and necessity; and that therefore the applications must be designated for hearing.

10. *Therefore, it is ordered,* That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the KMAC and KISS–FM renewal applications are designated for consolidated hearing at a time and place to be specified in a subsequent order, upon the following issues:

(1) To determine the nature and extent of the violations of the Commission's Rules and the terms of the station licenses of KMAC and KISS–FM as disclosed by the above-mentioned Official Notices of Violation issued to these stations, by the applicant's replies, and other information;

(2) To determine, in the light of the evidence adduced under the foregoing issue, whether the applicant possesses the technical qualifications to be a licensee of the Commission;

(3) To determine whether the applicant, in replying to the Official Notices of Violations concerning Station KMAC, and Station KISS–FM has made misrepresentations of fact to the Commission, failed to disclose information, or was lacking in candor;

(4) To determine whether Howard Davis misrepresented to the Commission material facts concerning his alleged employment of consulting engineer, Kenneth Hyman at KISS–FM during August 1967;

(5) To determine whether, in light of the evidence adduced under the foregoing issues, the applicant possesses the requisite character qualifications to be a licensee of the Commission;

(6) To determine whether, in light of the evidence adduced under the foregoing issues, a grant of the above-captioned application for renewal of licenses of Stations KMAC and KISS–FM would serve the public interest, convenience and necessity.

11. *It is further ordered,* That if the Hearing Examiner shall determine that the entire hearing record does not warrant an order denying the application for renewal of license for KMAC or renewal of license of KISS–FM, he shall make findings of fact as to whether any willful or repeated violations of the Communications Act or the rules thereunder (as specified above and in the Bill of Particulars) have taken place within 1 year of the issuance of this order and, if so, shall recommend to the Commission whether or not a forfeiture shall be issued against the licensee of each station in the amount of $10,000 or less pursuant to section 503(b) of the Communications Act.

12. *It is further ordered,* That for the purposes above stated, this order is to be considered as a Notice of Apparent Liability pursuant to section 503(b)(2) of the Communications Act.

13. *It is further ordered,* That pursuant to section 309(e) of the Communications Act, the Chief of the Broadcast Bureau is directed to serve upon the licensee within 10 days of the release of this order a Bill of Particulars setting forth the basis for adoption of the issues designated above.

14. *It is further ordered,* That the Broadcast Bureau proceed with the initial presentation of the evidence with respect to the issues one through six above and that Howard Davis trading as The Walmac Co. proceed with the introduction of his evidence; the burden of showing that he possesses the requisite qualifications to be a licensee of the Commission and of showing that the grant of the KMAC and KISS–FM renewal applications would serve the public interest, convenience, and necessity shall rest with the applicant.

15. *It is further ordered,* That to avail himself of the opportunity to be heard, the applicant herein, pursuant to § 1.221 of the Commission's rules, in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

16. *It is further ordered,* That the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule and shall advise the Commission thereof as required by § 1.594 of the rules.

Adopted: June 19, 1968.

Released: June 27, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 68-7856; Filed, July 1, 1968; 8:51 a.m.]

[Docket No. 18221; FCC 68-650]

WFRV, INC.

Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In re application of WFRV, Inc., Brampton, Mich., Docket No. 18221, File No. BPCT-3997; for construction permit for new television broadcast station.

1. The Commission has before it for consideration: (a) The captioned application filed by WFRV, Inc. (WFRV); (b) "Petition to Deny," filed July 26, 1967, by the Post Corp. (Post), directed against "a," above; (c) informal objections filed by Northern Michigan University, directed against "a," above (d) "Opposition to Petition to Deny," filed August 22, 1967, by WFRV; (e) "Reply to Opposition to Petition to Deny," filed September 1, 1967, by Post; (f) and various related pleadings.[1]

2. Post is the 100 percent owner of WLUC, Inc., licensee of Television Broadcast Station WLUC–TV, Channel 6, Marquette, Mich. The television station proposed by WFRV will place a principal-city signal over Marquette. Post claims standing as a "party in interest," within the meaning of section 309(d) of the Communications Act of 1934, as amended, on the grounds that the proposed television station will compete for advertising revenues and audience with Station WLUC–TV. We find, therefore, that Post has standing. Federal Communications Commission v. Sanders Brothers Radio Station, 309 U.S. 470, 60 S. Ct. 693, 9 R.R. 2008 (1940). Northern Michigan University (NMU) filed a letter commenting on WFRV's proposed television station, which we shall consider as an informal objection pursuant to § 1.587 of the Commission's rules. The NMU letter brought to the Commission's attention a proposed rulemaking proceeding involving changes in the table of television allocations in

[2] Commissioner Johnson absent.

[1] Also under consideration are a "Motion for Leave to File Additional Pleading," and a "Response," filed Sept. 28, 1967, by WFRV, and an "Opposition to Motion for Leave to File Additional Pleading," filed Oct. 9, 1967, by Post. The Commission, in its discretion, accepts the additional pleading.

northern Michigan. NMU's petition for rule making (RM–1191) was subsequently denied, FCC 68–164. The other consideration raised by NMU was also raised by Post, so that NMU's objections will not be separately considered.

3. Channel 3, for which WFRV is applying, is assigned to Escanaba, Mich. WFRV proposes to use the channel in Brampton, Mich., pursuant to § 73.607 (b) of the rules, the "15-mile rule." The 1960 Census indicates that Escanaba has a population of 15,391, and Brampton Township has 589 residents. WFRV's transmitter is located approximately 30 miles north of Brampton. From this site, the proposed station will place a principal-city signal over Marquette and Brampton, and a Grade B signal over Escanaba. Channel 3 is the only channel assigned to Escanaba, while Channels 6, 13, and *19 are assigned to Marquette. Channel 6 is licensed to Station WLUC–TV, there are three pending applications (BPCT–4051, BPCT–4090, and BPCT–4118) for Channel 13, and there are no pending applications for reserved Channel *19.

4. Post alleges that even though the proposed site is technically within the Commission's rules, by placing a principal-city signal over Marquette, and only a Grade B signal over Escanaba, the city to which Channel 3 is allocated, WFRV has effectuated a de facto reallocation of channels without going through a rule-making proceeding, depriving Escanaba of a channel that would have local service obligations. This, Post argues, contravenes 307(b) of the Communications Act of 1934, as amended. Post notes that if it is essential to place a principal-city signal over Marquette, Channel 13 is allocated to Marquette and is available for application. Post claims that operation from the proposed site will result in an inefficient use of the channel since one-fourth to one-third of its principal-city signal, and one-third to one-half of its Grade B signal will be over water. Post alleges that other sites are available that would provide comparable service without so much of the signal extending over water. Accordingly, Post requests that WFRV's application be denied or designated for hearing.

5. In its "Opposition," WFRV alleges that a grant of the application would serve the public interest by providing the first NBC programing and second free off-the-air service in the area. WFRV states that the site that was chosen was not motivated by a desire to reallocate the channel, but rather by a desire to serve the entire central portion of the Upper Peninsula. Citing Triad Television Corp., 25 FCC 848 (1958), WFRV states that licensing a station to a small community to provide areawide service is in keeping with past Commission practice. WFRV contends that economic necessity requires that both Escanaba and Marquette be served by the proposed station, and that in terms of population, terrain and minimization of overlap with existing NBC stations,[2] the site finally chosen was one from which the area could best be served. WFRV also claims that Escanaba will not be deprived of a channel in view of a station's obligation to serve its entire service area, and notes that Escanaba is well within the Grade B contour of the proposed station. As to the alleged inefficient use of the channel due to the amount of signal over water, WFRV claims that any station proposing to serve the entire area would have the same problem due to the geography of the area.

6. In regard to Post's claim that the proposed operation is an inefficient use of the assigned channel in that large portions of the area within the proposed contours will be over water, we must agree with WFRV. The area in question varies from approximately 40 to 60 miles in width, bounded by Lake Michigan and Lake Superior. Any station broadcasting on one of the channels assigned to Escanaba or Marquette, using maximum height and power, would place large parts of its signal over water. We do not believe, therefore, that it is proper to criticize WFRV's proposal on grounds that would be present, to a substantial degree, for any station in the area. We turn now to the alleged reallocation of Channel 3 from Escanaba to Marquette. Triad Television Corp., above, cited by WFRV in support of using a small community in order to provide areawide service, involved mutually exclusive applications for Channel 10, Parma-Onondaga, Mich. Channel 10 was allocated to those communities after a rule-making proceeding, 10 R.R. 71 (1954), in which one of the factors considered was areawide service. Neither of these opinions says that providing areawide service is a consideration of such weight as to permit changes in the table of assignments without rule-making. As to the claims that Escanaba will be deprived of an allocated channel, we recognize that the proposed station must serve its entire service area. But this obligation does not preclude a station "from placing greater emphasis on meeting the local needs" of the community of assignment, NTA Television Broadcasting Corp. 22 R.R. 273, 295 (1961). It appears that Escanaba may lose, and Marquette gain, this "greater emphasis" on local events, if WFRV's application is granted.[3] We also note that Brampton, as principal community, falls just within the principal-city contour of the proposed station. The transmitter site is approximately 18 miles from Marquette, 29 miles from Brampton and 39 miles from Escanaba. The proposed station will place a principal-city signal over Marquette and a Grade B signal over Escanaba.[4] We conclude, on the facts presented, that a sufficient showing has been made so as to require a hearing to determine whether operation from the proposed site would constitute a de facto reallocation of Channel 3 to Marquette. Accordingly, an appropriate issue has been specified.

7. Although not raised by the parties, we find WFRV's proposal questionable in another respect. The proposed station will operate as a 100 percent satellite of Television Broadcast Station WFRV–TV, Channel 5, Green Bay, Wis.,[5] and will be in direct competition with Station WLUC–TV, Channel 6, Marquette. The Grade B contour of the proposed station will be almost coextensive with that of Station WLUC–TV. Since a 100 percent satellite does not originate local programing, it does not require a local studio and fewer employees are required to operate the station.[6] It is clear that operating as a 100 percent satellite will afford substantial savings in the operating costs of the proposed station, while still permitting a full program schedule. Station WLUC–TV, on the other hand, does originate local programing and is required to maintain a studio and the equipment necessary to present these programs, as well as a full complement of employees. It would appear, therefore, that a grant of WFRV's application would place Station WLUC–TV in competition with another station that has considerably lower operating costs. Accordingly, an issue has been specified to determine whether the operation of the proposed station as a 100 percent satellite would have such an impact on the service now provided by Station WLUC–TV as to result in the loss or degradation of that service. We have also specified an issue to determine whether the use of the assigned channel by a satellite station, as opposed to a regular station, would be an efficient use of that channel.

8. WFRV, Inc., is a Wisconsin corporation. The Commission has no information as to whether it has authority to do

[2] Since the parent station is an NBC affiliate, the proposed satellite would, of necessity, present NBC programing. The question of overlap with other NBC affiliates is not, in this case, a public interest question. It is, rather, a private consideration that is worked out between the network and its affiliates.

[3] We recognize that the proposed facility will be a 100 percent satellite. Consequently, considerations as to local programing are not immediately pertinent. However, the whole rational behind authorizing satellite stations is that they will eventually become full-fledged stations that do present local programs. Our concern is that Escanaba may lose this potential for local programing.

[4] It should be noted that a grant of this application, and one of the three pending applications for Channel 13, Marquette, would mean that Marquette would receive three principal-city signals and Escanaba three Grade B signals.

[5] There will be a slight overlap of Grade B contours between the proposed station and the parent station, involving an area of 45 square miles in which 1,453 persons reside. Note 4 to § 73.636 of the Commission's rules provides that overlap questions involving satellite stations will be considered on a case-by-case basis. In this case, the slight overlap does not stand as a bar to the grant of the application.

[6] For example, Station WLUC–TV maintains a staff of 31 employees. The proposed satellite will be staffed by four full-time engineers and an undetermined number of part-time reporters.

business in Michigan. Accordingly, an issue has been specified to determine whether WFRV, Inc., is, or can be, authorized to do business in Michigan.

9. WFRV's response to paragraph 1, section IV–B, FCC Form 301, in regard to the ascertainment of community needs and interests, and the manner in which WFRV plans to meet those needs and interests, is inadequate in view of the Commission's decision in Minshall Broadcasting Company, Inc., FCC 68–184, 11 FCC 2d 796. Accordingly, an appropriate issue has been specified.

10. Except as indicated below, the applicant is legally, financially, technically, and otherwise qualified to construct as proposed.

It is ordered, That, to the extent indicated above, the "Petition to Deny," filed by the Post Corp., is granted, and the application (BPCT–3997) of WFRV, Inc., is designated for hearing, at a time and place specified in a subsequent order, on the following issues:

1. Whether a grant of the application would be consistent with section 307(b) of the Communications Act of 1934, as amended, § 73.606 of the Commission's rules, and the principles upon which the assignment of television broadcast channels has been made by the Commission.

2. Whether the operation of the proposed station as a 100 percent satellite would have such impact on the service now provided by Station WLUC–TV as to result in loss or degradation of that service.

3. Whether operation of the proposed station as a 100 percent satellite, as opposed to a regular television station, would be an efficient use of the assigned channel.

4. Whether WFRV, Inc., is, or can be, authorized to do business in Michigan.

5. To determine the efforts made by WFRV, Inc., to ascertain the community needs and interests of the area to be served and the means by which the applicant proposed to meet those needs and interests.

6. To determine, in light of the evidence adduced pursuant to the above issues, whether a grant of the application would serve the public interest, convenience and necessity.

It is further ordered, That Post Corp. is made a party respondent in this proceeding.

It is further ordered, That, to avail themselves of the opportunity to be heard, WFRV, Inc., and the Post Corp., pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, WFRV, Inc., shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in that rule, and shall advise the Commission of the publication of the notice as required by § 1.594(g) of the rules.

Adopted: June 19, 1968.

Released: June 27, 1968.

FEDERAL COMMUNICATIONS COMMISSION,[7]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68–7857; Filed, July 1, 1968; 8:51 a.m.]

[Docket Nos. 18208, 18209; FCC 68M–989]

JEFF DAVIS BROADCASTING SERVICE (WKPO) AND MISS LOU BROADCASTING CORP. (WYNK)

Order Scheduling Hearing

In re applications of Jesse R. Williams and Albert Mack Smith, doing business as Jeff Davis Broadcasting Service (WKPO), Prentiss, Miss., Docket No. 18208, File No. BP–17136; Miss Lou Broadcasting Corp. (WYNK), Baton Rouge, La., Docket No. 18209, File No. BP–17572; for construction permits:

It is ordered, That Forest L. McClenning shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on October 8, 1968, at 10 a.m.; and that a prehearing conference shall be held on August 8, 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: June 26, 1968.

Released: June 26, 1968.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] JAMES D. CUNNINGHAM,
Chief Hearing Examiner.

[F.R. Doc. 68–7858; Filed, July 1, 1968; 8:51 a.m.]

FEDERAL MARITIME COMMISSION

PORT OF SEATTLE AND ALASKA STEAMSHIP CO.

Notice of Agreement Filed for Approval

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

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

Notice of agreement filed for approval by:

Mr. T. P. McCutchan, Manager, Property Management Department, Port of Seattle, Post Office Box 1209, Seattle, Wash. 98111.

Agreement No. T–2185, between the Port of Seattle and Alaska Steamship Co. (Company), provides for the lease of certain premises at Seattle, Wash., which Company will use in its steamship business, including cargo storage, storage and maintenance of vans and Thermo-King units, and an automobile parking lot. The lease will be on a month-to-month basis at a fixed rental, and supersedes and cancels leases presently covering the premises to be leased under this agreement. Agreement No. T–2185 is an interim arrangement and a new term lease will be executed when other, more suitable facilities become available.

Dated: June 27, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68–7859; Filed, July 1, 1968; 8:51 a.m.]

TRANS-PACIFIC FREIGHT CONFERENCE (HONG KONG)

Notice of Agreement Filed for Approval

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

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

Notice of agreement filed for approval by:

Charles F. Warren, Esq., 1100 Connecticut Avenue NW., Washington, D.C. 20036.

Agreement No. 14–26, between the member lines of the Trans-Pacific

[7] Commissioner Johnson absent.

Freight Conference (Hong Kong), modifies the basic conference agreement by the addition of a new class of conference membership entitled "Associate Membership." Parties having not more than four (4) sailings a year in the trade may qualify for associate membership under which the associate will (1) have no conference voting rights, (2) contribute to the conference administrative and legal expenses at a rate of one-fourth of that payable by the regular members, and (3) abide by the terms and conditions of the Conference Agreement, Tariffs, Rules, and Regulations. Any party having more than four sailings per annum will automatically become a regular member entitled to all rights and privileges attendant thereto.

Dated: June 26, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-7861; Filed, July 1, 1968; 8:51 a.m.]

[Docket No. 68-35]

SEATRAIN LINES, INC.

Rate Increases on Canned Foodstuffs From Puerto Rico to U.S. Atlantic and Gulf Ports; Order of Investigation and Suspension

There have been filed with the Federal Maritime Commission by Seatrain Lines, Inc., the following revised pages to its Tariff FMC-F No. 3, which result in increased rates and charges on canned fruit, fruit juice, molasses, syrup, and vegetables currently scheduled to become effective July 3, 1968, pursuant to Supplement No. 17 thereto:

29th Revised Page 29.
2d Revised Page 29-A.
6th Revised Page 32-A.
23d Revised Page 33.
24th Revised Page 33.
25th Revised Page 33.
17th Revised Page 36.
10th Revised Page 38.

Upon consideration of said schedules there is reason to believe that the above designated increased rates should be made the subject of a public investigation and hearing to determine whether they are unjust, unreasonable or otherwise unlawful in violation of section 18(a) of the Shipping Act, 1916, and/or sections 3 and 4 of the Intercoastal Shipping Act, 1933, and good cause appearing therefor:

It is ordered, That pursuant to the authority of sections 3 and 4 of the Intercoastal Shipping Act, 1933, an investigation is hereby instituted into the lawfulness of said increased rates on canned fruit, fruit juice, molasses, syrup, and vegetables with a view to making such findings and orders in the premises as the facts and circumstances warrant. In the event the matter hereby placed under investigation is changed, amended, or reissued upon termination of the suspension period before the investigation has been concluded, such changed, amended, or reissued matter will be included in this investigation;

It is further ordered, That pursuant to section 3, Intercoastal Shipping Act, 1933, the operation of the said increased rates on canned fruit, fruit juice, molasses, syrup, and vegetables is suspended and the use thereof be deferred to and including November 2, 1968, unless otherwise ordered by this Commission.

It is further ordered, That the investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated as the reason for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of the said schedules under the Shipping Act, 1916, or the Intercoastal Shipping Act, 1933;

It is further ordered, That there shall be filed immediately with the Commission by Seatrain Lines, Inc., a consecutively numbered supplement to the aforesaid schedules which supplement shall bear no effective date, shall reproduce the portion of this order wherein the suspension matter is described and shall state that the aforesaid matter is suspended and may not be used until November 3, 1968, unless otherwise authorized by the Commission; and the rates and charges heretofore in effect, and which were to be changed by the suspended matter shall remain in effect during the period of suspension, and neither the matter suspended, nor the matter which is continued in effect as a result of such suspension, may be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission;

It is further ordered, That copies of this order shall be filed with the said tariff schedule in the Bureau of Domestic Regulation of the Federal Maritime Commission;

It is further ordered, That Seatrain Lines, Inc., be named as respondent in this proceeding;

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

It is further ordered, That (I) a copy of this order shall forthwith be served on the respondent; (II) the said respondent be duly notified of the time and place of the hearing; and (III) this order be published in the FEDERAL REGISTER and notice of said hearing be served upon respondent.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(1) (46 CFR 502.72).

By the Commission, June 26, 1968.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 68-7860; Filed, July 1, 1968; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI68-677, etc.]

SUN OIL CO. ET AL.

Order Accepting Contract Amendment, Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

JUNE 20, 1968.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

[1] Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI68-677..	Sun Oil Co. (Operator) et al., Post Office Box 2880, Dallas, Tex. 75221.	139	6	Northern Natural Gas Co. (Hansford Field, Hutchinson County, Tex.) (RR. District No. 10).	$1,500	5-27-68	[2] 7-1-68	12-1-68	[3] 17.5	[3] [4] 18.5	RI68-101.
RI68-678..	Thornton Petroleum Corp. (Operator) et al., 11th Floor Philtower Bldg., Tulsa, Okla. 74103.	7	3	Northern Natural Gas Co. (Hansford Field, Hansford County, Tex.) (RR. District No. 10).	216	5-27-68	[2] 6-27-68	11-27-68	[3] 17.0	[3] [4] 18.0	

See footnotes at end of table.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI68-679..	Kerr-McGee Corp., Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	67	4	Northern Natural Gas Co. (John Creek Field, Hutchinson County, Tex.) (RR. District No. 10).	67	5-29-68	[2] 7- 1-68	12- 1-68	[3] 17.0	[4 5 6] 17.25	RI64-9.
RI68-680..	Pan American Petroleum Corp. (Operator) et al., Post Office Box 591, Tulsa, Okla. 74102.	247	[7] 15	Texas Gas Transmission Corp. (Minden Field, Webster Parish, La.) (North Louisiana).	2,281	5-31-68	[8] 7- 1-68	12- 1-68	[5 10] 18.75	[5 9 10] 19.75	
RI68-681..	Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co., Post Office Box 747, Dallas, Tex. 75221.	24	6	Cimarron Transmission Co. (Northwest Enville Field, Love County, Okla.) (Oklahoma "Other" Area).	2,176	5-31-68	[2] 7- 1-68	12- 1-68	[11] 15.5	[3 4 11] 17.5	
RI68-682..	Sunset International Petroleum Corp., 8920 Wilshire Blvd., Beverly Hills, Calif.	16	5	Northern Natural Gas Co. (Share Field, Ochiltree County, Tex.) (RR. District No. 10).	2,820	5-29-68	[2] 7- 1-68	12- 1-68	[5] 17.5	[3 4 5] 18.5	RI64-724.
	----do----	20	10	Transwestern Pipeline Co. (Hansford and Ochiltree Counties, Tex.) (RR. District No. 10).	128	5-22-68	[2] 6-27-68	11-27-68	[5] 17.0	[3 4 5] 19.5	
	----do----	22	12	Natural Gas Pipeline Co. of America (Wise County Area, Wise County, Tex.) (RR. District No. 9).	4,500	5-27-68	[2] 6-27-68	11-27-68	[13 14] 14.25	[4 13 13 14] 16.25	
RI68-683..	Sunset International Petroleum Corp. et al.	31	[15] 10	Colorado Interstate Gas Co. (Oklahoma-Mocane Field, Beaver County, Okla.) (Panhandle Area).		5-31-68	[2] 7- 1-68	(Accepted)			
	----do----	31	11		11,100	5-31-68	[2] 7- 1-68	12- 1-68	[17] 17.130	[4 16 17] 20.556	
	----do----	40	14	El Paso Natural Gas Co. (Buzzard Lease acreage, Ochiltree County, Tex.) (RR. District No. 10).	10,800	6- 3-68	[2] 7- 4-68	12- 4-68	17.0	[4 18] 23.0	
	----do----	41	11	Michigan Wisconsin Pipe Line Co. (Laverne Field, Beaver County, Okla.) (Panhandle Area).	398	6- 3-68	[2] 7- 4-68	12- 4-68	[19] 18.107	[3 4 19] 20.607	
RI68-684..	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	338	2	Lone Star Gas Co. (East Doyle Field, Stephens County, Okla.) (Oklahoma "Other" Area).	1,093	5-29-68	[2] 7- 1-68	12- 1-68	15.0	[3 4] 16.01	
RI68-685..	Northern Pump Co., agent (Operator), et al., 1915-57th Ave., North Minneapolis, Minn. 55430.	37	3	Kansas-Nebraska Natural Gas Co., Inc. (Hugoton Field, Finney and Kearny Counties, Kans.).	380	5-31-68	[2] 7- 1-68	12- 1-68	[5] 11.0	[3 4 5] 12.0	
RI68-686..	L. L. Robinson, Post Office Box 272, Shreveport, La.	2	7	Texas Eastern Transmission Corps. (Greenwood-Waskom Field, Caddo Parish, La.) (North Louisiana).	103	5-31-68	[8] 7- 1-68	12- 1-68	[10] 15.8007	[3 9 10] 16.8263	
RI68-687..	Helmerich & Payne, Inc. (Operator) et al., Utica at 21st St., Tulsa, Okla. 74114.	31	2	Lone Star Gas Co. (Doyle Field, Stephens County, Okla.) (Oklahoma "Other" Area).	1,196	6- 3-68	[2] 7- 4-68	12- 4-68	16.0	[3 4] 17.01	RI63-445.
RI68-688..	Sohio Petroleum Co., 970 First National Annex, Oklahoma City, Okla. 73102, Attn: E. B. Harry, Jr., Esq.	122	2	South Texas Natural Gas Gathering Co. (Prado Field, Jim Hogg County, Tex.) (RR. District No. 4).	11,162	5-27-68	[2] 7- 1-68	12- 1-68	[5] 16.0	[3 4 5] 18.0	RI67-30.
RI68-689..	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102, Attn: Arthur F. Whitt, Esq.	87	8	Tennessee Gas Pipeline Co., a division of Tenneco, Inc. (Bully Camp Field, Lafourche Parish, La.) (South Louisiana).	4,750	5-31-68	[2] 7- 1-68	12- 1-68	[22] 18.50	[9 20 21] 18.75	
	----do----	89	7	Tennessee Gas Pipeline Co., a division of Tennaco, Inc. (South Pass Block 24 Field, Plaquemines Parish, La.) (South Louisiana).	1,625	5-31-68	[2] 7- 1-68	12- 1-68	[22] 18.50	[9 20 21] 18.75	
RI68-690..	Gulf Oil Corp. (Operator) et al.	88	[23] 10	Tennessee Gas Pipeline Co., a division of Tennaco, Inc. (Timbalier Bay et al. Fields, Lafourche Parish, La.) (South Louisiana).	72,500	5-31-68	[2] 7- 1-68	12- 1-68	[22] 18.50	[9 20 21] 18.75	
RI68-691..	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001.	106	14	United Gas Pipe Line Co. (Eugene Island Area, offshore Louisiana) (South Louisiana).	6,674	5-31-68	[2] 7- 1-68	12- 1-68	[25] 14.00	[9 24 25] 16.75	RI68-525.
					1,215				[26] 15.75	[9 24 26] 16.75	RI68-525.

[2] The stated effective date is the effective date requested by Respondent.
[3] Periodic rate increase.
[4] Pressure base is 14.65 p.s.i.a.
[5] Subject to a downward B.t.u. adjustment.
[6] "Fractured" rate increase. Respondent contractually due 18.5 cents per Mcf.
[7] Applies only to acreage added by Amendment dated Sept. 22, 1967 (Supplement No. 13).
[8] The stated effective date is the first day after expiration of the statutory notice.
[9] Pressure base is 15.025 p.s.i.a.
[10] Includes 1.75 cents tax reimbursement.
[11] Subject to upward and downward B.t.u. adjustment. Buyer also deducts 0.75 cent for cost of treating gas.
[12] Two-step periodic rate increase.
[13] Subject to upward and downward B.t.u. adjustment and a delivery pressure adjustment for gas delivered above or below 650 p.s.i.g.
[14] Price includes 0.25 cent paid by buyer to seller for dehydrated gas.
[15] Contract Amendment dated Feb. 27, 1962, eliminates indefinite pricing provisions and provides for 17 cents price from June 1, 1962 through May 31, 1967, and 1 cent periodic increases every 5 years thereafter.
[16] Renegotiated rate increase.
[17] Includes base price of 15 cents plus 2.130 cents upward B.t.u. adjustment (1,142 B.t.u. gas) before increase and base price of 18 cents plus 2.556 cents upward B.t.u. adjustment after increase. Base price subject to upward and downward B.t.u. adjustment.
[18] Filing from conditioned permanently certificated rate to first periodic increase under contract. (Initial contract rate is 21 cents.)
[19] Includes base rate of 17 cents before increase and base rate of 19.5 cents after increase plus 1.107 cents upward B.t.u. adjustment (1,107 B.t.u. gas). Base rate subject to upward and downward B.t.u. adjustment.
[20] "Fractured" rate increase. Respondent contractually entitled to a base rate of 19 cents per Mcf, plus applicable tax reimbursement.
[21] Includes applicable tax reimbursement.
[22] Settlement rate per Docket Nos. G-9520 et al. Settlement issued Apr. 25, 1963. Moratorium on filing increases expired Apr. 1, 1965.
[23] Does not apply to acreage dedicated to basic contract by Supplement No. 8 to Gulf's Rate Schedule No. 88.
[24] From fractured rate to contractually provided for renegotiated rate.
[25] Pertains to gas produced from Areas in Federal Domain.
[26] Pertains to gas produced from Areas subject to the taxing jurisdiction of the State of Louisiana.

Pan American Petroleum Corp. (Operator) et al. (Pan American), request a retroactive effective date of January 1, 1968, the contractural effective date, for their proposed rate increase. L. L. Robinson (Robinson) requests a retroactive effective date of November 1, 1963, the contractural effective date, for his rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for Pan American and Robinson's rate filings and such requests are denied.

Concurrently with the filing of its rate increase, Sunset International Petroleum Corp., et al. (Sunset), submitted a contract amendment dated February 27, 1962, designated as Supplement No. 10 to Sunset's FPC Gas Rate Schedule No. 31, which provides the basis for their proposed rate increase. We believe that it would be in the public interest to accept for filing Sunset's proposed contract amendment to become effective on July 1, 1968, the proposed effective date, but not the proposed rate contained therein which is suspended as hereinafter ordered.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61–1, as amended (18 CFR 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing Sunset's contract amendment dated February 27, 1962, designated as Supplement No. 10 to Sunset's FPC Gas Rate Schedule No. 31, and for permitting such supplement to become effective on July 1, 1968, the proposed effective date.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered (except for the supplement referred to in paragraph (1) above).

The Commission orders:

(A) Supplement No. 10 to Sunset's FPC Gas Rate Schedule No. 31 is accepted for filing and permitted to become effective on July 1, 1968, the proposed effective date.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements (except the supplement set forth in paragraph (A) above).

(C) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention 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 and 1.37(f)), on or before August 6, 1968.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

[F.R. Doc. 68–7738; Filed, July 1, 1968; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

UNION BOND & MORTGAGE CO.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Union Bond & Mortgage Co., Port Angeles, Wash., for approval of acquisition of 274.5 voting shares of Forks State Bank, Forks, Wash.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Union Bond & Mortgage Co., Port Angeles, Wash., for the Board's prior approval of acquisition of 274.5 voting shares of Forks State Bank, Forks, Wash.

As required by section 3(b) of the Act, the Board notified the Supervisor of Banking for the State of Washington of the application and requested his views and recommendation. The Supervisor of Banking advised the Board that he had no objection to the proposal.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 7, 1968 (33 F.R. 6899), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered.

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

Dated at Washington, D.C., this 24th day of June 1968.

By order of the Board of Governors.[2]

[SEAL] KENNETH A. KENYON, *Deputy Secretary.*

[F.R. Doc. 68–7815; Filed, July 1, 1968; 8:48 a.m.]

[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 San Francisco.

UNION BOND & MORTGAGE CO.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Union Bond & Mortgage Co., Port Angeles, Wash., for approval of acquisition of 190 voting shares of The First American National Bank of Port Townsend, Port Townsend, Wash.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Union Bond & Mortgage Co., Port Angeles, Wash,. for the Board's prior approval of acquisition of 190 voting shares of The First American National Bank of Port Townsend, Port Townsend, Wash.

As required by section 3(b) of the Act, on April 30, 1968, the Board notified the Comptroller of the Currency of the application and requested his views and recommendation. The Comptroller has not expressed any views or made any recommendation with regard to the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 7, 1968 (33 F.R. 6899), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's statement[3] of this date, that said application be and hereby is approved, provided that the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or

[2] Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, and Sherrill. Absent and not voting: Governors Maisel and Brimmer.

[3] Filed as part of original document 68–7815. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or the Federal Reserve Bank of San Francisco.

(b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of San Francisco pursuant to delegated authority.

Dated at Washington, D.C., this 24th day of June 1968.

By order of the Board of Governors.[1]

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 68-7816; Filed, July 1, 1968; 8:48 a.m.]

UNION BOND & MORTGAGE CO.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of Union Bond & Mortgage Co., Port Angeles, Wash., for approval of acquisition of 1,388 voting shares of Bank of Sequim, Sequim, Wash.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 22.3(a)), an application by Union Bond & Mortgage Co., Port Angeles, Wash., for the Board's prior approval of acquisition of 1,388 voting shares of Bank of Sequim, Sequim, Wash.

As required by section 3(b) of the Act, the Board notified the Supervisor of Banking for the State of Washington of the application and requested his views and recommendation. The Supervisor of Banking advised the Board that he had no objections to the proposal.

Notice of receipt of the application was published in the FEDERAL REGISTER on May 7, 1968 (33 F.R. 6899), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's statement[2] of this date, that said application be and hereby is approved, provided that the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of San Francisco pursuant to delegated authority.

Dated at Washington, D.C., this 24th day of June 1968.

By order of the Board of Governors.[3]

[SEAL] KENNETH A. KENYON,
Deputy Secretary.

[F.R. Doc. 68-7817; Filed, July, 1, 1968; 8:48 a.m.]

[1] Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, and Sherrill. Absent and not voting: Governors Maisel and Brimmer.

[2] Filed as part of original document 68-7815. 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 San Francisco.

[3] Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, and Sherrill. Absent and not voting: Governors Maisel and Brimmer.

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN PAKISTAN

Entry and Withdrawal From Warehouse for Consumption

JUNE 26, 1968.

On July 3, 1967, the Government of the United States, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a new comprehensive bilateral cotton textile agreement with the Government of Pakistan, concerning exports of cotton textiles from Pakistan to the United States over a 4-year period beginning on July 1, 1966. Under this agreement the Government of Pakistan has undertaken to limit its exports to the United States of all cotton textiles and cotton textile products to an aggregate limit of 71,662,500 square yards equivalent for the third agreement year beginning July 1, 1968. Among the provisions of the agreement are those applying specific export limitations to categories 9, 15, 18/19, 22, parts of 26, part of 31, and 41/42.

Accordingly, there is published below a letter of June 26, 1968, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that for the 12-month period beginning July 1, 1968, and extending through June 30, 1969, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in the indicated categories produced or manufactured in Pakistan and exported to the United States on or after July 1, 1968, be limited to the designated levels. This letter and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

JUNE 26, 1968.

DEAR MR. COMMISSIONER: Under the terms of Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of July 3, 1967, between the Governments of the United States and Pakistan, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed, effective July 1, 1968, and for the 12-month period extending through June 30, 1969, to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton texile products in Categories 9, 15, 18/19, 22, parts of 26, part of 31, and 41/42, produced or manufactured in Pakistan, in excess of the following designated levels of restraint;

Category		12-month level of restraint
9	square yards	31,421,250
15	do	2,756,250
18/19 and parts of 26 (print cloth)[1]	square yards	11,025,000
22	do	3,748,500
Part of 26 (bark cloth)[2]	do	3,858,750
Part of 26 (duck)[3]	do	7,717,500
Part of 31 (only T.S.U.S.A. No. 366.2740)	pieces	4,299,750
41/42	dozen	367,068

[1] In category 26, only T.S.U.S.A. Nos.:

320.__34	322.__34	327.__34
321.__34	326.__34	328.__34

[2] Only T.S.U.S.A. Nos.:

320.__88	328.__88	324.__92
321.__88	329.__88	325.__92
322.__88	330.__88	326.__92
323.__88	331.__88	327.__92
324.__88	320.__92	328.__92
325.__88	321.__92	329.__92
326.__88	322.__92	330.__92
327.__88	323.__92	331.__92

[3] Only T.S.U.S.A. Nos.:

320.__01 through 04, 06, 08
321.__01 through 04, 06, 08
322.__01 through 04, 06, 08
326.__01 through 04, 06, 08
327.__01 through 04, 06, 08
328.__01 through 04, 06, 08

In carrying out this directive, entries of cotton textiles and cotton textile products in Categories 9, 15, 18/19, part of 26 (print cloth),[1] 22, part of 26 (bark cloth),[2] part of 26 (duck),[3] part of 31 only (T.S.U.S.A. No. 366.2740), and 41/42, produced or manufactured in Pakistan and exported to the United States prior to July 1, 1968, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period July 1, 1967, through June 30, 1968. In the event that the levels of restraint established for such goods

for that period have been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of July 3, 1967, between the Governments of the United States and Pakistan which provide in part that within the aggregate and applicable group limits of the agreement, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directive, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Pakistan and with respect to imports of cotton textiles and cotton textile products from Pakistan have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. II, 1965–66). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

HOWARD J. SAMUELS,
Acting Secretary of Commerce, and Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 68–7784; Filed, July 1, 1968; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7–2932]

GIANT YELLOWKNIFE MINES, LTD.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

JUNE 26, 1968.

In the matter of application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

Giant Yellowknife Mines, Ltd., File No. 7–2932.

Upon receipt of a request, on or before July 11, 1968, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68–7818; Filed, July 1, 1968; 8:48 a.m.]

[File No. 1–1740]

KENNEBEC CONSOLIDATED MINING CO.

Order Suspending Trading

JUNE 26, 1968.

The common stock, 1-cent par value, of Kennebec Consolidated Mining Co., Salt Lake City, Utah, being listed and registered on the Salt Lake Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Kennebec Consolidated Mining Co., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the Salt Lake Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 26, 1968, through July 5, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68–7819; Filed, July 1, 1968; 8:48 a.m.]

NATIONAL SWEEPSTAKES CORP.

Order Suspending Trading

JUNE 26, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of National Sweepstakes Corp., 555 East Fourth South, Salt Lake City, Utah, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 27, 1968, through July 6, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68–7820; Filed, July 1, 1968; 8:48 a.m.]

[File No. 7–2933]

NORTHWEST INDUSTRIES, INC.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

JUNE 26, 1968.

In the matter of application of the Philadelphia - Baltimore - Washington Stock Exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the preferred stock of the following company, which, security is listed and registered on one or more other national securities exchange:

Northwest Industries, Inc., 5 percent cumulative preferred stock, series A if earned; File No. 7–2933.

Upon receipt of a request, on or before July 11, 1968, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington, 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 68–7821; Filed, July 1, 1968; 8:48 a.m.]

PARAMOUNT GENERAL CORP.

Order Suspending Trading

JUNE 26, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Paramount General Corp., Los Angeles, Calif., and all other securities of Paramount General Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period June 27, 1968, through July 6, 1968, both dates inclusive.

By the Commission.

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

[F.R. Doc. 68-7822; Filed, July 1, 1968; 8:48 a.m.]

SMALL BUSINESS ADMINISTRATION

[License No. 05/04-0044]

GOODYEAR CAPITAL CORP.

Notice of Order Revoking License

Notice is hereby given that the Goodyear Capital Corp., Charlotte, N.C., was incorporated on July 6, 1961, under the laws of the State of North Carolina and on January 5, 1962, was licensed by the Small Business Administration to operate solely under the Small Business Investment Act of 1958.

A civil suit was filed by the Small Business Administration against Goodyear Capital Corp. for issuance of an injunction, determination and adjudication of violations of the Act and SBA rules and regulations, judgment on indebtedness to SBA, and the appointment of a receiver.

The U.S. District Court for the Western District of North Carolina, entered an order dated May 29, 1968, in United States of America v. Goodyear Capital Corp., Civil Action No. 2343, by which the court determined and adjudged that Goodyear Capital Corp. violated, or failed to comply with, the provisions of the Act and of the regulations promulgated thereunder.

Section 308 of the Act provides that the license of a Small Business Investment Company may be forfeited if said company is determined and adjudged by a Court of the United States to have violated, or failed to comply with, the provisions of the Small Business Investment Act.

Now, therefore, under the authority vested by the Small Business Investment Act of 1958, as amended, it is hereby ordered that License No. 05/04-0044 issued to Goodyear Capital Corp. be, and the same hereby is, revoked and all of the rights, privileges, and franchises derived therefrom forfeited, and that notice of this revocation be served upon the receiver and be published in the FEDERAL REGISTER.

Dated: June 21, 1968.

For the Small Business Administration.

JAMES T. PHELAN, *Acting Associate Administrator for Investment.*

[F.R. Doc. 68-7786; Filed, July 1, 1968; 8:46 a.m.]

[Declaration of Disaster Loan Area 675]

TEXAS

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of June 1968, because of the effects of certain disasters, damage resulted to residences and business property located in the State of Texas;

Whereas, the Small Business Administration has investigated and has re-received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Deputy Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property, situated in all areas affected in the State of Texas, suffered damage or destruction resulting from tropical storm Candy and resulting tornadoes and floods occurring on or about June 22, 1968.

OFFICES

Small Business Administration Regional Office, 808 Travis Street, Houston, Tex. 77002.
Small Business Administration Regional Office, 301 Broadway, San Antonio, Tex. 78205.

2. A temporary office will be established at Port Lavaca, Tex., address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to December 31, 1968.

Dated: June 25, 1968.

HOWARD GREENBERG, *Deputy Administrator.*

[F.R. Doc. 68-7787; Filed, July 1, 1968; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 637]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JUNE 26, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 35628 (Sub-No. 288 TA) (Correction), filed June 12, 1968, published FEDERAL REGISTER issue of June 22, 1968, and corrected this issue. Applicant: INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville Avenue SW., Grand Rapids, Mich. 49502. Applicant's representative: Leonard J. Verdier, Jr., 1 Vandenberg Center, Grand Rapids, Mich. 49502. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, household goods and commodities in bulk), serving the distribution center of the Arrow Co. at Elysburg, Pa., as an off-route point in connection with applicant's regular route operations, between Rochester, N.Y., and Harrisburg, Pa., over U.S. Highway 15 and Pennsylvania Highway 147, as authorized at sheet 16 of certificate MC 35628; and in connection with applicant's regular route operations between Shamokin, Pa., and Philadelphia, Pa., over U.S. Highways 122 and 422, as authorized at sheet 3 of certificate MC 35628, Sub 239, for 180 days. NOTE: Applicant intends to tack this authority with its other operating authority. The purpose of this republication is to correctly set forth the authority applied for. Supporting shipper: The Arrow Co., a division of Cluett, Peabody & Co., Inc., 433 River Street, Troy, N.Y. 12180. Send protests to: C. R. Flemming, District Supervisor,

Bureau of Operations, Interstate Commerce Commission, 221 Federal Building, Lansing, Mich. 48933.

No. MC 59640 (Sub-No. 12 TA), filed June 19, 1968. Applicant: PAULS TRUCKING CORPORATION, 833 Flora Street, Elizabeth, N.J. 07201. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, for the account of Supermarkets General Corp., from the warehouse facilities of Supermarkets General Corp. at Jersey City, N.J., to points in Suffolk, Westchester, and Rockland Counties, N.Y.; Bucks and Delaware Counties, Pa.; New Castle and Kent Counties, Del.; and Fairfield County, Conn. Restriction: The authority sought herein is limited to shipments moving to retail stores, for 180 days. Supporting shipper: Supermarkets General Corp., 3 Commerce Drive, Cranford, N.J. 07016. Send protests to: District Supervisor Walter J. Grossmann, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 70083 (Sub-No. 13 TA), filed June 24, 1968. Applicant: DRAKE MOTOR LINES, INC., 20 Olney Avenue, Cherry Hill, N.J. 08034. Applicant's representative: Joseph W. Watson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as are dealt in by retail department stores, between Cherry Hill, N.J., on the one hand, and, on the other, Washington, D.C., points in New Jersey, Delaware, and Maryland, points in that part of Pennsylvania east of a line beginning at the Pennsylvania-New York State line, and extending along U.S. Highway 11 to Leymoyne, Pa., and thence along U.S. Highway 111 to the Pennsylvania-Maryland State line, and points in that part of New York south and east of a line beginning at the New York-Massachusetts State line, and extending along New York Highway 2 to Troy, N.Y., and thence along New York Highway 7 to the New York-Pennsylvania State line, including points on the indicated portions of the highways specified. NOTE: Applicant intends to tack this authority with existing permanent authority in MC 70083, paragraph 2 and MC 70083 Sub 11, which jointly authorize an identical service and, thus, provide single-line service between all points within the territory indicated through Cherry Hill, N.J., for 180 days. Supporting shippers: There are approximately 140 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor Raymond T. Jones, Interstate Commerce Commission, Bureau of Operations, 410 Post Office Building, 402 East State Street, Trenton, N.J. 08608.

No. MC 111401 (Sub-No. 252 TA) (Correction), filed June 12, 1968, published FEDERAL REGISTER issue of June 20, 1968, and republished as corrected this issue. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, Okla. 73701. Applicant's representative: Alvin L. Hamilton (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from Salina, Kans., to points in Webster, Thayer, Jefferson, Gage, Adams, Clay, Fillmore, Salina, York, and Nuckolls Counties, Nebr., for 180 days. NOTE: The purpose of this republication is to show destination points are "Counties," inadvertently omitted from previous publication. Supporting shipper: Allied Chemical Corp., Walter Brody, Manager-Motor Analysis, 40 Rector Street, New York, N.Y. 10006. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 115931 (Sub-No. 19 TA), filed June 21, 1968. Applicant: TIM A. BABCOCK, doing business as BABCOCK TRANSPORTATION CO., 910 Wyoming Avenue, Billings, Mont. 59103. Applicant's representative: Clayton Brown, 912 Wyoming Avenue, Billings, Mont. 59102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building stone*, from Montana Marble, Inc., plantsite at or near Dryhead, Carbon County, Mont., to points in Montana, Idaho, Washington, Oregon, Colorado, Utah, Wyoming, North Dakota, South Dakota, Minnesota, Wisconsin, Nebraska, Iowa, Nevada, and California, for 150 days. Supporting shipper: Montana Marble, Inc., 1813 Broadwater Avenue, Billings, Mont. 59102. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 118159 (Sub-No. 52 TA), filed June 19, 1968. Applicant: EVERETT LOWRANCE, Post Office Box 10216, 4916 Jefferson Highway, New Orleans, La. 70121. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, and articles distributed by packinghouses* as described in sections A and C of appendix I to *Descriptions of Motor Carrier Certificates* 61 M.C.C. 209 and 766, from York, Nebr., to points in Louisiana, Arkansas, Florida, Texas, Tennessee, Kentucky, North Carolina, Alabama, and Georgia, for 180 days. Supporting shipper: Sunflower Packing Co., Inc., 1410 East 21st Street, Post Office Box 8183, Wichita, Kans. 67208. Send protests to: W. R. Atkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, T–4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 118159 (Sub-No. 53 TA), filed June 19, 1968. Applicant: EVERETT LOWRANCE, Post Office Box 10216, 4916 Jefferson Highway, New Orleans, La. 70121. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaged and cartoned new furniture, mirrors, and furniture parts*, from Selma, Ala., to points in Kansas, Oklahoma, Texas, Missouri, Arkansas, Louisiana, Illinois, Indiana, Kentucky, Tennessee, Georgia, and Florida, for 180 days. Supporting shipper: Western-Stickley, 3757 South Ashland Avenue, Chicago, Ill. Send protests to: W. R. Atkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, T–4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 118159 (Sub-No. 54 TA), filed June 19, 1968. Applicant: EVERETT LOWRANCE, Post Office Box 10216, 4916 Jefferson Highway, New Orleans, La. 70121. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Packaged and cartoned new furniture, mirrors, and furniture parts*, from Toccoa, Ga., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Oklahoma, Tennessee, Texas, and Wisconsin, for 180 days. Supporting shipper: Western-Stickley, 3757 South Ashland Avenue, Chicago, Ill. 60609. Send protests to: W. R. Atkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, T–4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 127689 (Sub-No. 21 TA), filed June 20, 1968. Applicant: PASCAGOULA DRAYAGE COMPANY, INC., Post Office Box 1326, 705 East Pine Street, Hattiesburg, Miss. 39401. Applicant's representative: W. N. Innis (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cans, containers*, liquid capacity exceeding 1 gallon but not exceeding 5 gallons, from Picayune, Miss., to points in Alabama, Arkansas, Florida, Georgia, Louisiana, North Carolina, South Carolina, Tennessee, Texas, and Virginia, for 180 days. Supporting shipper: Standard Container Co., Homerville, Ga. 31634 (J. D. Lee, Vice President). Send protests to: District Supervisor Floyd A. Johnson, Interstate Commerce Commission, Bureau of Operations, 312–A U.S. Post Office Building, Jackson, Miss. 39201.

No. MC 129945 (Sub-No. 1 TA), filed June 24, 1968. Applicant: HENRY BOUWMA, doing business as H. BOUWMA TRUCKING, 3604 Four Mile Road, Racine, Wis. 53404. Applicant's

representative: Paul B. Lange, 220 Ninth Street, Racine, Wis. 53401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Castings, forgings, and semifinished metals parts* to be heat-treated for the account of Harris Metals, Inc., from points in Illinois within a 100-mile radius of Racine, Wis., to Racine, Wis., and return, for 150 days. Supporting shipper: Harris Metals, Inc., 4210 Douglas Avenue, Racine, Wis. 53401 (G. G. Van Remmen, Vice President). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 129946 (Sub-No. 1 TA), filed June 24, 1968. Applicant: JOHN HOWARD McCONNEL, doing business as McCONNEL TRUCK LINE, General Delivery, Durango, Colo. 81301. Applicant's representative: Jerry R. Murphy, 708 La Veta NE., Albuquerque, N. Mex. 87108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal feeds*, from Cheraw and Durango, Colo., to points in San Juan County, N. Mex., for 150 days. Supporting shipper: Basin Co-Op, Inc., Post Office Box 697, Durango, Colo. 81301. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 129977 TA, filed June 21, 1968. Applicant: HERMAN MANESS, doing business as HERMAN MANESS AUTO TRANSPORTERS, 1340 Highway 45 South, Jackson, Tenn. 38301. Applicant's representative: Dale Woodall, Memphis Bank Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles*, from warehouse facilities of G. N. Gonzales Motors, Baton Rouge, La., to points in Alabama, Mississippi, Tennessee, Arkansas, and Missouri, for 180 days. Supporting shippers: Datson-G. N. Gonzales Motors, 1928 Third Street, Post Office Box 548, Baton Rouge, La.; Datson Cars, a division of Import Cars, Inc., 2443 Lamar Avenue, Memphis, Tenn. 38114. Send protests to: William W. Garland, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 390 Federal Office Building, Memphis, Tenn. 38103.

By the Commission.

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

[F.R. Doc. 68-7852; Filed, July 1, 1968; 8:51 a.m.]

[Notice 168]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 27, 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-70555. By order of June 12, 1968, the Transfer Board approved the transfer to A. T. Pinto, Inc., Philadelphia, Pa., of the remaining portion of the operating rights in certificate No. MC-35463, issued November 26, 1965, to Proctor Express, Inc., Philadelphia, Pa., authorizing the transportation of: General commodities, with the usual exceptions, and certain specified commodities, between specified points in New York, New Jersey, Connecticut, Pennsylvania, and Rhode Island. V. Baker Smith, 123 South Broad Street, Philadelphia, Pa. 19109, attorney for applicants.

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

[F.R. Doc. 68-7853; Filed, July 1, 1968; 8:51 a.m.]

[Notice 168A]

MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 27, 1968.

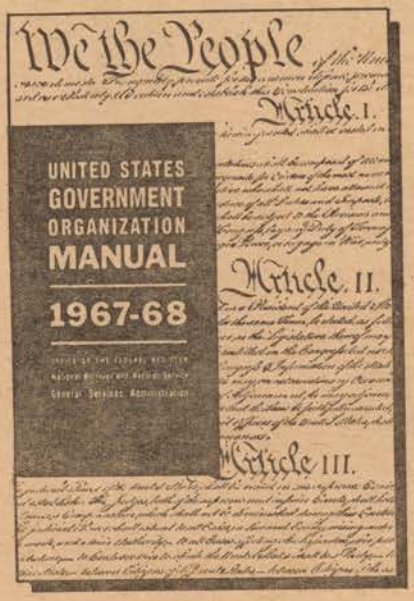
Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

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-70234. By order of June 10, 1968, Division 3, acting as an Appellate Division, approved the transfer to James J. Shanahan, doing business as Shanahan's Express, Merchantville, N.J., of a portion of the operating rights in certificate No. MC-35463 issued November 26, 1965, to Proctor Express, Inc., Philadelphia, Pa., authorizing the transportation of: General commodities, with the usual exceptions, between Philadelphia, Pa., on the one hand, and, on the other, points in specified portions of New Jersey. Alfred N. Lowenstein, 123 South Broad Street, Philadelphia, Pa. 19109, attorney for applicants.

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

[F.R. Doc. 68-7854; Filed, July 1, 1968; 8:51 a.m.]



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