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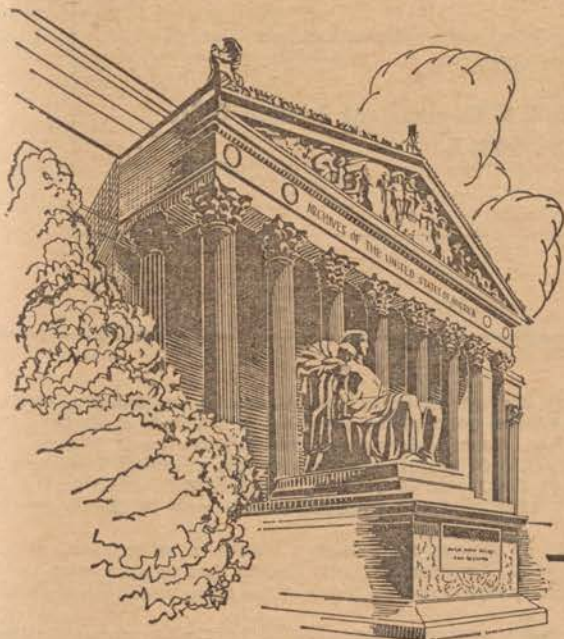
Friday, August 16, 1968 • Washington, D.C.

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Conservation Service
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Civil Service Commission
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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

Subpart—U.S. Standards for Grades of Processed Raisins¹

MISCELLANEOUS AMENDMENTS

A proposal to amend the U.S. Standards for Grades of Processed Raisins was published in the FEDERAL REGISTER of July 4, 1968 (33 F.R. 9711). Interested persons were given 30 days to submit written data, views, or arguments.

Statement of consideration leading to the amendments. No comments were received in response to the notice of proposed rule making. After considering all relevant matters including the proposal in the aforesaid notice and pursuant to the authority contained in the Agricultural Marketing Act of 1946 (sec. 203, 60 Stat. 1087, as amended; 7 U.S.C. 1622) the proposed amendments to the U.S. Standards for Grades of Processed Raisins which were contained in the aforesaid notice are hereby adopted in the same form and manner as they appeared in the aforesaid notice and are hereby incorporated by this reference, and are set forth below.

It is hereby found that good cause exists for not postponing the effective date of the amendments beyond September 1, 1968 (5 U.S.C. 553(d)), in that:

(1) The raisin processing season is imminent and it is necessary for the purposes of inspection and marketing that the Department's grade standards conform with the modified minimum grade standards for packed raisins, issued pursuant to Federal Marketing Agreement and Order No. 989, which becomes effective September 1, 1968.

(2) The raisin industry is well aware of the provisions of the amendments through published notice of proposed rule making, industry meetings, trade publications, and other news media.

¹ Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

(3) No changes in production or marketing are required by the amendments, and no extensive preparation by users of the standards is required.

(4) Persons interested in the amendments have been supplied with copies of the proposed amendments, the text of which is identical with the amendments now promulgated.

These amendments to the U.S. Standards for Grades of Processed Raisins shall become effective on September 1, 1968, and will thereupon supersede the applicable sections of the U.S. Standards for Grades of Processed Raisins which have been in effect since October 11, 1965.

(Secs. 202-203, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627)

Dated: August 13, 1968.

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

A. Section 52.1845 is amended in the following respects: The text of paragraph (a) preceding subparagraph (1), subparagraph (3) of paragraph (a), the text of paragraph (b) preceding subparagraph (1), subparagraph (3) of paragraph (b), the text of paragraph (c) preceding subparagraph (1), and subparagraph (3) of paragraph (c) are revised to read as follows:

§ 52.1845 Grades of Thompson Seedless Raisins.

(a) "U.S. Grade A" or "U.S. Fancy" is the quality of Thompson Seedless Raisins that possess similar varietal characteristics; that in Unbleached and Soda Dipped raisins possess a good typical color; that possess a good characteristic flavor; that show development characteristics of raisins prepared from well-matured grapes with not less than 80 percent, by weight, of raisins that are well-matured or reasonably well-matured raisins and not more than 1 percent, by weight, of raisins may have substandard development (including undeveloped raisins); that contain not more than 18 percent, by weight, of moisture; and that meet the following additional requirements as also outlined in Table I of this subpart:

(3) Not more than 1 percent, by weight, of raisins of all sizes may be undeveloped;

(b) "U.S. Grade B" or "U.S. Choice" is the quality of Thompson Seedless Raisins that possess similar varietal characteristics; that in Unbleached and Soda

Dipped raisins possess a reasonably good typical color; that possess a good characteristic flavor; that show development characteristics of raisins prepared from reasonably well-matured grapes with not less than 70 percent, by weight, of raisins that are well-matured or reasonably well-matured raisins and not more than 2 percent, by weight, of raisins may have substandard development (including undeveloped raisins); that contain not more than 18 percent, by weight, of moisture; and that meet the following additional requirements as also outlined in Table I of this subpart:

(3) Not more than 2 percent, by weight, of "small (or midget) size" raisins may be undeveloped; and not more than 1 percent, by weight, of raisins other than "small (or midget) size" may be undeveloped;

(c) "U.S. Grade C" or "U.S. Standard" is the quality of Thompson Seedless Raisins that possess similar varietal characteristics; that in Unbleached and Soda Dipped raisins possess a fairly good typical color; that possess a fairly good flavor; that show development characteristics of raisins prepared from fairly well-matured grapes with not less than 55 percent, by weight, of raisins that are well-matured or reasonably well-matured raisins and not more than 3 percent, by weight, of raisins may have substandard development (including undeveloped raisins); that contain not more than 18 percent, by weight, of moisture; and that meet the following additional requirements as also outlined in Table I of this subpart:

(3) Not more than 2 percent, by weight, of "small (or midget) size" raisins may be undeveloped; and not more than 1 percent, by weight, of raisins other than "small (or midget) size" may be undeveloped;

B. A new § 52.1845a is added reading as follows:

§ 52.1845a Definitions of maturity in Thompson Seedless Raisins.

(a) "Well-matured raisins or reasonably well-matured raisins" means raisins that are full-fleshed and rounded in appearance.

(b) "Fairly well-matured" raisins means raisins that are thin fleshed and angular in appearance.

(c) "Substandard development" means raisins that are practically lacking in flesh.

C. Table I is revised to read as follows:

TABLE I—ALLOWANCES FOR DEFECTS IN TYPE I, THOMPSON SEEDLESS RAISINS

| Defects | U.S. Grade A or U.S. Fancy | U.S. Grade B or U.S. Choice | U.S. Grade C or U.S. Standard |
|-------------------------|---|--|---|
| | | Maximum count (per 96 ounces) | |
| Pieces of stem | 1 | 2 | 4 |
| | Maximum count (per 16 ounces) | | |
| Capstems | 15 | 25 | 35 |
| | Maximum (by weight) (percent) | | |
| Undeveloped | All sizes—1 | (Small size—2) (Other sizes—1) | Small size—2. Other sizes—1. |
| Damaged Sugared | 2 5 | 3 10 | 5 15 |
| | Maximum (by count) (percent) | | |
| Moldy raisins | 2 | 3 | 4 |
| Damaged by fermentation | May not be affected | Appearance or edibility of product May not be more than slightly affected. | May not be materially affected. |
| Grit, sand, or silt | None of any consequence may be present that affects the appearance or edibility of the product. | | Not more than a trace may be present that affects the appearance or edibility of the product. |

(Sec. 203, 60 Stat. 1087, as amended; 7 U.S.C. 1622)

[F.R. Doc. 68-9856; Filed, Aug. 15, 1968; 8:48 a.m.]

Chapter III—Agricultural Research Service, Department of Agriculture
PART 301—DOMESTIC QUARANTINE NOTICES
Subpart—Pink Bollworm
REGULATED AREAS

Under the authority of § 301.52-2 of the Pink Bollworm regulations, 7 CFR 301.52-2, as amended, 32 F.R. 16385, a supplemental regulation designating regulated areas is hereby issued to appear in 7 CFR 301.52-2a, as follows:

§ 301.52-2a Regulated areas; suppressive and generally infested areas.

(a) *Regulated areas.* The States and parts of States described below are designated as pink bollworm regulated areas within the meaning of the provisions in this subpart:

ARIZONA

All counties in the State.

ARKANSAS

- Arkansas County. The entire county.
- Ashley County. The entire county.
- Bradley County. The entire county.
- Calhoun County. The entire county.
- Chicot County. The entire county.
- Clark County. The entire county.
- Cleburne County. The entire county.
- Cleveland County. The entire county.
- Columbia County. The entire county.
- Conway County. The entire county.
- Crawford County. The entire county.
- Crittenden County. The entire county.
- Dallas County. The entire county.
- Desha County. The entire county.
- Drew County. The entire county.
- Faulkner County. The entire county.
- Franklin County. The entire county.
- Garland County. The entire county.
- Grant County. The entire county.
- Hempstead County. The entire county.
- Hot Spring County. The entire county.
- Howard County. The entire county.
- Jefferson County. The entire county.
- Johnson County. The entire county.
- Lafayette County. The entire county.
- Lincoln County. The entire county.

ARKANSAS—Continued

- Little River County. The entire county.
- Logan County. The entire county.
- Lonoke County. The entire county.
- Miller County. The entire county.
- Monroe County. The entire county.
- Montgomery County. The entire county.
- Nevada County. The entire county.
- Ouachita County. The entire county.
- Perry County. The entire county.
- Phillips County. The entire county.
- Pike County. The entire county.
- Polk County. The entire county.
- Pope County. The entire county.
- Prairie County. The entire county.
- Pulaski County. The entire county.
- Saline County. The entire county.
- Scott County. The entire county.
- Sebastian County. The entire county.
- Sevier County. The entire county.
- Union County. The entire county.
- Van Buren County. The entire county.
- White County. The entire county.
- Yell County. The entire county.

CALIFORNIA

- Imperial County. The entire county.
- Inyo County. That portion of the county lying east of the east boundary of R. 4 E., SBBM.
- Kern County. The entire county.
- Los Angeles County. That portion of the county lying east of the east boundary of R. 15 W., and north of the north boundary of T. 4 N., SBBM.
- Riverside County. That portion of the county lying east of the east boundary of R. 4 E., SBBM.
- San Bernardino County. That portion of the county lying east of the east boundary of R. 4 E., SBBM.
- San Diego County. That portion of the county lying east of the east boundary of R. 4 E., SBBM.

LOUISIANA

- Allen Parish. The entire parish.
- Avoyelles Parish. All of Ward 10, and all of Ward 9 lying south of Bayou Des Glaives and west of the east line of sec. 2 T. 1 S., R. 4 E.
- Beauregard Parish. The entire parish.
- Bienville Parish. The entire parish.
- Bossier Parish. The entire parish.
- Caddo Parish. The entire parish.
- Claiborne Parish. The entire parish.
- De Soto Parish. The entire parish.

LOUISIANA—Continued

- Evangeline Parish. That portion of Ward 2 lying north of the south lines of secs. 7, 8, 9, 10, 11, and 12, T. 6 S., R. 1 W. and 9, 10, 11, 12, and 39, T. 6 S., R. 2 W.; and all of Wards 3, 4, and 5.
- Grant Parish. The entire parish.
- Jackson Parish. The entire parish.
- Jefferson Davis Parish. The entire parish.
- Lincoln Parish. The entire parish.
- Natchitoches Parish. The entire parish.
- Ouachita Parish. That portion of the parish lying west of the Ouachita River.
- Rapides Parish. The entire parish.
- Red River Parish. The entire parish.
- Sabine Parish. The entire parish.
- Union Parish. The entire parish.
- Vernon Parish. The entire parish.
- Webster Parish. The entire parish.
- Winn Parish. The entire parish.

NEVADA

- Clark County. That portion of the county lying south of State Highway FAS 538 and west of the east line of R. 57 E.; and Tps. 15 and 16 S., Rs. 67 and 68 E.
- Nye County. That portion of the county lying south of the south boundary of T. 17 S., MDBM, and east of the east boundary of R. 51 E., MDBM.

NEW MEXICO

All counties in the State.

OKLAHOMA

All counties in the State.

TEXAS

All counties in the State.

(b) *Suppressive areas.* All regulated areas within the States of Arkansas, California, Louisiana, and Nevada are hereby designated as suppressive areas.

(c) *Generally infested areas.* All regulated areas within the States of Arizona, New Mexico, Oklahoma, and Texas are hereby designated as generally infested areas.

(Secs. 8 and 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended; 7 CFR 301.52-2)

This supplemental regulation shall become effective upon publication in the FEDERAL REGISTER when it shall supersede 7 CFR 301.52-2a, effective November 30, 1967.

The Director of the Plant Pest Control Division has determined that infestations of the pink bollworm exist or are likely to exist in the States and parts of States listed as regulated areas in § 301.52-2a(a), or that it is necessary to regulate such areas because of their proximity to pink bollworm infestations or their inseparability for quarantine enforcement purposes from pink bollworm infested localities.

The Director has further determined that each of the quarantined States, wherein less than the entire State is designated as a regulated area, is enforcing a quarantine or regulation with restrictions on intrastate movement of the regulated articles substantially the same as the restrictions on interstate movement of such articles imposed by the quarantine and regulations in this subpart, and that designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of the pink bollworm.

Accordingly, the States, and parts of States, as listed above, are designated as pink bollworm regulated areas.

The purpose of this revision is to add to the regulated areas all or parts of the following counties: Arkansas, Ashley, Bradley, Chicot, Cleveland, Crittenden, Desha, Drew, Grant, Jefferson, Lincoln, Lonoke, Monroe, Phillips, Prairie, Pulaski, and Saline in Arkansas; and Ouachita and Union in Louisiana. The revision also extends the areas in three previous regulated counties; one each in Arkansas, California, and Louisiana.

This document imposes restrictions that are necessary in order to prevent the spread of the pink bollworm and should be made effective promptly to accomplish its purposes in the public interest. Accordingly, it is found upon good cause under the administrative procedure provisions of 5 U.S.C. 553, that notice and other public procedure with respect to the foregoing regulation are impracticable and contrary to the public interest, and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 12th day of August, 1968.

[SEAL] D. R. SHEPHERD,
Director,
Plant Pest Control Division.

[F.R. Doc. 68-9829; Filed, Aug. 15, 1968;
8:46 a.m.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Witchweed

REGULATED AREAS

Under the authority of § 301.80-2 of the Witchweed Quarantine regulations, 7 CFR 301.80-2, as amended, 32 F.R. 9496, a supplemental regulation designating regulated areas is hereby issued to appear in 7 CFR 301.80-2a, as follows:

§ 301.80-2a Regulated areas.

The civil divisions, parts of civil divisions, and premises described below, and all highways and roadways abutting thereon, in the quarantined States, are designated as witchweed regulated areas within the meaning of the provisions in this subpart:

NORTH CAROLINA

Anson County. The Morris, Matthew farm located on the east side of State Highway 742 at the junction of said highway with State Secondary Road 1105.

Balden County. The entire county.

Brunswick County. The Babson, N. L. farm located on the west side of State Secondary Road 1321 and 0.4 mile south of its junction with State Highway 130.

The Frink D. M. farm located on the north side of State Secondary Road 1145 at its junction with State Secondary Road 1147.

The Griffin, John farm located on the west side of State Secondary Road 1304, and 1.3 miles northeast of junction of said road with U.S. Highway 17.

The Hughes, Luther H. farm located at the end of a farm road on the west side of State Highway 130, which farm road junctions with State Highway 130 at a point 1.1 miles

south of the junction of State Highway 130 and State Secondary Road 1321.

The Inman, Frank D. farm located on the west side of State Secondary Road 1333 and 0.1 mile north of its junction with State Secondary Road 1328.

The Meares, Hobson farm located on both sides of State Secondary Road 1165, and 2 miles south of the intersection of said road with U.S. Highway 17 at Thomasboro.

The Register, A. M. farm located at the end of a dirt road, 0.4 mile west of the junction of said dirt road with State Highway 130, said junction being 1.1 miles northwest of Ash.

The Register, W. C. farm located on the south side of State Secondary Road 1147 and 0.3 mile east of the junction of said road and State Secondary Road 1143.

The Russ, John R. farm located on both sides of State Secondary Road 1308 and 1 mile west of the junction of said road with State Highway 904 at Longwood.

The Simmons, W. V. farm located on the west side of State Secondary Road 1333 and on the north side of its junction with State Secondary Road 1328.

The Smith, B. Coda farm located on the west side of a dirt road and 0.6 mile north of its junction with State Secondary Road 1322, said junction being 0.1 mile west of the junction of State Secondary Road 1322 and State Secondary Road 1321.

The Smith, Jessie O. farm located on the north side of State Highway 904 and its junction with State Secondary Road 1321.

The Smith, Newman farm located on the south side of State Secondary Road 1322 at its junction with State Secondary Road 1321.

The Ward, N. G. farm located on the southwest side of State Secondary Road 1300, 0.5 mile west of the junction of said road with U.S. Highway 17.

Columbus County. That part of the county lying north and west of a line beginning at a point where Livingston Creek junctions with the Cape Fear River and extending south along said creek to its intersection with the Seaboard Air Line Railroad, thence west along said railroad to its intersection with State Secondary Road 1740, thence west and south along said road to its junction with U.S. Highways 74 and 76, thence west along said highways to their intersection with Bogue Swamp, thence south along said swamp to its junction with the Waccamaw River and continuing south along said river to its junction with White Marsh Swamp, thence north and northwest along said swamp to its junction with Cypress Creek, thence southwest along said creek to its intersection with State Highway 130, thence northwest along said highway to its junction with State Secondary Road 1166, thence southwest along said road to its junction with State Secondary Road 1157, thence southwest along said road to its junction with U.S. Highway 701, thence south and west along said highway to its intersection with State Secondary Road 1314, thence west along said road to its junction with State Secondary Road 1346, thence southwest along said road to its junction with the North Carolina-South Carolina State line.

The Hickman Bros. farm located on the south side of State Highway 904 at the junction of said road with State Secondary Road 1129.

The Long, Ernest H. farm located on the northeast side of State Secondary Road 1934, and 0.1 mile north of its junction with State Secondary Road 1935.

The Norris, A. J. farm located on both sides of State Secondary Road 1134 and 1 mile south of its junction with State Secondary Road 1005.

The Prince, J. Carl farm located on both sides of State Secondary Road 1119 and 2.2

miles west of its junction with State Secondary Road 1103.

The Prince, Jennings L. farm located at the junction of State Secondary Road 1108 and State Secondary Road 1109.

The Suggs, Lacy farm located at the end of a dirt road, 0.5 mile southeast of the junction of said road with State Secondary Road 1108, said junction being 0.7 mile northeast of the junction of State Secondary Road 1108 and State Secondary Road 1118.

The Watts, Gaddie farm located on the southwest side of State Highway 904 at a point 136 yards southeast of the junction of said road with State Secondary Road 1127.

Craven County. The Smith, Tommy farm located on the north side of State Secondary Road 1400 and 1.3 miles west of the junction of said road with State Secondary Road 1440.

The Norman, Jerome farm located on the north side of State Secondary Road 1003, and 0.8 mile east of its junction with State Secondary Road 1623.

Cumberland County. All of Cumberland County excluding the Fort Bragg Military Reservation, the area within the corporate limits of the city of Fayetteville and the unincorporated communities of East Fayetteville and Bonnie Doone.

Duplin County. That area bounded by a line beginning at a point where State Secondary Road 1104 intersects the Duplin-Sampson County line, thence extending north along said county line to its intersection with State Secondary Road 1337, thence northeast along said road to its junction with State Highway 50, thence northwest along said highway to its junction with State Secondary Road 1355, thence northeast along said road to its junction with State Secondary Road 1332, thence northeast along said road to its junction with State Secondary Road 1304, thence north along said road to its junction with State Highway 403, thence northeast along said highway to its junction with State Secondary Road 1368, thence south along said road to its junction with State Secondary Road 1367, thence southeast along said road to its junction with State Secondary Road 1365, thence northeast along said road to its junction with State Secondary Road 1004, thence southeast along said road to its junction with State Secondary Road 1503, thence northeast along said road to its intersection with State Secondary Road 1500, thence southeast along said road to its intersection with State Secondary Road 1507, thence north along said road to its junction with State Secondary Road 1526, thence northeast along said road to its junction with State Secondary Road 1519, thence southeast along said road to its intersection with State Secondary Road 1502, thence south along said road to its intersection with State Secondary Road 1500, thence southeast along said road to its junction with State Secondary Road 1306, thence west along said road to its intersection with State Secondary Road 1004, thence south along said road to its junction with State Highway 11, thence northeast along said highway to its junction with State Secondary Road 1700, thence southeast along said road to its intersection with the Northeast Cape Fear River, thence south along said river to its junction with Grove Creek, thence west along said creek to its junction with the Kenansville city limits, thence southwest along said city limits to its intersection with State Highway 11, thence south along said highway to its junction with State Secondary Road 1922, thence southwest along said road to its junction with State Secondary Road 1909, thence south along said road to its junction with State Secondary Road 1912, thence west along

said road to its intersection with the Magnolia city limits, thence south, west and north along said city limits to its intersection with State Secondary Road 1003, thence southwest along said road to its junction with State Secondary Road 1104, thence northwest along said road to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Road 1702 intersects State Highway 24, thence extending east along said highway to its junction with State Secondary Road 1962, said junction being 0.7 miles west of Beulaville, thence south along State Secondary Road 1962 to its junction with State Secondary Road 1724, thence southwest along said road to its junction with State Secondary Road 1800, thence northwest along said road to its junction with State Secondary Road 1961, thence west along said road to its junction with State Secondary Road 1702 at Hallsville, thence north along said road to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Road 1002 intersects the Duplin-Lenoir County line, thence extending southeast along said county line to its intersection with State Highway 11, thence west along said highway to its junction with State Highway 111, thence west and north along said highway to its junction with State Secondary Road 1002 at Albertson, thence north along said road to the point of beginning, excluding the town of Albertson.

The Bonham, Paisley farm located on the north side of State Secondary Road 1977 and 1 mile west of Pin Hook.

The Bostic, F. J. farm located on the west side of State Highway 50, at the junction of said highway and State Secondary Road 1730.

The Byrd, David O. farm located on the north side of State Secondary Road 1003 and the east side of State Secondary Road 1100 at the junction of said road.

The Crow, T. C. farm located on the south side of State Secondary Road 1321 and 0.8 mile west of the junction of said road with State Secondary Road 1302.

The Faison, I. R. farm located on the east side of State Secondary Road 1301 and 1.4 miles north of its junction with State Secondary Road 1335.

The Hall, Janie Mae farm located on the south side of State Secondary Road 1100 and 0.1 mile west of the junction of said road and State Secondary Road 1120.

The Hall, John farm located at the junction of State Secondary Roads 1100 and 1120 on both sides of State Secondary Road 1100.

The Herring, Mary J. farm located on the west side of State Secondary Road 1100, and 0.7 mile south of the intersection of said road with State Secondary Road 1003.

The Jackson, Emmitt farm located on the east side of State Secondary Road 1301 and 1.3 miles north of its junction with State Secondary Road 1335.

The Johnson, C. M. farm located on the southwest side of State Secondary Road 1139 and 0.6 mile northwest of the junction of said road with State Secondary Road 1133.

The Jones, J. A. farm located on the south side of State Secondary Road 1703 and 0.4 mile west of the junction of said road with State Secondary Road 1732.

The Kalmar, J. N. farm located on the south side of State Highway 403 and 0.5 mile west of its junction with State Secondary Road 1304.

The Kennedy, Owen farm located on the east side of State Secondary Road 1726 and the southeast side of State Secondary Road 1702 at the junction of said roads.

The Kissner, Henry farm located on the southwest side of State Secondary Road 1139

and 0.7 mile northwest of its junction with State Secondary Road 1133.

The Kornegay, Ethel farm located 0.2 mile east of State Secondary Road 1501 at a point 0.6 mile south of the intersection of said road with State Secondary Road 1519.

The Lee, Julian Hall farm located on the north side of State Secondary Road 1003, and 0.2 mile east of the intersection of said road with State Secondary Road 1100.

The Marshburn, Freeman J. farm located on the northeast side of State Secondary Road 1128 and 0.5 mile southeast of the intersection of said road and State Secondary Road 1129.

The Maxwell, Myra farm located on the southeast side of State Secondary Road 1306 and 0.1 mile northeast of the intersection of said road and State Highway 111.

The Melvin, E. W. farm located at the end of a farm road 0.3 mile north of the junction of said farm road with State Secondary Road 1130, said junction being 0.3 mile east of the intersection of State Secondary Road 1130 and the Duplin-Sampson County line.

The Mercer, Cathleene farm located on the south side of State Secondary Road 1703 and 0.8 mile west of the junction of said road with State Secondary Road 1732.

The Mercer, Herbert C. farm located on the south side of State Secondary Road 1703 and 0.7 mile west of the junction of said road with State Secondary Road 1732.

The Norris, Maggie T. farm located on the south side of State Secondary Road 1700 and 1.4 miles east of Sarecta.

The Page, H. J. farm located on the west side of State Secondary Road 1128 and on the north side of State Secondary Road 1129 at the intersection of said roads.

The Parrott, Mrs. Frank, Jr. farm located on the south side of State Secondary Road 1703 and 0.4 mile east of the intersection of said road and State Secondary Road 1704.

The Peterson, W. C. farm located on the north side of State Secondary Road 1130 and 0.2 mile east of the intersection of said road with the Duplin-Sampson County line.

The Rhodes, Lucion farm located on the south side of State Secondary Road 1003 and 0.5 mile east of the intersection of said road and State Secondary Road 1100.

The Riverbank, George W. farm located on the northwest side of State Secondary Road 1131 and 0.4 mile southwest of the junction of said road with State Secondary Road 1128.

The Summerlin, Oliver farm located on the south side of State Highway 403 and 0.1 mile east of the corporate limits of the town of Faison.

The Thomas, J. R. farm located on the north side of State Secondary Road 1700 and 1.5 miles east of Sarecta.

The Turner, Lumas farm located on the south side of State Secondary Road 1703 and 0.5 mile west of the junction of said road with State Secondary Road 1732.

The Westbrook, Joseph farm located 0.7 mile west of State Highway 11 at a point 0.2 mile southwest of the junction of said highway with State Secondary Road 1501.

The Williams, Fate, Helrs farm located on the south side of State Secondary Road 1003 and 0.5 mile east of its intersection with State Secondary Road 1100.

The Williams, Lewis farm located on the northeast side of State Secondary Road 1100 and 0.7 mile southeast of its intersection with State Secondary Road 1003.

Harnett County. That area bounded by a line beginning at a point where the Harnett-Lee County line and State Secondary Road 1209 intersect and extending southeast along said road to its junction with State Highway 27, thence east along said highway to its junction with State Secondary Road 1117, thence south along said road to its junction with State Secondary Road 1128, thence east along said road to

its junction with State Highway 210, thence northeast along said highway to its junction with State Secondary Road 2030, thence southeast along said road to its junction with State Secondary Road 2031, thence south along said road to its intersection with the Harnett-Cumberland County line, thence west along said county line to its junction with the Harnett-Moore County line, thence northwest along said county line to its junction with the Harnett-Lee County line, thence northeast along said county line to the point of beginning.

The Barnes, Everett farm located on both sides of State Secondary Road 1532 and 0.4 mile west of the junction of said road with State Secondary Road 1547.

The Blalock, Clarence J. farm located at the end of a dirt road and 0.4 mile northwest of the junction of said road with State Secondary Road 1540, said junction being 0.4 mile northeast of the junction of said secondary road with State Secondary Road 1542.

The Blalock, F. P. farm located on the northeast side of State Highway 55 and 0.3 mile northwest of the intersection of said highway with State Secondary Road 1006.

The Edwards, Charles farm located on the north side of State Secondary Road 1128 and 0.9 mile southwest of the junction of said road with State Secondary Road 1130.

The Harrington, Luke farm located on both sides of State Highway 27 and 0.4 mile west of the junction of said highway with State Secondary Road 1242.

The Harrington, Redin farm located at the end of a dirt road and 0.8 mile north of the junction of said road with State Highway 27, said junction being 1 mile west of the junction of said highway with State Secondary Road 1242.

The Jenkins, Cecil farm located on both sides of State Secondary Road 1251 and 1 mile south of the junction of said road with State Secondary Road 1291.

The McLeod, Carl farm located on both sides of State Highway 27 and 0.8 mile west of the junction of said highway and State Secondary Road 1242.

The Morgan, Robert farm located on the south side of State Secondary Road 1291 and 0.4 mile east of the junction of said road with State Secondary Road 1251.

The Parker, E. O. farm located on the north side of State Secondary Road 2034 and 0.7 mile west of the junction of said road with U.S. Highway 401.

The Parrish, Eddie L. farm located on both sides of State Secondary Road 1532 and 0.1 mile west of the junction of said road with State Secondary Road 1547.

The Wagner, W. L. farm located on both sides of State Highway 55 and 0.2 mile northwest of the intersection of said highway and State Secondary Road 1006.

Hoke County. All of Hoke County lying south and west of the Fort Bragg Military Reservation.

Games Preserve Plot No. 16 located on the east side of King Road and 0.7 mile northwest of its junction with Plank Road, lying within the Fort Bragg Military Reservation.

Johnston County. That area bounded by a line beginning at a point where State Secondary Road 1116 and State Highway 50 intersect and extending southeast along said highway to its intersection with the Johnson-Sampson County line, thence west along said county line to its intersection with State Highway 242, thence north along said highway to its intersection with State Secondary Road 1116, thence east along said road to the point of beginning.

The Barefoot, Wade H. farm located on a farm road and 0.4 mile south of its junction with State Secondary Road 1144 and 0.4 mile west of the intersection of said road with State Secondary Road 1145.

The Beasley, Rufus P. farm located on the east side of State Secondary Road 1009, at its junction with State Secondary Road 1197.

The Beasley, Rufus P. farm located on the west side of State Secondary Road 1138, and 0.4 mile south of its junction with Secondary Road 1144.

The Blackman, Dewey farm located on the south side of State Secondary Road 1146 and 0.4 mile east of the junction of said road with State Secondary Road 1145.

The Davis, I. H. farm located on the south-west side of State Secondary Road 1197 and 0.1 mile southeast of the junction of said road with State Secondary Road 1198.

The Everett, Betty farm located on the west side of State Secondary Road 2541 and 0.5 mile south of the junction of said road with State Secondary Road 1007.

The Everett, Betty farm located on a farm road and 0.6 mile west of its junction with State Secondary Road 2541, said junction being 1.9 miles south of the junction of State Secondary Roads 2541 and 1007.

The Hudson, Price, Estate farm located on a farm road and 0.4 mile north of its junction with State Secondary Road 1008, said junction being 0.8 mile northeast of the intersection of State Secondary Road 1008 with U.S. Highway 701.

The Johnson, Wade farm located on both sides of State Secondary Road 1144 and 0.2 mile west of the junction of said road with State Secondary Road 1138.

The Lee, Blanche, Maye and Mildred farm located on the south side of State Secondary Road 1144 and 0.8 mile west of the junction of said road with U.S. Highway 701.

The McArthur, Margaret farm located on a farm road and 1.4 miles north of its junction with State Secondary Road 1199 and 0.9 mile west of the junction of said road with State Secondary Road 1008.

The right-of-way of State Secondary Road 1144 beginning 1.4 miles west of its junction with U.S. 701 and extending west for one-fourth mile from this point.

The Worley, Adam farm located on the southeast side of the junction of State Secondary Road 2540 with State Secondary Road 2372.

Jones County. That area bounded by a line beginning at a point where State Secondary Road 1117 intersects the Jones-Onslow County line, and extending northwest along said road to its junction with State Secondary Road 1116, thence east and southeast along said road to its junction with State Secondary Road 1118, thence southwest along said road to its intersection with the Jones-Onslow County line, thence northwest and west along said county line to the point of beginning.

The Eubanks, Eugene farm located at the end of State Secondary Road 1126 and 0.8 mile south of the junction of said road with State Secondary Road 1124.

The Johnson, R. T. farm located on the northwest side of State Secondary Road 1132 and 0.3 mile southwest of the junction of said road with State Secondary Road 1131.

The McDaniel, W. F. farm located on the south side of State Secondary Road 1122 at a point 0.8 mile southwest of the junction of said road and State Highway 58, said junction being 1.2 miles northwest of Olive Cross Roads.

The Smith, Leah property located in the town of Trenton on the South side of Jones Street at a point 0.5 mile west of the junction of said street and Webber Street.

The Taylor, Mary L. farm located on the east side of State Secondary Road 1142 and 0.8 mile south of the junction of said road with State Secondary Road 1130.

The Whiley, Garland farm located on the east side of State Secondary Road 1142 and

0.6 mile south of the junction of said road with State Secondary Road 1130.

The Whiley, Garland farm located on the east side of State Secondary Road 1146 and 0.5 mile south of the Jones-Lenoir County line.

The Williams, Roscoe farm located on the north side of State Secondary Road 1116 and 3.2 miles west of the junction of said road with State Secondary Road 1115.

Lee County. The Battle, Wilbert farm located on the north side of State Secondary Road 1188 and 0.3 mile east of the junction of said road with State Secondary Road 1001.

The Castleberry, C. N. farm located on the north side of State Secondary Road 1162 and 0.7 mile northwest of the junction of said road and State Secondary Road 1001.

The Dickens, Mrs. Lena farm located on both sides of State Secondary Road 1174 and 0.7 mile northeast of the junction of said road with State Secondary Road 1173.

The Douglass, Grady C. farm located in the northeast quadrant of the junction of State Secondary Roads 1188 and 1001.

The Douglass, Grade C. farm located on both sides of State Secondary Road 1188 and 0.5 mile east of the junction of said road with State Secondary Road 1001.

The McGilvary, Aquilla farm located north of State Secondary Road 1188 and 0.6 mile east of the junction of said road with State Secondary Road 1001.

The McIntyre, James farm located on both sides of State Secondary Road 1188 and 0.4 mile east of the junction of said road with State Secondary Road 1001.

Lenoir County. That area bounded by a line beginning at a point where State Secondary Road 1311 and State Secondary Road 1002 junction, and extending northeast along State Secondary Road 1311 to its junction with State Secondary Road 1309, thence north along said road to its junction with State Secondary Road 1324, thence southeast along said road to its junction with State Secondary Road 1331, thence north along said road to its junction with State Secondary Road 1332, thence east along said road to its junction with State Secondary Road 1333, thence north along said road to its junction with State Secondary Road 1330, thence east along said road to its junction with State Secondary Road 1336, thence southwest along said road to its junction with State Secondary Road 1324, thence southwest along said road to Whitelace Creek, thence east and south along said creek to State Secondary Road 1161, thence west along said road to its junction with State Highway 55, thence southwest along said road to Squirrel Creek, thence north and northwest along said creek to the Neuse River, thence west along said river to Dailys Creek, thence south and west along said creek to its intersection with State Highway 55, thence west along said highway to State Secondary Road 1002, thence north along said road to the point of beginning.

The Blizzard, Robert E. farm located on the south side of State Secondary Road 1105 and 0.3 mile southwest of the intersection of State Secondary Road 1105 and U.S. Highway 258.

The Braxton, Clyde Estate located on both sides of State Secondary Road 1802 and 0.9 mile northeast of the junction of State Secondary Road 1802 and State Highway 11.

The Carter, Roland farm located on the east side of State Highway 11 and the south side of State Secondary Road 1113 at the junction of said roads.

The Chambers, Eugene farm located on the northeast side of the junction of State Secondary Road 1167 and State Secondary Road 1143.

The Davis, Earl R. farm located on the south side of State Secondary Road 1143 and 0.8 mile west of the town of Deep Run.

The Edwards, Kate farm located on the southeast side of the junction of State Secondary Roads 1143 and 1145.

The Grady, J. D. farm located on the south side of State Secondary Road 1143 and the east side of State Secondary Road 1154 at Wootens Crossroads.

The Grady, W. Clifton farm located on the west side of State Secondary Road 1154 and the south side of State Secondary Road 1143 at Wootens Crossroads.

The Herring, Ben D. farm located on the north side of State Secondary Road 1330 and 0.2 mile west of the junction of State Secondary Roads 1330 and 1331.

The Howard, Clarence farm located on the south side of State Secondary Road 1105 and 0.1 mile east of its intersection with State Secondary Road 1118.

The Measley, W. L. farm located on the east side of State Secondary Road 1327 and 0.2 mile northeast of its intersection with State Secondary Road 1519.

The Nobles, Hugh farm located on both sides of State Secondary Road 1120 and 0.7 mile west of its junction with U. S. Highway 258.

The Rouse, George R. farm located in the southwest intersection of State Secondary Roads 1143 and 1167.

The Smith, Nick farm located on the south side of State Secondary Road 1163 and 0.1 mile west of its junction with State Secondary Road 1111.

The Whitfield, James A. farm located on the south side of State Secondary Road 1300 and 0.1 mile east of the junction of State Secondary Roads 1300 and 1305.

The Whitfield, Marietta farm located on the northwest side of State Secondary Road 1154, at its junction with State Secondary Road 1155.

The Whitfield, William R. farm located on the north side of State Highway 55 and 0.2 mile west of the junction of State Secondary Road 1300 and State Highway 55.

Montgomery County. The Glover, Therese Edward farm located at the end of a dirt road and 0.1 mile southwest of the junction of said road with State Secondary Road 1524, said junction being 0.7 mile northwest of the intersection of said road with the Montgomery-Moore County line.

The Hoover, Colon farm located at the end of a dirt road and 0.1 mile southwest of the junction of said road with State Secondary Road 1524, said junction being 0.7 mile northwest of the intersection of said road with the Montgomery-Moore County line.

The Lane, Walter farm located at the end of a dirt road and 0.3 mile southwest of the junction of said road with State Secondary Road 1524, said junction being 1 mile northwest of the intersection of said secondary road with the Montgomery-Moore County line.

The Poole, Frank Estate located on the northeast side of State Secondary Road 1524 and 0.8 mile northwest of the intersection of said road with the Montgomery-Moore County line.

The Thomas, Haywood N. farm located on the southwest side of State Secondary Road 1524 and 0.8 mile northwest of the intersection of said road with the Montgomery-Moore County line.

Moore County. That area bounded by a line beginning at a point where State Secondary Road 2075 and State Highway 211 junction and extending west along State Highway 211 to its intersection with State Secondary Road 2063, thence north and northwest along said road to its junction with State Highway 5, thence northeast along said highway to its junction with State Secondary Road 2042, thence northeast along said road to its junction with State Secondary Road 2074, thence east along said road to its

The Whitfield, James A. farm located on the south side of State Secondary Road 1300 and 0.1 mile east of the junction of State Secondary Roads 1300 and 1305.

The Whitfield, Marietta farm located on the northwest side of State Secondary Road 1154, at its junction with State Secondary Road 1155.

The Whitfield, William R. farm located on the north side of State Highway 55 and 0.2 mile west of the junction of State Secondary Road 1300 and State Highway 55.

Montgomery County. The Glover, Therese Edward farm located at the end of a dirt road and 0.1 mile southwest of the junction of said road with State Secondary Road 1524, said junction being 0.7 mile northwest of the intersection of said road with the Montgomery-Moore County line.

The Hoover, Colon farm located at the end of a dirt road and 0.1 mile southwest of the junction of said road with State Secondary Road 1524, said junction being 0.7 mile northwest of the intersection of said road with the Montgomery-Moore County line.

The Lane, Walter farm located at the end of a dirt road and 0.3 mile southwest of the junction of said road with State Secondary Road 1524, said junction being 1 mile northwest of the intersection of said secondary road with the Montgomery-Moore County line.

The Poole, Frank Estate located on the northeast side of State Secondary Road 1524 and 0.8 mile northwest of the intersection of said road with the Montgomery-Moore County line.

The Thomas, Haywood N. farm located on the southwest side of State Secondary Road 1524 and 0.8 mile northwest of the intersection of said road with the Montgomery-Moore County line.

Moore County. That area bounded by a line beginning at a point where State Secondary Road 2075 and State Highway 211 junction and extending west along State Highway 211 to its intersection with State Secondary Road 2063, thence north and northwest along said road to its junction with State Highway 5, thence northeast along said highway to its junction with State Secondary Road 2042, thence northeast along said road to its junction with State Secondary Road 2074, thence east along said road to its

intersection with State Secondary Road 2075, thence south and southwest along said road to the point of beginning.

The Barker, T. M. farm located on both sides of State Secondary Road 2026 and 0.7 mile east of the junction of said road with U.S. Highway 1.

The Bass, M. C. farm located at the end of a dirt road and 0.1 mile south of the junction of said road and State Secondary Road 2005, said junction being 0.7 mile east of the junction of said road and State Secondary Road 1001.

The Beasley, R. P. farm located on the east side of U.S. Highway 1 and 0.7 mile north-east of the junction of said highway with U.S. Highway 1A.

The Black, Walter farm located at the end of State Secondary Road 1289 and 0.4 mile north of the junction of said road with State Secondary Road 1216.

The Bryant, R. E. farm located on both sides of State Secondary Road 1815 and 0.5 mile southwest of the junction of said road with U.S. Highway 15-501.

The Burnette, Florence farm located on the northeast side of State Secondary Road 1825 and 0.2 mile northwest of the intersection of said road with State Secondary Road 2005.

The Burwell, Sam farm located on the south side of State Secondary Road 2023 and 0.4 mile southwest of the junction of said road with State Secondary Road 1853.

The Currie, Wilbur farm located on the east side of State Secondary Road 1806 and 0.3 mile south of the junction of said road with State Secondary Road 1805.

The Faulk, Elijah farm located at the end of State Secondary Road 2016 and 0.4 mile east of the junction of said road with State Secondary Road 2014.

The Hardy, N. W. farm located on both sides of State Secondary Road 2007 and 0.2 mile southeast of the junction of said road with State Secondary Road 2005.

The Henning's, J. G. Estate farm located on both sides of State Secondary Road 2017 and 0.4 mile north of the intersection of said road with State Secondary Road 1001.

The Jones, Martin farm located on the north side of State Secondary Road 2016 and 0.2 mile east of its junction with State Secondary Road 2014.

The Kelley, Herman farm located on the west side of State Secondary Road 1229 and 0.4 mile south of the intersection of said road and State Secondary Road 1239.

The Laton, William A. farm located on the east side of State Secondary Road 1004 and 0.3 mile north of the intersection of said road with State Secondary Road 1113.

The Marks, E. M. farm located on the south side of State Secondary Road 2019 and 2.5 miles east of the junction of said road and State Secondary Road 2018.

The Martin, Conner farm located on both sides of State Secondary Road 1802 and 0.9 mile southeast of the intersection of said road with State Secondary Road 1853.

The McCrimmon, Grover farm located at the end of State Secondary Road 2028 and 1 mile southeast of the junction of said road with State Secondary Road 2026.

The McNeill, Lena Bell farm located on the northwest side of State Secondary Road 2077 and 0.5 mile southwest of the junction of said road with State Highway 211.

The Page, Jack farm located on the south side of State Secondary Road 2026 and 0.9 mile east of the junction of said road with U.S. Highway 1.

The Robinson, W. R. farm located on the south side of State Secondary Road 1113 and 0.9 mile east of the intersection of said road with State Secondary Road 1004.

The Smith, F. L. farm located on both sides of State Secondary Road 1814 and 1 mile northwest of the junction of said road with State Secondary Road 1661.

The Smith, M. L. farm located on the east side of State Secondary Road 1004 and 0.8 mile north of the intersection of said road with State Secondary Road 1113.

The Vaughn, A. C. farm located on the west side of State Secondary Road 1210 and 0.4 mile south of the intersection of said road with State Secondary Road 1229.

Onslow County. The Bryant, Ira farm located on the north side of State Secondary Road 1425, 0.8 mile west of its junction with State Secondary Road 1434.

The Freeman, John E. farm located on the southwest side of State Secondary Road 1434 and 1.1 miles northwest of its junction with State Secondary Road 1425.

The Henderson, Bill farm located on the east side of State Secondary Road 1528 and on the north side of State Secondary Road 1518 at the junction of said roads.

The Henderson, Charles farm located on the east side of State Secondary Road 1528 and 0.2 mile north of the junction of said road with State Secondary Road 1518.

The Morton, Leo E. farm located on the south side of State Secondary Road 1435 and 0.6 mile west of its junction with State Secondary Road 1434.

Pender County. That area bounded by a line beginning at a point where State Secondary Road 1104 intersects the Pender-Bladen County line, and extending north-east along said county line to its junction with Black River, thence east along said river to its junction with Colvines Creek, thence north and northwest along said creek to its intersection with State Secondary Road 1201, thence west along said road to its intersection with the Atlantic Coast Line Railroad, thence southeast along said railroad to its intersection with State Secondary Road 1125, thence northeast along said road to its intersection with Moores Creek, thence northeast and northwest along said creek to its intersection with State Secondary Road 1128, thence southwest along said road to its junction with State Secondary Road 1207, thence northwest along said road to its junction with State Secondary Road 1208, thence west along said road to its junction with State Secondary Road 1206, thence northeast along said road to its intersection with State Secondary Road 1207, thence northwest along said road to its junction with State Secondary Road 1209, thence east along said road to its intersection with U.S. Highway 421, thence southeast along said highway to its intersection with State Secondary Road 1113, thence southwest along said road to its intersection with the Atlantic Coast Line Railroad, thence north-west along said railroad to its intersection with State Highway 210, thence southwest along said highway to its junction with State Secondary Road 1103, thence southeast along said road to its junction with State Secondary Road 1104, thence southwest and northwest along said road to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Road 1517 junctions with U.S. Highway 117, and extending northwest along said highway to its intersection with State Secondary Road 1412, thence east along said road to its junction with State Secondary road 1411, thence southwest along said road to its intersection with State Secondary Road 1411, thence creek to its junction with the Northeast Cape Fear River, thence south along said river to its intersection with State Highway 210, thence southwest along said highway to its junction with State Secondary Road 1518, thence southeast along said road to its junction with State Secondary Road 1517, thence west along said road to the point of beginning.

The Armstrong, Willie farm located 0.5 mile west of State Secondary Road 1408 and 0.3

mile south of the junction of said road with State Highway 210.

The Eakins, Cecil farm located on the northwest side of State Secondary Road 1217 and 0.2 mile north of the junction of said road with State Secondary Road 1209.

The Pridgen, W. D. farm located on the southwest side of State Secondary Road 1103 and 0.7 mile southeast of the junction of said road with State Secondary Road 1104.

The Shaw, Katy farm located on the east side of State Secondary Road 1520 and 3.6 miles north of the junction of said road and State Highway 210.

The Taylor, G. S. farm located on the northwest side of State Secondary Road 1408 and 0.2 mile southwest of the junction of said road and State Highway 210.

The Williams, John H. and Heirs farm located on the east side of State Secondary Road 1520 and 2.7 miles north of the junction of said road and State Highway 210.

Pitt County. The Garris, Allen farm located on the northeast side of State Secondary Road 1401 and 0.6 mile northwest of its junction with State Secondary Road 1402.

The Hice, J. D. farm located on the north-east side of State Secondary Road 1401 and 0.5 mile northwest of its junction with State Secondary Road 1402.

The Roger, R. E. farm located on the north-east side of State Secondary Road 1401 and 0.6 mile northwest of its junction with State Secondary Road 1402.

Richmond County. The Autry, J. H. farm located on the north side of State Secondary Road 1803 and 0.7 mile east of Osborne.

The Campbell, Daniel E. farm located on the southeast side of State Secondary Road 1971 and 0.7 mile northeast of the junction of said road with State Secondary Road 2001.

The David, Ethel farm located on both sides of State Secondary Road 1803, on the west side of the intersection of said road with State Secondary Road 1825.

The Dial, Dormic farm located on the north side of State Secondary Road 1607 and 0.8 mile west of the intersection of said road and State Secondary Road 1608.

The Elizhbugar, Charity farm located on the northeast side of State Secondary Road 1003 and 2 miles northwest of its junction with State Secondary Road 1475.

The Halley, Annie farm located on the north side of State Secondary Road 1475 and 1.7 miles west of its junction with U.S. Highway 1.

The Halley, Maria farm located on the southwest side of State Secondary Road 1440 and 0.3 mile southeast of its junction with State Secondary Road 1433.

The Hamlet Gin & Supply Co. farm located on both sides of State Secondary Road 1803 and on the east side of the intersection of said road and State Secondary Road 1825.

The Harrington, Will farm located on the south side of State Secondary Road 1803 and 0.8 mile east of Osborne.

The Haywood, Ed farm located on the southwest side of State Secondary Road 1148 and 0.5 mile northwest of the junction of said road with State Secondary Road 1167.

The Ingram, Rome farm located on the southwest side of State Secondary Road 1003 and 1.8 miles northwest of its junction with State Secondary Road 1475.

The Jenkins, Dewey farm located on a dirt road 0.2 mile southwest of its junction with State Secondary Road 1803, said junction being 0.8 mile east of Osborne.

The Jenkins, George W. farm located on the southwest side of State Secondary Road 1486 and 1.3 miles northwest of its junction with U.S. Highway 1.

The Jones, W. R. farm located on the south side of State Secondary Road 1607 and 0.8 mile west of the intersection of said road and State Secondary Road 1608.

The Layton, E. D. farm located in the southwest corner of the junction of State

Secondary Road 1003 with State Secondary Road 1468.

The Little, John farm located on the southeast side of State Secondary Road 1442 and at the junction of said road with State Secondary Road 1476.

The Long, H. A. farm located on the northwest side of State Highway 177 and 0.5 mile northeast of the junction of said road and State Secondary Road 1607.

The McDonald, Leonard farm located on the north side of State Secondary Road 1607 and 0.9 mile west of the intersection of said road and State Secondary Road 1608.

The McLaurin, Etta farm located on the southwest side of State Secondary Road 1803 and 0.3 mile southeast of the intersection of said road and State Secondary Road 1825.

The McNeill, Dalton farm located on the southwest side of State Secondary Road 1003 and 1.9 miles northwest of its junction with State Secondary Road 1475.

The Mabe, Charlie farm located on both sides of State Secondary Road 1607 and 0.4 mile southeast of the intersection of said road and State Secondary Road 1608.

The Mathews, Lizzie farm located in the southwest quadrant of the intersection of State Secondary Roads 1108 and 1971.

The Porter, Mrs. A. W. farm located on the northeast side of State Secondary Road 1999 and 1 mile east of the intersection of said road with U.S. Highway 1.

The Quick, Douglas farm located in the northwest quadrant of the intersection of State Secondary Roads 1802 and 1800.

The Quick, Julius farm located on the northeast side of State Secondary Road 1992 and 0.6 mile northwest of its junction with State Secondary Road 1994.

The Rush, James farm located on the southeast side of State Secondary Road 1442 and 0.7 mile northeast of its junction with State Secondary Road 1489.

The Strong, Marvin farm located on the north side of State Secondary Road 1803 and 1.3 miles southwest of the intersection of said road and State Secondary Road 1825.

The Teal, Robert farm located on the northwest side of State Secondary Road 1802 and 0.3 mile southwest of the intersection of said road and State Secondary Road 1800.

The Terry, Wade farm on the west side of State Secondary Road 1424 and 0.4 mile south of its junction with State Secondary Road 1432.

The Thomas, Walter farm located on both sides of U.S. Highway 220 and 0.4 mile northeast of its junction with State Secondary Road 1433.

The Waddell, A. M. farm located on both sides of U.S. Highway 1 and on both sides of State Secondary Road 1103 and on both sides of State Secondary Road 1971 at the intersection of said highway and said roads at Diggs.

The Wallace, Talley farm located on both sides of State Secondary Road 1800 and 1.2 miles northwest of the intersection of said road and State Secondary Road 1802.

The Watkins, Mosby farm located on both sides of State Secondary Road 1476 and 0.2 mile northeast of its junction with State Secondary Road 1442.

Robeson County. The entire county.

Sampson County. The entire county.

Scotland County. That area bounded by a line beginning at a point where U.S. Highway 15-401 intersects the North Carolina-South Carolina State line and extending northeast along said highway to its junction with U.S. Highway 15A-401A, thence north along said highway to its junction with U.S. Highway 501, thence north along said highway to its intersection with U.S. Highway 15-401, thence southwest along said highway to its intersection with State Secondary Road 1300, thence northwest along said road to its junction with State Secondary Road 1116,

thence northwest along said road to its junction with State Secondary Road 1324, thence north along said road to its junction with State Secondary Road 1345, thence northwest along said road to its intersection with State Secondary Road 1341, thence northeast along said road to its junction with State Secondary Road 1328, thence north along said road to its intersection with the southern boundary of the Sandhills Game Management Area, thence east along said boundary to its intersection with U.S. Highway 15-501, thence north along said highway to its intersection with the Scotland-Hoke County line, thence southeast along said county line to the Scotland-Robeson County line, thence south and southwest along said county line to the North Carolina-South Carolina State line, thence northwest along said State line to the point of beginning, excluding the area within the corporate limits of the city of Laurinburg and the town of East Laurinburg.

The Bunch, Archie W. farm located at the intersection of State Secondary Roads 1323 and 1001.

The Butler, Luther farm located on the south side of State Secondary Road 1154 and 0.2 mile east of the junction of said road with State Secondary Road 1155.

The Calhoun, L. E. farm located on the south side of State Highway 79 and 0.3 mile west of its junction with State Secondary Road 1118.

That area on the Camp Mackall Military Reservation (Fort Bragg Military Reservation) known as the Game Reserve Plot located on the west side of the Rhine-Luzon jump zone.

The King, J. Lloyd farm located on the northwest side of State Secondary Road 1128 and 0.3 mile southwest of its junction with State Secondary Road 1101.

The Morgan, J. D. farm located on the east side of State Secondary Road 1346 and 0.5 mile north of the junction of said road with State Secondary Road 1343.

The Newton, Peter F. farm located at the intersection of State Secondary Roads 1334, 1336 and 1345.

The Odoms, Hobson farm located on both sides of State Secondary Road 1108 and 0.4 mile west of its junction with State Secondary Road 1100.

The Steele, J. D. farm located on both sides of State Secondary Road 1351 and 0.9 mile northwest of the junction of said road with State Secondary Road 1346.

Wake County. The Dean, Leonard farm located on the south side of State Secondary Road 2501 and 0.2 mile west of the intersection of said road and State Secondary Road 1003.

Wayne County. That area bounded by a line beginning at a point where U.S. Highway 70 and the Wayne-Lenoir County line intersect and extending south along said county line to its junction with the Wayne-Duplin County line, thence southwest and west along said county line to its intersection with State Secondary Road 1937, thence north on said road to its intersection with Buck Swamp Creek, thence westward along said creek to its intersection with U.S. Highway 117, thence northward along said highway to its junction with State Secondary Road 1929, thence east along State Secondary Road 1929 to its intersection with State Secondary Road 1926, thence north along said road to its junction with 1918, thence northeastward along said road to its junction with State Secondary Road 1915, thence southeast and south along said road to its junction with State Secondary Road 1120, thence east along a line projected from a point at the junction of State Secondary Roads 1120 and 1915 to the junction of said line with a point located at the junction of Sleepy Creek and Neuse River, thence east

along the Neuse River to its intersection with State Highway 111, thence north along said highway to its junction with U.S. Highway 70, thence southeast along said highway to the point of beginning.

That area bounded by a line beginning at a point where U.S. Highway 13 and State Secondary Road 1006 intersect, and extending south along said road to its junction with State Secondary Road 1108, thence west along said road to its junction with State Secondary Road 1109, thence west along said road to its junction with State Secondary Road 1105, thence south along said road to its intersection with the Wayne-Sampson County line, thence northwest along said county line to its intersection with State Secondary Road 1009, thence north along said road to its junction with State Secondary Road 1103, thence north along said road to its junction with State Secondary Road 1101, thence east along said road to its intersection with State Secondary Road 1105, thence north along said road to its intersection with U.S. Highway 13, thence east along said highway to the point of beginning.

The Carraway, Ethel farm located on the east side of State Secondary Road 1915 and 0.1 mile north of the junction of said road and State Secondary Road 1120.

The Casey, Emma E. farm located 7 miles east of Goldsboro on the north side of U.S. Highway 70 and 0.4 mile east of the junction of State Secondary Road 1721 and said highway.

The Daly, J. B. farm located on the west side of State Highway 111 and 0.6 mile south of the junction of said highway with State Secondary Road 1730.

The Dawson, L. A. farm located on the west side of State Highway 111 and 0.5 mile south of the junction of said highway and State Secondary Road 1730.

The Griffin, Oliver H. farm located 0.6 mile north of Dudley and 0.2 mile west of U.S. Highway 117.

The Ham, George E. farm located southeast of Seymour Johnson Air Base on the south side of State Secondary Road 1909, and 0.7 mile west of the junction of said road with State Secondary Road 1910.

The Herring, Thel farm located on the west side of State Secondary Road 1711, and 0.4 mile north of its junction with U.S. Highway 70A.

The Hines, J. D. farm located on both sides of State Secondary Road 1236, and 0.8 mile east of the intersection of said road with State Highway 581.

The Hollaman, R. J. farm located on the northwest corner of State Secondary Road 1125 and 0.7 mile north of the junction of said road and State Secondary Road 1122.

The Hollowell, D. Virgil farm located on the southeast side of State Secondary Road 1008 and 0.2 mile northeast of the junction of said road with State Secondary Road 1214.

The Hollowell, H. M. and J. C. farm located at the northwest end of State Secondary Road 1240.

The Hollowell, Mrs. Mattie farm located on the east side of State Secondary Road 1214 and 0.4 mile south of its junction with State Secondary Road 1008.

The Lane, M. Duffey farm located on the north side of State Secondary Road 1007 and 0.1 mile west of its intersection with the Southern Railway.

The Lofton, C. L. Estate located on the southwest side of State Secondary Road 1003 and 0.4 mile southeast of the junction of said road and State Secondary Road 1720.

The McClenny, George A. farm located on the south side of State Secondary Road 1007 and 0.1 mile west of the junction of said road with State Highway 581.

The Murray, D. J. farm located north of and at the junction of State Secondary Roads 1120 and 1122.

The Neal, N. E. farm located on both sides of State Secondary Road 1008 and 0.5 mile east of the junction of State Secondary Road 1211 with said road.

The Oliver, H. H. farm located on the south side of State Secondary Road 1219 and 0.4 mile east of its junction with State Secondary Road 1218.

The Parker, Worth W. farm located on the west side of State Secondary Road 1130 and 1 mile south of the intersection of said road with U.S. Highway 13.

The Perkins, Joe D. farm located on the northwest side of State Secondary Road 1711 and 0.2 mile southwest of the intersection of said road with U.S. Highway 70 Bypass.

The Rogers, Charlie farm located on both sides of State Secondary Road 1710 and 0.9 mile southwest of the junction of said road with U.S. Highway 70A.

The Smith, Olivia farm located on the southeast side of State Secondary Road 1122 and both sides of State Secondary Road 1124.

The Tart, John farm located on the north side of U.S. Highway 13 and 0.1 miles east of the junction of said highway and State Secondary Road 1207.

The Uzzell, Brantley farm located on the north side of U.S. Highway 70 and 0.8 mile east of the intersection of said highway and State Secondary Road 1719.

The Whitfield, James Weston farm located on the north side of U.S. Highway 70 and 0.7 mile east of the intersection of said highway and State Secondary Road 1719.

The Whitley, Maude and Sarah farm located on State Hospital farm road 1.2 miles west and north of its junction with State Secondary Road 1008, said junction being 1.3 miles southwest of the junction of State Highway 581 and State Secondary Road 1008.

The Williams, Eddie farm located on the north side of State Highway 581 and the east side of State Secondary Road 1236 at the junction of said roads.

SOUTH CAROLINA

Chesterfield County. The Campbell, Coyt J. farm located on the south side of a dirt road and 0.6 mile east of its intersection with State Secondary Highway 144, said intersection being 0.4 mile south of the intersection of State Secondary Highway 22 and State Secondary Highway 144.

The Chapman, C. S. farm located on the west side of U.S. Highway 52 and 0.4 mile north of its junction with State Secondary Highway 335.

The Evans, Jule farm located on the south side of a dirt road and 0.4 mile east of its intersection with State Secondary Highway 144, said intersection being 0.4 mile south of the intersection of State Secondary Highway 22 and State Secondary Highway 144.

The Funderburk, Abraham farm located on the east side of a dirt road and 0.2 mile south of its junction with State Secondary Highway 115, said junction being 0.8 mile northeast of the junction of said highway and State Secondary Highway 114.

The Griggs, Fuller farm located on the west side of a dirt road and 0.4 mile north of its intersection with a second dirt road, said intersection being 0.6 mile north of the intersection of said dirt road and State Secondary Highway 149, said intersection being 1.6 miles northwest of the intersection of said highway and State Primary Highway 102.

The Holdbrook, Alton farm located on the north side of State Secondary Highway 22, and 1.5 miles east of its intersection with State Secondary Highway 20.

The Howle, James Earle farm located on the north side of a dirt road and 1 mile east of the intersection of said dirt road and State Secondary Highway 81, said intersection being 1 mile south of the intersection of State

Secondary Highway 149 and State Secondary Highway 81.

The Johnson, Clyde farm located on the north side of a dirt road and 1 mile west of its junction with State Primary Highway 102, said junction being 1.5 miles north of the intersection of State Primary Highway 102 and State Secondary Highway 22.

The Keith, Julius farm located on the east side of a dirt road and 0.5 mile north of its junction with a second dirt road, said junction being 0.1 mile north of the junction of the latter dirt road and State Secondary Highway 114, said second junction being 0.1 mile north of the junction of State Secondary Highways 114 and 115.

The Parker, Elise J. farm located on the south side of State Secondary Highway 61 and 0.1 mile east of its intersection with State Secondary Highway 348.

The Rainwater, R. D. farm located on the east side of State Secondary Highway 113 and 0.5 mile northeast of its intersection with State Secondary Highway 20.

Clarendon County. The Hodge, J. W. farm located on the south side of State Secondary Highway 211 and 1.5 miles west of its junction with State Secondary Highway 50.

Darlington County. That area bounded by a line beginning at a point where the Atlantic Coast Line Railroad and State Secondary Highway 29 intersect and extending east along said highway to its intersection with Hurricane Branch, thence northeast along said branch to its junction with Byrds Island, thence south along a line projected due south from said junction to the intersection of the projected line and State Primary Highway 34, thence west along said highway to its intersection with a dirt road, said intersection being 0.9 mile east of Mechanicsville, thence south along said dirt road to its intersection with the Darlington-Florence County line, thence west and south along said county line to its intersection with State Secondary Highway 173, thence northwest along said highway to its junction with State Secondary Highway 228, thence northwest along said highway to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to the point of beginning.

The Barr, Minnie C. farm located on the north side of State Secondary Highway 179 and 1.7 miles east of its intersection with State Secondary Highway 35.

The Cooper, Robert farm located 0.1 mile west of a dirt road and 1.1 miles north of its junction with State Secondary Highway 179, said junction being 1.9 miles southeast of the junction of said highway and State Secondary Highway 35.

The Cooper, William farm located 0.25 mile west of a dirt road and 1.1 miles north of its junction with State Secondary Highway 179, said junction being 1.9 miles southeast of the junction of said highway and State Secondary Highway 35.

The County Prison Farm located on the south side of State Primary Highway 34 and 1 mile west of the junction of said highway and State Secondary Highway 42.

The Daly, Sarah farm located on the south side of a dirt road and 0.8 mile northwest of its junction with State Secondary Highway 133, said junction being 0.8 mile northeast of the junction of said highway and State Secondary Highway 29.

The Flowers, William M. farm located on the north side of State Secondary Highway 14 and 1.4 miles east of its intersection with State Secondary Highway 13.

The Gandy, B. L. farm located on the south side of a dirt road and 0.9 mile northwest of its junction with State Secondary Highway 133, said junction being 0.8 mile northeast of the junction of said highway and State Secondary Highway 29.

The Green, M. L. farm located on the east side of State Secondary Highway 133 and 0.1 mile north of the junction of said highway and State Secondary Highway 29.

The Griggs, Bobby farm located on the northwest side of State Secondary Highway 23 and 1 mile northeast of its intersection with State Primary Highway 102.

The Ham, Mrs. Minnie W. farm located on both sides of State Secondary Highway 355 and 0.9 mile west of the junction of said highway with State Secondary Highway 44.

The Jackson, McLendon farm located on the west side of U.S. Highway 52 and 0.2 mile south of its junction with State Secondary Highway 397.

The Johnson, William farm located on the north side of a dirt road and 0.6 mile northwest of its junction with State Secondary Highway 133, said junction being 2 miles south of the intersection of said highway and State Secondary Highway 41.

The Jordan, Jessie K. farm located on the west side of a dirt road and 0.2 mile northeast of its junction with a second dirt road, said junction being 0.1 mile northeast of the junction of said second dirt road and State Secondary Highway 44, said second junction being 0.3 mile northeast of the junction of said highway and State Primary Highway 408.

The Pickett, James and J. W. farm located on the north side of State Secondary Highway 179 and 1.5 miles east of its intersection with State Secondary Highway 35.

The Pickett, Liston J. farm located on the west side of a dirt road and 0.2 mile north of its junction with State Secondary Highway 179, said junction being 1 mile southeast of the junction of said highway and State Secondary Highway 34.

The Robinson, Charlie farm located on the east side of a dirt road and 0.6 mile southeast of its intersection with State Primary Highway 34, said intersection being 0.9 mile northeast of State Secondary Highway 35 and State Primary Highway 34.

The Sanderson, Rebecca F. farm located on the north side of State Secondary Highway 14 and 1.2 miles east of its intersection with State Secondary Highway 13.

Dillon County. The entire county.

Florence County. That area bounded by a line beginning at a point where State Secondary Highway 925 and State Secondary Highway 24 junction and extending east and southeast along State Secondary Highway 24 to its junction with State Secondary Highway 13, thence along a line projected due east from said junction to its intersection with the Great Pee Dee River, thence south along said river to its junction with Barfield's Old Mill Creek, thence northwest and west along said creek to its intersection with State Secondary Highway 57, thence north along said highway to its junction with State Secondary Highway 893, thence west and southwest along State Secondary Highway 893 to its junction with State Secondary Highway 70, thence northwest along said highway to its junction with State Secondary Highway 897, thence southwest and south along said highway to its junction with State Primary Highway 51, thence west and northwest along said highway to its intersection with State Primary Highway 327, thence northwest and west along said highway to its junction with State Secondary Highway 552, thence north along said highway to its junction with State Secondary Highway 551, thence northwest along a dirt road to its junction with a second dirt road, said junction being 0.1 mile east of Goodland School, thence northeast along said second dirt road to its junction with State Secondary Highway 57, thence southeast along said highway to its intersection with the Seaboard Air Line Railroad, thence northwest along said railroad to its intersection with State Secondary Highway

13, thence east along said highway to its junction with State Secondary Highway 918, thence north and northeast along said highway to its junction with State Primary Highway 327, thence north along said highway to its intersection with U.S. Highway 76, thence west along said highway to its junction with State Secondary Highway 925, thence north along said highway to the point of beginning, excluding the area within the unincorporated limits of the town of Hyman.

That area bounded by a line beginning at a point where State Secondary Highway 794 and State Secondary Highway 72 junction and extending south along State Secondary Highway 72 to its intersection with State Secondary Highway 46, thence northeast along said highway to its intersection with State Secondary Highway 34, thence southeast along said highway to its junction with State Secondary Highway 360, thence northeast along said highway to its junction with a dirt road, said junction being 1.6 miles northeast of the junction of State Secondary Highways 34 and 360, thence southeast along said dirt road for a distance of 1.2 miles to its junction with a second dirt road, thence southwest along said dirt road to its junction with State Secondary Highway 34, thence south along said highway to its junction with U.S. Highway 378, thence west along said highway to its junction with State Secondary Highway 47, thence northwest and west along said highway to the corporate limits of the town of Scranton, thence north and west along the east and north perimeter of said corporate limits to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to the corporate limits of the town of Coward, thence north along the east perimeter of the town of Coward to its intersection with State Secondary Highway 794, thence northeast along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Highway 66 and the Seaboard Air Line Railroad intersect and extending southeast along said railroad to its intersection with State Secondary Highway 57, thence south along said highway to its junction with U.S. Highway 378, thence west along said highway to its intersection with Deep Creek, thence southwest along said creek to its junction with Lynches River, thence west along said river to its junction with Little Swamp, thence north along said swamp to its intersection with State Secondary Highway 66, thence east along said highway to the point of beginning.

The Alford, A. A. farm located on both sides of State Secondary Highway 164 and 0.1 mile south of its intersection with Cypress Branch.

The Bacot, Mary Hart farm located on the east side of State Secondary Highway 25 and 2.1 miles northeast of its intersection with Black Creek.

The Benjamin, Willie farm located on the south side of a dirt road and 0.6 mile west of its junction with State Secondary Highway 136, said junction being 1.4 miles north of the intersection of State Secondary Highways 136 and 35.

The Braddy, Elnoreah farm located on the west side of State Secondary Highway 633 and 0.15 mile south of its intersection with State Secondary Highway 58.

The Burch, Corine Cherry farm located on the north side of a dirt road and 0.9 mile west of its junction with State Secondary Highway 136, said junction being 0.9 mile north of the intersection of State Secondary Highways 136 and 35.

The Carroway, Hattie farm located on the south side of State Secondary Highway 72 and 1 mile southwest of its intersection with U.S. Highway 52.

The Carroway, Luther farm located on both sides of State Primary Highway 51 and 0.1

mile northwest of the intersection of said highway and State Secondary Highway 46.

The Edwards, R. L. farm located on the east side of State Primary Highway 51 and 1.1 miles northwest of its junction with State Secondary Highway 86.

The Gause, L. J. farm located on the south side of State Secondary Highway 72 and 1.1 miles southwest of its intersection with U.S. Highway 52.

The Gause, Luther farm located on the north side of State Secondary Highway 72 and 1.1 miles southwest of its intersection with U.S. Highway 52.

The Hall, James farm located on both sides of a dirt road and 0.6 mile south of its junction with State Secondary Highway 501, said junction being 1.5 miles southeast of the junction of said highway and U.S. Highway 301.

The Ham, Ralph farm located on the east side of a dirt road and 1.7 miles northwest of its junction with U.S. Highway 301, said junction being 0.7 mile northeast of the junction of said highway and State Secondary Highway 45.

The Hannah, Bert farm located on the south side of a dirt road and 1 mile west of its junction with State Secondary Highway 633, said junction being 0.1 mile south of the junction of said highway and State Secondary Highway 58.

The Hill, W. Max farm located on the east side of State Secondary Highway 136 and 1 mile north of its intersection with State Secondary Highway 35.

The Holliday, Henry farm located on the west side of State Primary Highway 51 and 1.6 miles north of its intersection with State Secondary Highway 66.

The Hyman, Melvin farm located on the west side of State Secondary Highway 64 and 0.2 mile north of its intersection with Black Creek.

The Langston, Jimmy farm located on the west side of a dirt road and 0.7 mile west of its junction with State Secondary Highway 136, said junction being 1.4 miles north of the intersection of State Secondary Highways 136 and 35.

The Lyde, Mammie farm located on the east side of State Secondary Highway 72 and 0.5 mile south of its junction with State Secondary Highway 794.

The McPherson, R. F. farm located on the south side of State Secondary Highway 57 and 1.5 miles southeast of the intersection of said highway and State Primary Highway 51.

The Nowlin, Ed farm located on the north side of a dirt road and 0.8 mile west of its junction with State Secondary Highway 136, said junction being 0.9 mile north of the intersection of State Secondary Highways 136 and 35.

The Poston, Mrs. J. J. farm located on the west side of State Secondary Highway 164 and 0.8 mile northwest of its junction with State Secondary Highway 86.

The Turner, V. A. farm located on the west side of State Secondary Highway 633 and 0.1 mile south of its junction with State Secondary Highway 58.

The Yarborough, S. L. farm located on both sides of State Secondary Highway 95 and 1.7 miles southeast of Sardis.

Georgetown County. The Powers, Lela farm located on both sides of State Primary Highway 261 and 0.1 mile southeast of its junction with State Secondary Highway 126.

Horry County. That area bounded by a line beginning at a point where State Secondary Highway 33 intersects the South-Carolina-North Carolina State line and extending south along said highway to its intersection with State Secondary Highway 306, thence west along said highway to its intersection with State Secondary Highway 142, thence south along said highway to its junction with State Primary Highway 9,

thence northwest along said highway to its intersection with State Secondary Highway 59, thence southwest and south along said highway to its junction with State Primary Highway 917, thence southwest along said highway to its intersection with State Secondary Highway 19, thence south and southeast along said Highway 19 to its intersection with U.S. Highway 701 at Allsbrook, thence northeast along said highway to its intersection with State Primary Highway 9, thence east along said highway for 7 miles to its intersection with the west prong of Buck Creek and its junction with a dirt road, thence south along said dirt road to its junction with a second dirt road, thence southwest along said second dirt road to its junction with State Secondary Highway 347, thence southeast along said highway 0.2 mile to its intersection with Cowpen Swamp, thence south along said swamp to its intersection with a dirt road, thence southeast along said dirt road to its junction with State Primary Highway 905, thence southwest along said highway to its intersection with Simpson Creek, thence south along said creek to its junction with the Waccamaw River, thence east along said river to Star Bluff Ferry landing, thence south along a dirt road to its intersection with another dirt road, thence southwest and west along said second dirt road, known as Telephone Road, to its end, thence northwest along a projected line for 1.9 miles, to its junction with Jones Big Swamp, thence northwest along said swamp to its junction with the Waccamaw River, thence west along said river to its intersection with Stanley Creek, thence north along said creek 1.6 miles, thence northwest along said creek 2.8 miles, thence north along a line projected from a point beginning at the end of the main run of said creek, and extending north to the junction of said line with State Primary Highway 905, thence southwest along said highway to its junction with State Secondary Highway 19, thence north along said highway 2.4 miles to its junction with a dirt road, thence southwest along said road to its intersection with Maple Swamp, thence north along said swamp to its intersection with State Secondary Highway 65, thence southwest along said highway to its junction with U.S. Highway 701, thence south along said highway to its intersection with U.S. Highway 501, thence northwest along said highway to its intersection with State Secondary Highway 548, thence west along said highway to its junction with a dirt road, thence west along said dirt road to its junction with State Secondary Highway 78, thence north along said highway to its junction with State Secondary Highway 391, thence northeast along said highway to its junction with U.S. Highway 501, thence southeast along said highway to its junction with State Secondary Highway 591, thence north along said highway to its intersection with State Secondary Highway 97, thence east 0.2 mile to its intersection with a dirt road, thence north along said dirt road to its junction with State Primary Highway 319, thence northwest along said highway to its junction with State Secondary Highway 131, thence east and north along said highway to its intersection with Loosing Swamp, thence west and northwest along said swamp to its intersection with State Secondary Highway 45, thence southwest along said highway to its junction with State Secondary Highway 129, thence northwest along said highway to its junction with U.S. Highway 501, thence northwest along the latter highway to its intersection with the Little Pee Dee River, thence northwest along said river to its junction with the Lumber River, thence northeast along said river to its intersection with the South Carolina-North Carolina State line, thence southeast along

said State line to the point of beginning, excluding the area within the corporate limits of the towns of Conway and Loris.

The Alford, Alex farm located on the south side of a dirt road and being 2 miles southwest and west of the junction of said dirt road and State Secondary Highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

The Arnett, Henry and D. C. farm located on both sides of a dirt road and 2.5 miles east of its junction with State Secondary Highway 33, said junction being 2.5 miles north of the junction of said highway and State Primary Highway 410.

The Atkinson, John A. farm located on the east side of a dirt road and being 1 mile north of the junction of said dirt road with U.S. Highway 378 and State Secondary Highway 63.

The Barnhill, Edgar farm located on both sides of a dirt road and 0.4 mile east of its junction with State Primary Highway 90, said junction being 0.1 mile northeast of the junction of said highway and State Secondary Highway 377.

The Bellemy, Orilla farm located at the end of a dirt road and 0.9 mile south of its junction with State Secondary Highway 468, said junction being 0.7 mile northeast of Chestnut Crossroads.

The Bellamy, Stephen farm located on both sides of a dirt road and 0.8 mile northwest of its junction with State Secondary Highway 57, said junction being at Brooksville.

The Bowns, Willie farm located at the end of a field road and 0.6 mile south of its junction with State Secondary Highway 319, said junction being 0.4 mile east of Aynor Post Office.

The Brown, Emma farm located on both sides of a dirt road and 0.5 mile northwest of the junction of said dirt road with State Secondary Highway 57, said junction being at Brooksville.

The Cooper, James E. farm located on the south side of a dirt road and 0.5 mile east of its junction with State Secondary Highway 78, said junction being 1.25 miles northwest of the junction of said highway and U.S. Highway 378.

The Edge, Nina L. farm located on the west side of a dirt road and 0.8 mile southeast of its junction with a second dirt road, said junction being 0.5 mile south of the junction of the second dirt road and State Primary Highway 90, said second junction being 0.8 mile southwest of the junction of said highway and State Secondary Highway 31.

The Fowler, Jennie Bell farm located at the end of a farm road which junctions with a county road, said junction being 0.5 mile east of the Oakdale Baptist Church.

The Fowler, O. R. farm located on both sides of a dirt road and 0.1 mile north of the intersection of said dirt road and State Primary Highway 9, said intersection being at Goretown.

The Frank, F. T. farm located at the end of a dirt road and 0.9 mile south of its junction with State Secondary Highway 468, said junction being 0.7 mile northeast of Chestnut Crossroads.

The Frye, L. C. farm located on the south side of a dirt road and 1 mile west of the junction of State Secondary Highways 24 and 62, said junction being in the Dog Bluff Community.

The Gore, Lawson farm located on the north side of U.S. Highway 17 and 2.5 miles east of the intersection of said highway and State Primary Highway 9, said intersection being called Nixon's Crossroads.

The Gore, Sumpter farm located on both sides of a dirt road and 0.75 mile north of the intersection of said dirt road and State Primary Highway 9, said intersection being at Goretown.

The Graham, Bud Neals farm located at the end of a dirt road and 0.6 mile east of its junction with a second dirt road, said junction being 0.75 mile south of the junction of the second dirt road and State Secondary Highway 78, said second junction being 0.75 mile southeast of Juniper Bay Church.

The Holliday Brothers farm located on the south side of a dirt road and 0.8 mile west of its intersection with U.S. Highway 501, said intersection being 1.8 miles south of the junction of said highway and State Secondary Highway 129.

The Hucks, Ed farm located on the north side of a dirt road and 0.4 mile east of the junction of said dirt road with State Secondary Highway 29, said junction being 2 miles southwest of the junction of said highway and State Secondary Highway 135.

The Inman, Rosetta farm located on the northwest side of a junction of two dirt roads, said junction being 1.4 miles northwest of the intersection of the dirt road running northwest from State Secondary Highway 57 and Brooksville.

The Johnson, Sam farm located on the north side of a dirt road and 1 mile east of its junction with State Secondary Highway 78, said junction being 1.9 miles northwest of the junction of said highway and U.S. Highway 378.

The Lewis, Boyd farm located on the north side of a dirt road and 0.75 mile west of the intersection of said dirt road and State Secondary Highway 24, said intersection being in the Dog Bluff Community.

The Lewis, J. T. farm located on the south side of State Secondary Highway 100, and 1.9 miles west of the junction of said highway and U.S. Highway 501, said junction being at Aynor.

The Lewis, Tommy farm located on both sides of State Secondary Highway 50, and 1.6 miles north of the intersection of State Secondary Highway 50 and U.S. Highway 17, said intersection being at Little River.

The Livingston, Maceo farm located on the east side of a dirt road and 0.75 mile north of its intersection with State Primary Highway 90, said intersection being 1.7 miles west of the junction of said highway and State Secondary Highway 57.

The Long, Floyd farm located on the south side of a dirt road and being 0.2 mile west of the junction of said dirt road and State Secondary Highway 111, said junction being 1 mile southeast of the junction of said highway and State Secondary Highway 57.

The Martin, Daniele E. farm located on the east side of State Primary Highway 90 and 0.9 mile northeast of the junction of said highway and State Secondary Highway 377.

The Milligan, O. L. farm located on both sides of a dirt road and 0.1 mile southwest of its junction with the South Carolina-North Carolina State line, said junction being 1.6 miles northeast of a second junction with said dirt road and State Secondary Highway 420.

The Page, Cordie farm located on the north side of State Secondary Highway 128 and 0.4 miles west of the junction of said highway and U.S. Highway 501, said junction being at Aynor.

The Page, Mattie C. farm located on the north side of a dirt road and 0.2 mile east of the junction of said dirt road and State Secondary Highway 129, said junction being 0.3 mile southeast of the intersection of said highway and State Secondary Highway 130.

The Reynolds, Dick farm located on the south side of a dirt road and 0.4 mile west of its intersection with U.S. Highway 501, said intersection being 1.8 miles south of the junction of said highway and State Secondary Highway 129.

The Richardson, Talmage farm located on the north side of a dirt road and 1 mile southwest of the junction of said dirt road

and State Secondary Highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

The Sarvis, Ida B. farm located on the northwest side of State Secondary Highway 109 and 1.5 miles northeast of its junction with State Secondary Highway 79.

The Sarvis, Ida B. farm located on the southwest side of a dirt road and 0.1 mile northwest of its junction with State Secondary Highway 109, said junction being 1.5 miles northeast of the junction of said highway and State Secondary Highway 79.

The Shelley, O. R. farm located on the east side of a dirt road and 0.8 mile northeast of the junction of said dirt road and State Secondary Highway 306, said junction being 1.1 miles west of the intersection of State Secondary Highway 306 and the South Carolina-North Carolina State line.

The Vereen, Mary E. farm located on the north side of a dirt road and 1 mile west of its junction with State Secondary Highway 57, said junction being 1 mile southwest of Stephens Crossroads.

The Williamson, Vide farm located on both sides of a dirt road and 0.4 mile from the junction of said dirt road and State Primary Highway 410, said junction being 0.7 mile northeast of the intersection of State Primary Highway 410 and State Secondary Highway 19.

Lee County. The Evans, Hattie farm located on the south side of State Secondary Highway 168 and 0.3 mile east of its junction with State Primary Highway 58.

The Thomas, Clark W. farm located on the north side of State Secondary Highway 168 and 1.1 miles east of its junction with State Primary Highway 58.

The Thomas, E. W. farm located on the north side of State Secondary Highway 168 and 1.4 miles east of its junction with State Primary Highway 58, said farm being immediately north of the Clark W. Thomas farm.

Marion County. The entire county.
Marlboro County. That portion of the county lying south and east of U.S. Highway 15, excluding the area within the corporate limits of the towns of Bennettsville, McColl, and Tatum.

The Bell, Nettie farm located on the south side of the South Carolina-North Carolina State line and 0.4 mile east of its intersection with State Primary Highway 177.

The Bowen, Gus farm located on the south side of the junction of State Secondary Highways 22 and 48, said junction being 2.9 miles northwest of Tatum.

The Caulk, C. C. farm located on the north side of State Secondary Highway 283 and 0.3 mile east of the junction of said highway and State Primary Highway 38.

The Chavis, Dewey farm located on the northwest side of State Secondary Highway 209 and 0.1 mile northeast of its intersection with State Primary Highway 9.

The Chavis, Graham Lee farm located on the northwest side of State Secondary Highway 209 and 0.2 mile northeast of its intersection with State Primary Highway 9.

The Chavis, Homer farm located in the north corner of the intersection of State Secondary Highway 209 with State Primary Highway 9.

The Conwell, Hossie farm located on both sides of a dirt road and 1.3 miles northeast from the junction of said dirt road and State Secondary Highway 30, said junction being 0.5 mile northwest from the intersection of said State Secondary Highway 30 and State Secondary Highway 165.

The Fletcher, Oscar J. farm located on the southwest side of State Secondary Highway 28 and 0.6 mile northwest of the junction of said highway and U.S. Highway 15.

The Hamer, Lois P. farm located on both sides of a dirt road and 0.1 mile north of

the junction of said dirt road and U.S. Highway 15, said junction being 0.1 mile northwest of the intersection of U.S. Highway 15 and State Secondary Highway 22 at Tatum.

The Holmes, T. H. farm located on the south side of the South Carolina-North Carolina State line and 0.5 mile east of its intersection with State Primary Highway 177.

The Joseph, James farm located on the southeast side of State Secondary Highway 165 and 1.2 miles southwest of its intersection with State Secondary Highway 257.

The McColl, D. D. Estate farm located on the northeast side of State Primary Highway 9 and 0.6 mile southeast of its junction with State Secondary Highway 383.

The McEachern, Lula farm located on the north side of U.S. Highway 15 at the intersection of said highway and the South Carolina-North Carolina State line.

The McKay, Cleveland farm located on the north side of State Secondary Highway 54 and the west side of State Secondary Highway 30 at the intersection of said highways.

The McQueen, Mable N. farm located on the northwest side of State Secondary Highway 48 and 0.2 mile southwest of the junction of said highway and State Secondary Highway 22.

The Odom, Ina farm located on the northwest side of a dirt road and 0.4 mile northeast of its junction with State Secondary Highway 30, said junction being 0.3 mile northeast of the intersection of said highway and State Secondary Highway 54.

The Parker, D. M. farm located on the northeast side of State Secondary Highway 28 and 0.2 mile northwest of its junction with U.S. Highway 15.

The Pearson, Archie farm located on the east side of a dirt road and 0.5 mile southwest of the junction of said dirt road and State Primary Highway 79, said junction being 0.3 mile south of the intersection of said highway and State Secondary Highway 71.

The Pearson, Queen farm located on the east side of a dirt road and 0.7 mile southwest of its junction with State Primary Highway 79, said junction being 0.3 mile south of the intersection of said highway and State Secondary Highway 71.

The Rainwater, D. C. farm located on the west side of State Primary Highway 79 at the junction of said highway and State Secondary Highway 345.

The Rogers, John B. farm located on both sides of State Secondary Highway 48 and 1.4 miles northeast of its intersection with State Secondary Highway 47.

The Rosser, Tony farm located on the east side of a dirt road and 0.6 mile northeast of the junction of said dirt road and State Secondary Highway 30, said junction being 0.3 mile north of the junction of said highway and State Secondary Highway 54.

The Smith, James Tyson farm located on the northwest side of State Secondary Highway 165 and 1.2 miles southwest of its intersection with State Secondary Highway 257.

The Steele, Pauline farm located on the north side of State Secondary Highway 63 and the east side of Crooked Creek at the intersection of said highway and creek.

The Strong, Marvin farm located on the south side of the South Carolina-North Carolina State line and 1.3 miles east of its intersection with State Primary Highway 177.

The Talbert, B. F. farm located on the north side of the intersection of State Primary Highway 9 and State Secondary Highway 165.

The Walker, R. W. farm located on the southeast side of State Secondary Highway 17 and 0.7 mile northeast of its intersection with State Primary Highway 79.

Williamsburg County. The Carter, Ernest V. farm located on the north side of a dirt

road and 1.6 miles west of its junction with State Secondary Highway 51, said junction being 0.8 mile south of the junction of said highway and State Primary Highway 261.

The Gamble, S. Wayne farm located on both sides of State Primary Highway 375 and 2 miles southeast of its intersection with U.S. Highway 52.

The McCrea, Laurie farm located on both sides of a dirt road and 0.1 mile southeast of its junction with State Secondary Highway 455, said junction being 2 miles northeast of the junction of said highway and State Primary Highway 261.

(Secs. 8 and 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 29 F.R. 16210, as amended; 7 CFR 301.80-2)

The Director of the Plant Pest Control Division has determined that witchweed infestations have been found or that there is reason to believe they exist, in the civil divisions, parts of civil divisions, or premises in the quarantined States listed above, or that it is necessary to regulate such areas because of their proximity to witchweed infestations or their inseparability for quarantine enforcement purposes from witchweed infested localities. The Director has further determined that each of the quarantined States is enforcing a quarantine or regulation with restrictions on intrastate movement of the regulated articles substantially the same as the restrictions on interstate movement of such articles imposed by the quarantine and regulations in this subpart, and that designation of less than the entire State as a regulated area will otherwise be adequate to prevent the interstate spread of witchweed. Accordingly, such civil divisions, parts of civil divisions, and premises, listed above, are designated as witchweed regulated areas.

The purpose of this regulation is to include additional farms within the regulated areas infested with witchweed in the following 10 counties: Brunswick, Duplin, Johnston, Lenoir, Richmond, and Wayne in North Carolina; and Darlington, Florence, Horry, and Marlboro in South Carolina.

This regulation includes additional regulated areas, and thereby imposes restrictions that are necessary in order to prevent the interstate spread of witchweed. It should be made effective promptly in order to accomplish its purpose in the public interest.

Therefore, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice of rule making and other public procedure with and unnecessary, and contrary to the public interest, and good cause is found for making the revision effective less than 30 days after publication in the FEDERAL REGISTER.

This revision shall become effective upon publication in the FEDERAL REGISTER, when it shall supersede § 301.80-2a, effective July 1, 1967.

Done at Hyattsville, Md., this 13th day of August 1968.

[SEAL] D. R. SHEPHERD,
Director,
Plant Pest Control Division.
[F.R. Doc. 68-9855; Filed, Aug. 15, 1968;
8:48 a.m.]

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

PART 929—CRANBERRIES GROWN IN STATES OF MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW JERSEY, WISCONSIN, MICHIGAN, MINNESOTA, OREGON, WASHINGTON, AND LONG ISLAND IN THE STATE OF NEW YORK

Order Amending Amended Order Regulating Handling

§ 929.0 Findings and determinations.

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

(a) Findings upon the basis of the hearing record. Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the applicable rules of practice and procedure effective thereunder (7 CFR Part 900), a public hearing was held in Wareham, Mass., February 5, in Moorestown, N.J., February 7, in Wisconsin Rapids, Wis., February 9, and in Grayland, Wash., February 13, upon proposed amendment of the amended marketing agreement and Order No. 929 (7 CFR Part 929) regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. Upon the basis of the evidence adduced at such hearing and the record thereof, it is found that:

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

(2) The said order, as amended and as hereby further amended, regulates the handling of cranberries grown in the production area in the same manner as, and is applicable only to persons in the respective classes of commercial or industrial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The said order, as amended and as hereby further amended, is limited in its application to the smallest regional production area that is practicable, consistently with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production areas would not effectively carry out the declared policy of the act;

(4) There are no differences in the production and marketing of cranberries grown in the production area which make necessary different terms and provisions applicable to different parts of such area; and

(5) All handling of cranberries grown in the production area, as defined in the order, as amended and as hereby further amended, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found, on the basis hereinafter indicated, that good cause exists for making the provisions of this amendment effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone the effective time of such provisions until 30 days after publication (5 U.S.C. 553). This amendment sets forth the final date by which cranberry acreage must be planted to be considered as established cranberry acreage. Sales of cranberries from acreage planted prior to such date may only be used in computing the base quantity for each grower. It is necessary that such date be fixed as early as possible as any later date would compound the marketing problem for cranberries. It is also necessary that the effective date be fixed to coincide with the date of publication in order to permit producers maximum time to file necessary reports with the committee prior to harvest. Such reports will include the number of acres planted prior to the aforesaid date and the exact location of such acreage. The committee must ascertain the acreage attributed to each producer which was planted prior to the effective date of this amendment and must be done promptly as the cranberry harvest starts early in September. Thus, the amendment provisions should be made effective upon publication to provide the maximum time for the Secretary and the Cranberry Marketing Committee, the agency charged with the administration of the program, to promptly initiate, and complete, various organizational and administrative actions, including the formulation and promulgation of administrative rules and regulations to govern operations under the program.

The provisions of the order are well known to handlers of cranberries since the public hearing thereon was completed on February 13, 1968, and the recommended decision and the final decision were published on July 8, 1968 (33 F.R. 945), and July 27, 1968 (33 F.R. 10738), respectively. Copies of this order were made available to all known interested parties, and the provisions being made effective upon publication hereof do not place any obligations on handlers until such time as may subsequently be prescribed in accordance therewith.

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

(1) The agreement amending the marketing agreement, as amended, regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who were not engaged

in processing, distributing, or shipping the cranberries covered by this order) who, during the period August 1, 1967, through April 30, 1968, handled more than 50 percent of the volume of cranberries covered by the order, as hereby amended;

(2) The issuance of this order, amending the aforesaid order, is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (August 1, 1967, through April 30, 1968), were engaged in the production area specified in the order, in the production of cranberries for market; such producers having also produced for market at least two-thirds of the volume of cranberries represented in such referendum.

(3) The issuance of this order, amending the aforesaid order, is favored or approved by processors who canned or froze within the production area more than 50 percent of the volume of cranberries that was canned or frozen.

It is, therefore, ordered, That, on and after the effective date hereof, all handling of cranberries grown in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order, as amended and as hereby further amended, as follows:

1. Section 929.6 is revised to read as follows:

§ 929.6 Fiscal period.

"Fiscal period" is synonymous with "fiscal year" and "crop year" and means the 12-month period beginning September 1 of 1 year and ending August 31 of the following year.

2. A new § 929.13 is added reading as follows:

§ 929.13 Base quantity.

"Base quantity" means the number of pounds of cranberries established for a grower by the committee pursuant to § 929.48.

3. A new § 929.14 is added reading as follows:

§ 929.14 Marketable quantity.

"Marketable quantity" means for a crop year the number of pounds of cranberries necessary to meet the total market demand and to provide for an adequate carryover.

4. A new § 929.15 is added reading as follows:

§ 929.15 Annual allotment.

"Annual allotment" means for a grower in a particular crop year a quantity equivalent to the number of pounds of cranberries determined by multiplying the base quantity of such grower by the allotment percentage established pursuant to § 929.49 for such crop year.

5. A new § 929.16 is added reading as follows:

§ 929.16 Established cranberry acreage.

"Established cranberry acreage" means acreage which is presently producing cranberries on a commercial basis or

acreage which has been recently planted or will be planted prior to the effective date of this amendment to produce cranberries on a commercial basis.

6. Section 929.21 is amended as follows:

§ 929.21 Term of office.

The term of office of each member and alternate member of the committee shall be for 2 years beginning September 1 and ending on the second succeeding August 31. * * *

7. Section 929.22 is amended as follows:

§ 929.22 Nomination.

(b) *Successor members.* (1) * * * The names and addresses of such nominees shall be submitted to the Secretary not later than July 1 of each even-numbered year.

(2) * * * The names and addresses of such nominees shall be submitted to the Secretary not later than July 1 of each even-numbered year. The committee shall prescribe such procedure for the conduct of the nomination meetings as shall be fair to all persons concerned.

8. Section 929.50 is redesignated as § 929.46 and revised to read as follows:

§ 929.46 Marketing policy.

(a) Each year prior to May 1 the committee shall estimate the marketable quantity for the following crop year.

(b) Each crop year prior to making any recommendations pursuant to subparagraphs (7) and (8) of this paragraph or § 929.51, the committee shall submit to the Secretary a report setting forth its marketing policy for the crop year. Such marketing policy shall contain the basis therefor and information relating to:

(1) The estimated total production of cranberries;

(2) The expected general quality of such cranberry production;

(3) The estimated carryover, as of September 1, of frozen cranberries and other cranberry products;

(4) The expected demand conditions for cranberries in different market outlets;

(5) Supplies of competing commodities;

(6) Trend and level of consumer income;

(7) The recommended desirable total marketable quantity of cranberries, including a recommended adequate carryover into the following crop year of frozen cranberries and other cranberry products;

(8) Regulation pursuant to § 929.52 expected to be recommended by the committee during the crop year together with its recommendations of the free and restricted percentages and beginning with 1974-75 crop year, the recommended allotment percentage, if any, for the crop year; and

(9) Other factors having a bearing on the marketing of cranberries.

9. A new § 929.47 is added reading as follows:

§ 929.47 Preliminary regulation.

(a) Beginning with the 1968-69 crop year, and continuing for each crop year thereafter through August 31, 1974, no handler shall handle, as the first handler thereof, cranberries purchased by him from a grower or acquired by him for handling for the account of a grower until he has determined the identity of the grower and the quantity of cranberries attributed to such grower. The handler shall furnish such information to the committee at such times and in such forms as the committee, with the approval of the Secretary, may request.

(b) So that each producer may qualify for a base quantity, pursuant to § 929.48, the committee shall furnish each producer early in each calendar year beginning in 1969, and as soon as practicable after the effect date of the amendment for the 1968 calendar year, a form to be filed with the committee whereon the producer reports the location of his bog(s), the acreage of cranberries he intends to harvest, and such other information as the committee needs to establish a base quantity for such producer.

10. A new § 929.48 is added reading as follows:

§ 929.48 Base quantities.

(a) *Determination of base quantities.*

(1) If the Secretary finds that the grower allotment program will tend to effectuate the declared policy of the act and that the six crop years 1968-69 through 1973-74 constitute a representative period, he shall announce his findings by March 1, 1974. The basis for the findings with respect to the representative period shall be in terms of producer sales of cranberries from acreage established prior to the effective date of this amendment. Should the Secretary make the aforesaid finding, the committee shall compute a base quantity for each qualified grower. Such computation shall be made and the results thereof made known to each respective grower not later than May 1, 1974. The base quantity shall be, except as otherwise provided in this paragraph, a quantity of cranberries equal to that obtained by multiplying the grower's established cranberry acreage as of February 1, 1974, established prior to the effective date of this amendment by his average per acre sales made from that acreage during the 2 years, within the 6-year period, during which his greatest sales were made: *Provided*, That if such acreage was not under the control of such grower during the entire period 1968-69 through 1973-74, the grower having control on February 1, 1974, shall be issued a base quantity on the basis of sales made from such acreage. Persons who, prior to June 21, 1968, had made firm and substantial commitments for the production of cranberries but who would have no base quantities as determined on representative period sales or whose base quantities would not be rep-

resentative of such commitments, may file an application with the committee for adjustment of or a new base quantity. Accompanying the request, the person shall submit information to establish proof of commitment, and such other information as may be required to provide full details to the committee so it may reach a fair and equitable decision in this matter. Commitments made by each such person shall be finalized so that any base quantity relating to such commitments will reflect only the sales made from such acreage during the representative period. The committee shall, by rules and regulations approved by the Secretary, consider each such request, and, if appropriate, provide for the assignment or adjustment of base quantities to such producers consistent with such commitments and as will be equitable to all growers. Such determination and considerations appertaining thereto, shall be subject to review by the Secretary.

(2) In accordance with this paragraph and based on reports of handlers, certifications by growers, and other information, the committee shall establish each grower's base quantity and, except as hereinafter provided, assign such base quantity to such grower.

(3) Beginning with January 1, 1966, and through the 1973-74 crop year, if a grower loses cranberry acreage during the period due to unusual circumstances beyond his control, such as any power of eminent domain, he shall be permitted to relocate cranberry acreage within 4 years from time of loss.

The Committee shall compute a base quantity for such grower. Such computed base quantity shall not be greater than the base quantity for such producer had his base quantity been computed from sales made from acreage lost. In computing such base quantity the committee shall consider, among other things, the following factors: (i) Previous crop records on the original acreage; (ii) potential for improvement of the original acreage up to 1974; (iii) production from like acreage in the area of relocation; and (iv) such other factors as are relevant to the computation.

(b) *Additional base quantities.* Each crop year beginning in 1974-75, if it appears that the market demand for cranberries exceeds the aggregate base quantities, the committee shall consider the need for granting, and if appropriate, grant, after approval by the Secretary, additional base quantities on a uniform basis and in an equitable manner, to new growers and to existing growers for the purpose of satisfying the increased market demand for cranberries.

(c) *Review of committee determinations.* The committee shall recommend to the Secretary rules and regulations for review of its determination pursuant to this section, and the Secretary shall, on the basis of such recommendation or other available information, issue rules and regulations governing such review.

11. A new § 929.49 is added reading as follows:

§ 929.49 Marketable quantity, allotment percentage, and annual allotment.

(a) *Marketable quantity and allotment percentage:* Beginning with 1974-75 crop year, if the Secretary finds from the recommendation of the committee or from other available information that limiting the quantity of cranberries that may be purchased from or handled on behalf of growers would tend to effectuate the declared policy of the act, he shall determine and establish the marketable quantity for such crop year. The marketable quantity shall be apportioned among growers by applying the allotment percentage to each grower's base quantity, established pursuant to § 929.48. The allotment percentage shall be established by the Secretary and shall equal the marketable quantity divided by the total of all growers' base quantities. Except as provided in paragraph (c) of this section, no handler shall purchase or handle on behalf of any grower cranberries not within such grower's annual allotment. In any crop year beginning with the crop year commencing September 1, 1974, in which the production of cranberries is estimated by the committee to be equal to or less than its recommended marketable quantity, the committee may recommend and the Secretary may increase or suspend the allotment percentage applicable to any year. In the event it is found that the market demand is greater than the marketable quantity previously set, the committee may recommend and the Secretary may increase such quantity.

(b) *Issuance of annual allotments:* The committee shall require each grower to qualify for his allotment by filing with the committee, on or before February 1, 1974, and by the same date each year thereafter, a CMC form wherein the grower states such information as where he intends to produce his annual allotment, the acreage he intends to harvest, changes in location, if any, and such other information, including a copy of any lease agreement, as is necessary for the committee to administer this part. On or before May 1, 1974, and by the same date each year thereafter, the committee shall issue to each grower an annual allotment determined by applying the allotment percentage established pursuant to paragraph (a) of this section to the grower's base quantity.

(c) *Filling deficiencies in annual allotments:* When a grower, beginning in 1974, does not produce cranberries equal to his computed annual allotment, he may (1) fill any deficit in his annual allotment by obtaining cranberries from another grower who has produced a quantity of cranberries in excess of his computed annual allotment; (2) transfer any unused portion of his allotment to another grower; or (3) transfer his unused allotment to a handler who shall allocate the unused allotment to another grower or growers with insufficient allotment. As a condition to any such transfer each grower or handler shall furnish a full report to each such transaction to the committee, including

[Avocado Reg. 16, Amdt. 3]

PART 944—FRUIT; IMPORT REGULATIONS**Avocados**

the names of the parties, the quantity involved in the transaction, and such other information as will enable the committee to administer this provision. The committee, with the approval of the Secretary, may modify the provisions with respect to filling deficiencies.

(d) A grower or handler with any deficiency of allotment should notify the committee of such deficiency. As a service to growers and handlers to expedite any loan transactions, the committee shall act as a clearing house of information with respect to growers wanting to loan and growers wanting to borrow all or part of an allotment. Such information shall be maintained in the committee office and made available to any producer or handler who requests it.

12. A new § 929.50 is added reading as follows:

§ 929.50 Transfers.

(a) *Of location.* A grower may transfer from the acreage to which the cranberries are attributed on which his base quantity was established to other land which he owns. If the grower is leasing the acreage to which the cranberries are attributed on which his base quantity was established, he may transfer in accordance with the lease contract or with the consent of the owner. The committee shall, by such means as are provided in § 929.42(b) obtain information as to the location(s) where such producer intends to produce his annual allotment.

(b) *To another grower.* A grower who owns the land to which the cranberries are attributed on which the base quantity was established may transfer all or part of his base quantity to another grower. If the transferor is not the owner of the bog land, transfer of the base quantity shall be in accordance with the terms of the agreement between the lessee and the lessor. In the absence of a contract, a transfer shall not be valid nor shall an annual allotment be granted to the potential transferee unless the bog owner consents to the transfer. No transfer shall be recognized by the committee except the transferee and the transferor notifying the committee in writing.

13. Paragraph (d) of § 929.68 is revised to read as follows:

§ 929.68 Termination.

(d) The Secretary shall conduct a referendum during the month of May 1975 to ascertain whether continuance of this part is favored by the growers as set forth in paragraph (c) of this section. The Secretary shall conduct such a referendum during the month of May of every fourth year thereafter.

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

Dated, August 13, 1968, to become effective upon publication in the FEDERAL REGISTER.

JOHN A. SCHNITTKER,
Acting Secretary.

[F.R. Doc. 68-9859; Filed, Aug. 15, 1968; 8:48 a.m.]

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 § 944.8 (Avocado Regulation 16; 33 F.R. 8548, 9087, 10562) are hereby amended to read as follows:

§ 944.8 Avocado Regulation 16.

(a) On and after the effective time of this section, the importation into the United States of any avocados is prohibited unless such avocados are inspected and meet the following requirements:

(1) All avocados imported during the period June 17, 1968, through April 30, 1969, shall grade not less than U.S. No. 3.

(2) Avocados of the Pollock variety shall not be imported (i) prior to July 8, 1968; (ii) from July 8 through July 14, 1968, unless the individual fruit in each lot of such avocados weighs at least 18 ounces or measures at least $3\frac{1}{16}$ inches in diameter; and (iii) from July 15 through July 28, 1968, unless the individual fruit in each lot of such avocados weighs at least 16 ounces or measures at least $3\frac{7}{16}$ inches in diameter.

(3) Avocados of the Catalina variety shall not be imported (i) prior to October 21, 1968; and (ii) from October 21, 1968, through November 10, 1968, unless the individual fruit in each lot of such avocados weighs at least 18 ounces.

(4) Avocados of the Trapp variety shall not be imported (i) prior to August 12, 1968; (ii) from August 12, 1968, through August 25, 1968, unless the individual fruit in each lot of such avocados weighs at least 14 ounces or measures at least $3\frac{1}{16}$ inches in diameter; and (iii) from August 26, 1968, through September 8, 1968, unless the individual fruit in each lot of such avocados weighs at least 12 ounces or measures at least $3\frac{7}{16}$ inches in diameter.

(5) Avocados, other than Pollock, Catalina, and Trapp varieties, of the West Indian type including unidentified West Indian varieties and West Indian varieties not listed elsewhere in this regulation shall not be imported (i) prior to July 8, 1968; (ii) from July 8 through July 14, 1968, unless the individual fruit in each lot of such avocados weighs at least 16 ounces; (iii) from July 15 through August 4, 1968, unless the individual fruit in each lot of such avocados weighs at least 14 ounces; and (iv) from August 5 through September 22, 1968, unless the individual fruit in each lot of such avocados weighs at least 10 ounces: *Provided*, That any lot of such avocados may be imported without regard to the minimum weight requirements of this paragraph if such avocados, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color normal for that fruit when mature.

(6) Avocados of any variety of the Guatemalan type, including hybrid type seedlings, unidentified Guatemalan and

hybrid varieties, and Guatemalan and hybrid varieties not listed elsewhere in the regulation shall not be imported (i) prior to September 23, 1968; (ii) from September 23 through October 20, 1968, unless the individual fruit in each lot of such avocados weighs at least 15 ounces; and (iii) from October 21 through December 22, 1968, unless the individual fruit in each lot of such avocados weighs at least 13 ounces.

(7) Notwithstanding the provisions of subparagraphs (2) through (6) of this paragraph regarding the minimum weight or diameter for individual fruit, not to exceed 10 percent, by count, of the individual fruit contained in each lot may weigh less than the minimum specified weight and be less than the minimum specified diameter: *Provided*, That such avocados shall not fail, by more than two ounces, to weigh the applicable weight for the particular variety as specified in such subparagraphs. Such tolerances shall be permitted for an individual container in a lot.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to postpone the effective time of this regulation 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 grade and comparable maturity requirements on imports of avocados as are applicable to the shipment of avocados grown in Florida under Avocado Regulation 16, as amended, which became effective July 24, 1968; (c) notice that this action was being considered was published in the FEDERAL REGISTER issue of July 31, 1968 (33 F.R. 10880); (d) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time hereof; (e) notice hereof in excess of three days, the minimum prescribed by said section 8e, is given with respect to this import regulation; and (f) such notice is hereby determined, under the circumstances, to be reasonable.

Dated, August 13, 1968, to become effective August 21, 1968.

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

[F.R. Doc. 68-9857; Filed, Aug. 15, 1968; 8:48 a.m.]

PART 980—VEGETABLES; IMPORT REGULATIONS**Onions**

Findings. (a) Notice of rule making regarding proposed restrictions on the importation of onions into the United States to be made effective under section 8e-1 of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608e-1), was published in the

August 1, 1968, FEDERAL REGISTER (33 F.R. 10942). The notice afforded interested persons an opportunity to file data, views, or arguments in regard thereto not later than the 10th day after publication. None was filed.

After consideration of all relevant matters, including the proposal set forth in the aforesaid notice, it is hereby found that the proposal as published in the notice should be issued and that such restrictions on the importation of onions, as hereinafter provided, comply with the grade, size, quality and maturity requirements applicable to onions produced in the United States, and effective under Marketing Order No. 958, as amended (7 CFR Part 958), regulating the handling of onions grown in designated counties in Idaho and Malheur County, Oreg. This regulation is subject to amendment with adequate notice as domestic regulations are changed.

(b) It is hereby further found that good cause exists for not postponing the effective date of this regulation beyond the time specified (5 U.S.C. 553) in that (1) the requirements established by this regulation are mandatory under section 8e-1 of the act; (2) all known onion importers were notified of the proposed regulation; and (3) notice hereof was published in the August 1, 1968, FEDERAL REGISTER (33 F.R. 10942), and such notice is determined to be reasonable.

§ 980.107 Onion import regulation.

Except as otherwise provided, during the period August 19, 1968, through June 15, 1969, no person may import dry onions of the yellow or white varieties unless such onions are inspected and meet the requirements of this section.

(a) *Minimum grade and size requirements*—(1) *Yellow varieties*—(i) *Grade*. U.S. No. 2 or better grade.

(ii) *Size*. Two inches minimum diameter.

(2) *White varieties*—(i) *Grade*. U.S. No. 2 or better grade.

(ii) *Size*. One inch minimum diameter.

(b) *Condition*. Due consideration shall be given to the time required for transportation and entry of onions into the United States. Onions with transit time from country of origin to entry into the United States of ten or more days may be entered if they meet an average tolerance for decay of not more than 5 percent, provided they also meet the other requirements of this section.

(c) *Minimum quantity*. Any importation which in the aggregate does not exceed 100 pounds in any day, may be imported without regard to the provisions of this section.

(d) *Plant quarantine*. Provisions of this section shall not supersede the restrictions or prohibitions on onions under the Plant Quarantine Act of 1912.

(e) *Designation of governmental inspection service*. The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of

Agriculture, and the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are designated at governmental inspection services for certifying the grade, size, quality, and maturity of onions that are imported into the United States under the provisions of section 8e-1 of the act.

(f) *Inspection and official inspection certificates*. (1) An official inspection certificate certifying the onions meet the U.S. import requirements for onions under section 8e-1 (7 U.S.C. 608e), issued by a designated governmental inspection service and applicable to a specific lot is required on all imports of onions.

(2) Inspection and certification by the Federal or Federal-State Inspection Service will be available and performed in accordance with the rules and regulations governing certification of fresh fruits, vegetables and other products (Part 51 of this title). Each lot shall be made available and accessible for inspection as provided therein. Cost of inspection and certification shall be borne by the applicant.

(3) Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers of onions should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the onions will be imported.

| Ports | Office | Advance notice |
|------------------------|---|----------------|
| All Texas points.. | W. T. McNabb, Post Office Box 111, 222 McClendon Bldg., 305 East Jackson St., Harlingen, Tex. 78550 (Phone—512-Garfield 3-5644-1240). | 1 day. |
| All Arizona points. | B. O. Morgan, Post Office Box 1614, Nogales, Ariz. 85621 (Phone—602-Atwater 7-2902). | Do. |
| All California points. | D. P. Thompson, 294 Wholesale Terminal Bldg., 784 South Central Ave., Los Angeles, Calif. 90021 (Phone—213-622-8756). | 3 days. |
| All Hawaii points. | Stevenson Ching, 1428 South King St., Honolulu, Hawaii 96814 (Phone—941-3071 Ext. 146). | 1 day. |
| New York City.. | Edward J. Beller, Room 28A Hunts Point Market, Bronx, N.Y. 10474 (Phone—212-991-7669-7668). | Do. |
| New Orleans..... | Pascal J. Lamarca, 5027 Federal Office Bldg., 701 Loyola Ave., New Orleans, La. 70113 (Phone—504-527-6741-6742). | Do. |
| All other points. | D. S. Matheson, Fruit and Vegetable Division, Consumer and Marketing Service, Washington, D.C. 20250 (Phone—202-Dudley 8-6870). | 3 days. |

(4) Inspection certificates shall cover only the quantity of onions that is being imported at a particular port of entry by a particular importer.

(5) In the event the required inspection is performed prior to the arrival of the onions at the port of entry, the inspection certificate that is issued must show that the inspection was performed at the time of loading such onions for direct transportation to the United States; and if transportation is by water, the certificate must show that the inspection was performed at the time of loading onto the vessel.

(6) Each inspection certificate issued with respect to any onions to be imported into the United States shall set forth, among other things:

- (i) The date and place of inspection;
- (ii) The name of the shipper, or applicant;
- (iii) The commodity inspected;
- (iv) The quantity of the commodity covered by the certificate;
- (v) The principal identifying marks on the containers;
- (vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and
- (vii) The following statement, if the facts warrant:

Meets U.S. Import requirements under section 8e-1 of the Agricultural Marketing Agreement Act.

(g) *Reconditioning prior to importation*. Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of onions for the purpose of making it eligible for importation.

(h) *Definitions*. For the purpose of this section, "Onions" means all varieties of Allium cepa marketed dry, except dehydrated, canned and frozen onions, onion sets, green onions, and pickling onions. Onions commonly referred to as "braided," that is, with tops, may be imported if they meet the grade and size requirements except for top length. The term "U.S. No. 2" shall have the same meaning as set forth in the U.S. Standards for Grades of Onions (Other than Bermuda-Granex and Creole Types), §§ 51.2830-51.2854 of this title. Tolerances for size shall be those in the U.S. Standards. Onions meeting the requirements of Canada No. 2 grade shall be deemed to comply with the requirements of U.S. No. 2 grade. "Importation" means release from custody of the United States Bureau of Customs.

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

Dated August 12, 1968, to become effective August 19, 1968.

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

[F.R. Doc. 68-9830; Filed, Aug. 15, 1968; 8:46 a.m.]

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

PART 100—STATEMENT OF ORGANIZATION

Sector No. 11—Chula Vista, Calif., of paragraph (d) *Border Patrol Sectors of § 100.4 Field Service* is amended by adding the following station in alphabetical sequence: "San Luis Obispo, Calif."

PART 103—POWERS AND DUTIES OF SERVICE OFFICERS, AVAILABILITY OF SERVICE RECORDS

The fifth sentence of paragraph (a) *General of § 103.2 Applications, petitions, and other documents* is amended to read as follows: "Applications or petitions received in any Service office shall be stamped to show the time and date of their actual receipt and, unless otherwise specified in Part 204 or Part 245 of this chapter or returned because they are improperly executed, shall be regarded as filed when so stamped."

PART 245—ADJUSTMENT OF STATUS TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE

1. The second and fourth sentences of paragraph (g) *Availability of immigrant visas under section 245 of § 245.1 Eligibility* are amended to read as follows: "An immigrant visa is considered available for accepting and processing the application Form I-485 if the applicant has a priority date on the waiting list which is not more than 90 days later than the date shown in the Bulletin or the Bulletin shows that numbers for visa applicants in his category are current. * * * The priority date of a nonpreference applicant shall be fixed by the following factors, whichever is the earliest: (1) The priority date accorded the applicant by the consular officer as a nonpreference immigrant; (2) the date on which application Form I-485 is filed, if the applicant establishes that the provisions of section 212(a) (14) of the Act do not apply to him or that his profession or occupation is within one of the professional or occupational groups listed in Schedule A or is within one of the occupations listed in Schedule C of Department of Labor regulation 29 CFR Part 60 which has been precertified by

the Secretary of Labor; or (3) the date of issuance of an individual certification by the Secretary of Labor pursuant to section 212(a) (14) of the Act, if such individual certification is required."

2. The following sentence is inserted between the existing second and third sentences of paragraph (a) *General of § 245.2 Application*: "An alien shall not be eligible to apply for adjustment of status under section 245 of the Act unless a visa is immediately available to him, and, if a prerequisite to immediate availability of a visa is the approval of a visa petition, he shall be ineligible to apply unless such petition has been approved."

(Sec. 103, 66 Stat. 173; 8 U.S.C. 1103)

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of section 553 of Title 5 of the United States Code (P.L. 89-554, 80 Stat. 383), as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the amendment to § 100.4(d) adds a station and the amendments to §§ 103.2(a), 245.1(g) and 245.2(a) are clarifying in nature.

Dated: August 12, 1968.

RAYMOND F. FARRELL,
Commissioner of
Immigration and Naturalization.

[F.R. Doc. 68-9843; Filed, Aug. 15, 1968; 8:47 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. G]

PART 207—CREDIT BY PERSONS OTHER THAN BANKS, BROKERS, OR DEALERS FOR THE PURPOSE OF PURCHASING OR CARRYING REGISTERED EQUITY SECURITIES

Relaxation of Certain Restrictions Regarding Credit Unions and Others

1. a. Section 207.1 (a), (b), (e), (h), and (i) is amended to read as follows:

§ 207.1 General rule.

(a) *Registration*. Every person who, in the ordinary course of his business, during any calendar quarter ended after October 20, 1967, extends or arranges for the extension of a total of fifty thousand dollars (\$50,000) or more or has outstanding at any time during the calendar quarter, a total of one hundred thousand dollars (\$100,000) or more, in credit, secured directly or indirectly, in whole or in part, by collateral that includes any registered equity securities, unless such person is subject to Part 220 (Regulation T) or Part 221 (Regulation U) of this

chapter, is subject to the registration requirements of this paragraph and shall, within 30 days following the end of the calendar quarter during which the person becomes subject to such registration requirements, register with the Board of Governors of the Federal Reserve System by filing a statement in conformity with the requirements of Federal Reserve Form G-1 with the Federal Reserve Bank of the district in which the principal office of such person is located: *Provided*, That no such statement need be filed with respect to credit extended in the calendar quarter that ended December 31, 1967, until April 10, 1968.

(b) *Termination of registration*. Any person so registered who has not, during the preceding 6 calendar months, extended or maintained or arranged for the extension or maintenance of any credit secured directly or indirectly, in whole or in part, by collateral that includes any registered equity securities may apply for termination of such registration by filing Federal Reserve Form G-2 with the Federal Reserve Bank of the district in which the principal office of such person is located.

(c) *Statements as to purpose of credit*. In connection with any extension of credit secured directly or indirectly, in whole or in part, by collateral that includes any registered equity security, every person who is subject to the registration requirement of paragraph (a) of this section shall, prior to such extension, obtain a statement in conformity with the requirements of Federal Reserve Form G-3 executed by the customer and accepted in good faith by such person. Such person shall retain such statement in his records for at least 6 years after such credit is extinguished. In determining whether credit is "purpose credit," such person may rely on the statement executed by the customer if accepted in good faith. To accept the customer's statement in good faith, such person must (1) be alert to the circumstances surrounding the credit and (2) if he has any further information which would cause a prudent man not to accept the statement without inquiry, have investigated and be satisfied that the customer's statement is truthful. Circumstances which could indicate that such person has not exercised reasonable diligence in so acquainting himself and so investigating would include, but are not limited to, facts such as that (1) the proceeds of the credit were paid to a broker or to a bank in connection with contemporaneous delivery of registered equity securities, whether or not payment was made against delivery, (2) there were frequent substitutions of registered equity securities serving as collateral for the credit, or (3) the amount of the credit was disproportionate, or the terms inappropriate, to the stated purpose.

(h) Purpose and nonpurpose credit extended to the same person. No lender shall after February 1, 1968, extend or arrange for the extension of any purpose credit, or maintain or arrange for the maintenance of any purpose credit extended after February 1, 1968, if the credit is secured directly or indirectly, in whole or in part, by collateral that includes any registered equity security which also secures, directly or indirectly, in whole or in part, any other credit in excess of \$5,000 extended to the same customer after February 1, 1968; and no lender shall have outstanding at the same time to the same customer both such purpose credit and any such other credit: *Provided*, That the prohibitions of this paragraph shall not apply to (1) credit extended for the purpose of purchasing, constructing, maintaining, or improving a dwelling which is occupied or to be occupied by the customer as his principal residence, and is secured by a first lien on such dwelling; or (2) to credit secured by a share account or other claim acquired by the customer from the lender independently of the credit and payable (or entitling the holder to a loan thereon) in a dollar amount determined without regard to the market value of the assets supporting the claim.

(i) Purpose credit secured by both registered equity securities and by other collateral. In the case of any purpose credit extended or arranged after February 1, 1968, secured, directly or indirectly, in whole or in part, by any registered equity security, no other collateral shall have any loan value in respect to such credit for the purpose of this part: *Provided, however*, That a share account or other claim acquired by the customer from the lender independently of the credit and payable (or entitling the holder to a loan thereon) in a dollar amount determined without regard to the market value of the assets supporting the claim shall have a maximum loan value as determined by the lender in good faith.

b. The change in paragraphs (a) and (b) corrects an unintentional ambiguity. The change in paragraph (e) clarifies that a person must begin to obtain purpose statements in conformity with the requirements of Federal Reserve Form G-3 as soon as he becomes subject to the registration requirements of paragraph (a) of this section, even though he has not actually registered. The change in paragraph (h) permits a certain amount of nonpurpose credit to be combined with "purpose credit," as defined by § 207.2 (c) (1), extended to the same person. The change also exempts first mortgage credit and loans against credit union shares or against the cost value of an employee's interest in certain pension or profit sharing plans from the prohibition against extending purpose and

nonpurpose credit to the same person. The change in paragraph (i) permits credit unions and employee thrift plans to give good faith loan value to cash deposits of the borrower, which do not reflect direct investment in registered equity securities when such collateral is combined with registered equity securities securing a purpose credit.

2. a. Section 207.2 (b), (c), and (d) is amended to read as follows:

§ 207.2 Definitions.

(b) The term "in the ordinary course of his business" means occurring or reasonably expected to occur from time to time in the course of any activity of a person for profit or the management and preservation of property or in addition, in the case of a person other than an individual, carrying out or in furtherance of any business purpose.

(c) The "purpose" of a credit is determined by substance rather than form.

(1) Credit which is for the purpose, whether immediate, incidental, or ultimate, of purchasing or carrying a registered equity security is "purpose credit," despite any temporary application of funds otherwise.

(2) Credit to enable the customer to reduce or retire indebtedness which was originally incurred to purchase a registered equity security is for the purpose of "carrying" such a security.

(d) Registered equity security:

(1) The term "registered equity security" means any equity security which (i) is registered on a national securities exchange; or (ii) has unlisted trading privileges on a national securities exchange, or (iii) is exempted by the Securities and Exchange Commission from the operation of section 7(c) (2) of the Securities Exchange Act of 1934 (15 U.S.C. 78g(c)(2)) only to the extent necessary to render lawful any direct or indirect extension or maintenance of credit on such security.

(2) Credit for the purpose of purchasing or carrying (i) any security convertible with or without consideration into a registered equity security or carrying any warrant or right to subscribe to or purchase a registered equity security or any such warrant or right, or (ii) any security issued by an investment company registered pursuant to section 8 of the Investment Company Act of 1940 (15 U.S.C. 80a-8), whose assets customarily include registered equity securities, is for the purpose of purchasing or carrying registered equity securities, and such security, or such warrant or right, shall for purposes of this part be treated as if it were a registered equity security.

¹ As defined in 15 U.S.C. 78c(a) (11).

b. The change in paragraph (b) clarifies that the paragraph was not intended to cover only persons registered as "lenders" under this part. The change in paragraphs (c) and (d) clarifies that this part applies to a purpose loan secured by shares in a mutual fund only if the assets of such fund customarily include registered equity securities and that a loan to purchase such securities is a purpose loan.

3. a. Section 207.4 (a) and (b) is amended to read as follows:

§ 207.4 Miscellaneous provisions.

(a) *Stock option and employee stock purchase plans.* In respect to any credit extended and maintained by a corporation, by a lender wholly controlled by such corporation, or by a lender which is a membership thrift organization whose membership is limited to employees and former employees of such corporation, its subsidiaries, or affiliates (such corporations and such lenders are both sometimes referred to as "plan-lenders"), to an officer or employee of the corporation, subsidiary or affiliate thereof to finance the exercise of rights granted such officer or employee under a stock option plan or employee stock purchase plan adopted by the corporation and approved by a majority of its stockholders to purchase registered equity securities of such corporation, subsidiary or affiliate, * * *

(b) *List of securities.* In determining whether a security is a registered equity security or a security convertible into such security, or a security of the kind described in § 207.2(d) (2), a lender may rely upon the latest list of equity securities registered on a national securities exchange and securities of the kind described in § 207.2(d) (2) issued by the Board of Governors of the Federal Reserve System.

b. The change in paragraph (a) permits company-related credit unions and thrift plans to make loans to finance employee stock purchase plans of the sponsor company on the same terms and conditions as the paragraph now permits for lenders wholly controlled by the company itself. The change in paragraph (b) substitutes "§ 207.2(d) (2)" for "§ 207.2(c) (3)" to correspond with the amendment to § 207.2 (c) and (d), above.

4. a. The foregoing amendments are effective August 8, 1968.

b. The provisions of section 553 of title 5, United States Code, relating to notice and public participation and to deferred effective dates, were not followed in connection with these amendments. The effect of the amendments is to relax certain restrictions, and, in the circumstances, the Board found that fol-

lowing such procedures would result in delays that would be contrary to the public interest and serve no useful purpose.

Dated at Washington, D.C., this 9th day of August 1968.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 68-9823; Filed, Aug. 15, 1968;
8:46 a.m.]

Chapter IV—Export-Import Bank of the United States

PART 400—STANDARDS OF CONDUCT

Outside Employment and Other Activities

Pursuant to Executive Order 11222 of May 8, 1965 (30 F.R. 6469), Executive Order 11408 of April 25, 1968, and Title 5, Chapter I, Part 735 of the Code of Federal Regulations, Title 12, Chapter IV, Part 400—Standards of Conduct, is amended as follows:

In § 400.735-6 subparagraph (2) of paragraph (b) is amended and subparagraph (3) is revoked as follows:

§ 400.735-6 Outside employment and other activities.

(b) *Rules and comment.* * * *

(2) Bank employees are encouraged to engage in teaching, lecturing, and writing that is not prohibited by law or regulations. However, a bank 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 Bank employment, except when that information has been made available to the general public or will be made available on request, or when the President of the Bank gives written authorization for the use of nonpublic information on the basis that the use is in the public interest.

(3) [Revoked]

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

WALTER C. SAUER,
First Vice President.

[F.R. Doc. 68-9842; Filed, Aug. 15, 1968;
8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Docket No. 7842; Amdt. 39-636]

PART 39—AIRWORTHINESS DIRECTIVES

Rolls Royce Spey Models 506-14, 510-14, 511-8, and 511-14 Airplane Engines

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring the incorporation of a stainless steel wire braid wrap around the high pressure air system center section duct, P/Ns EU-29670A and EU.63415A, on Rolls Royce Spey Models 506-14, 510-14, 511-8, and 511-14 airplane engines, the periodic inspection of the ducts and wrapping for signs of cracking, and the replacement of defective ducts or wraps, was published in 33 F.R. 5630.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One of the comments received expressed concern that an initial duct crack might not result in the discoloration or distortion of the wire wrapping. However, no evidence was submitted in support of this conclusion. The FAA believes that in the event of duct failure some evident discoloration can be expected due to high temperature air or sooting and that evident distortion can also be expected. The same commentator expressed concern that the stainless steel wrapping will hamper inspection of the duct. While it is true that the presence of the wire braid obscures the duct surface, some evidence of damage can be anticipated in the event of failure. The principal reason for requiring the stainless steel wire braid wrap is to strengthen the pipe against an explosive burst. The added protection afforded by the use of the steel wire braid far outweighs any possible difficulties that its use might create in the inspection of the ducts. Finally, the commentator objected to the 300-hour compliance time on the grounds that the incorporation of the wire braid will not prevent duct failure. To the contrary, however, the FAA is aware that the use of the wire braid is necessary to strengthen the pipe against a violent failure and that the importance of this protection dictates that the braid be incorporated within 300 hours after the effective date of this AD.

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

ROLLS ROYCE. Applies to Spey Engines Models 506-14, 510-14, 511-8, and 511-14. Compliance required as indicated, unless already accomplished.

To prevent or contain a possible failure of the H.P. center section air duct and thereby prevent possible secondary powerplant damage, accomplish the following:

(a) Within the next 300 hours' time in service after the effective date of this AD, visually inspect (with the aid of a mirror as necessary) the high pressure air system center section duct, P/Ns EU.29670A and EU.63415A, particularly adjacent to welds, for cracks (discoloration of the cowling and engine adjacent to the duct may be indicative of a duct crack), and incorporate a stainless steel wire braid wrap around the high pressure air system center section duct, P/Ns EU.29670A and EU.63415A, in accordance with Rolls-Royce Service Bulletin No. SP. 75-86, dated November 20, 1967, or later ARB-approved revision, or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region.

(b) At the next scheduled aircraft inspection when the engine is uncowed after compliance with paragraph (a), and thereafter at each scheduled aircraft inspection when the engine is uncowed, or at intervals not to exceed 600 hours' time in service from the last inspection, whichever occurs first, inspect (with the aid of a mirror as necessary) the exposed high pressure air system center section duct for signs of cracking and the stainless steel wire braid wrap for security, distortion, and discoloration. (Distortion or discoloration of the wire wrap may be indicative of a duct crack.)

(c) If defects are found during the inspections required by paragraphs (a) and (b), before further flight, replace, as required, the center section duct with a serviceable P/N EU.29670A or P/N EU.63415A duct and a new stainless steel wire braid wrap.

(d) Upon the request of an operator, an FAA maintenance inspector, subject to prior approval of the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region, may adjust the repetitive inspection interval specified in this AD to permit compliance at an established inspection period of the operator, if the request contains substantiating data to justify the increase for such operator.

This amendment becomes effective September 14, 1968.

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

Issued in Washington, D.C., on August 9, 1968.

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

[F.R. Doc. 68-9820; Filed, Aug. 15, 1968;
8:46 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9050; Amdt. 610]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

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

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

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

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

- Detroit, Mich.—Detroit City, ADF L, Amdt. 9, 24 Dec. 1966 (established under Subpart C).
- Arlington, Tex.—Arlington, VOR 1, Amdt. 1, 14 Mar. 1964 (established under Subpart C).
- Childress, Tex.—Childress Municipal, VOR 1, Amdt. 5, 9 July 1966 (established under Subpart C).
- Detroit, Mich.—Detroit City, VOR 1, Amdt. 6, 6 May 1967 (established under Subpart C).
- Worthington, Minn.—Worthington Municipal, VOR Runway 17, Amdt. 3, 24 Feb. 1968 (established under Subpart C).

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

- Detroit, Mich.—Detroit City, VOR 2, Amdt. 4, 24 Dec. 1966, canceled, effective 5 Sept. 1968.

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

- Bridgeport, Tex.—Municipal Air Strip, VOR/DME No. 1, Orig., 5 Sept. 1964, canceled, effective 5 Sept. 1968.

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

- Detroit, Mich.—Detroit City, ILS-15, Amdt. 1, 24 Dec. 1966 (established under Subpart C).

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

- Detroit, Mich.—Detroit City, Radar 2, Orig., 24 June 1967 (established under Subpart C).

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

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

| Terminal routes | | Missed approach | |
|-----------------|------------|-----------------|---|
| From— | To— | Via | Minimum altitudes (feet) |
| Lucas Int. | BRT VORTAC | Direct | 3300 |
| | | | MAP: 10.3 miles after passing BRT VORTAC. |
| | | | Climbing left turn to 2500' direct to BRT VORTAC. |

Procedure turn W side of crs, 193° Outbnd, 013° Inbnd, 2500' within 10 miles of BRT VORTAC.

FAF, BRT VORTAC. Final approach crs, 344°. Distance FAF to MAP, 10.3 miles.

Minimum altitude over BRT VORTAC, 2500'.

MSA: 000°-090°-3400'; 090°-180°-2300'; 180°-270°-2200'; 270°-360°-2800'.

NOTE: Radar available.

* Use Fort Worth FSS altimeter setting.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | | | D |
|-------|-----------------|-----|-----|----------------------------|-----|-----|-------------------------|-----|-----|-----|
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | VIS |
| S-34* | 1380 | 1 | 750 | 1380 | 1 | 750 | 1380 | 1½ | 750 | NA |
| C | 1380 | 1 | 750 | 1380 | 1 | 750 | 1380 | 1½ | 750 | NA |
| A | Not authorized. | | | T 2-eng. or less—Standard. | | | T over 2-eng.—Standard. | | | |

City, Arlington; State, Tex.; Airport name, Arlington; Elev., 630'; Facility, BRT; Procedure No. VOR Runway 3, Amdt. 2; Eff. date, 5 Sept. 68; Sup. Amdt. No. VOR 1, Amdt. 1; Dated, 14 Mar. 64

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

| Terminal routes | | | | Missed approach | |
|--------------------------------|--------------------------------------|------------------------------|--------------------------|--|--|
| From— | To— | Via | Minimum altitudes (feet) | MAP: 4.6 miles after passing Stafford Int. | |
| BUF VORTAC..... | Stafford Int/18-mile DME..... | Direct..... | 3000 | Climb to 3000', right turn to R 311° GEE VORTAC to Stafford Int and hold. | |
| ROC VORTAC..... | Stafford Int/18-mile DME..... | Direct..... | 3000 | Supplementary charting information: Hold SE of Stafford Int, 1 minute, right turn, 311° Inbnd. Tree in 7.1 on N side of runway. Chart 22.6-mile DME, R 311° in profile view. UNICOM 122.8. | |
| GEE VORTAC..... | Caledonia Int/10-mile DME..... | Direct..... | 3000 | | |
| Caledonia Int/10-mile DME..... | Stafford Int/18-mile DME (NOPT)..... | GEE VOR, R 311°-8 miles..... | 2300 | | |

Procedure turn N side of crs, 131° Outbnd, 311° Inbnd, 3000' within 10 miles of Stafford Int/18-mile DME. FAF, Stafford Int/18-mile DME. Final approach crs, 311°. Distance FAF to MAP, 4.6 miles. Minimum altitude over Stafford Int/18-mile DME, 2300'. MSA: 000°-090°-2900'; 090°-180°-3330'; 180°-270°-3300'; 270°-360°-2900'. NOTE: Use ROC altimeter setting.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | D |
|--------|----------------|-----|-----|-------------------------------------|-----|-----|----------------------------------|-----|
| | MDA | VIS | HAA | MDA | VIS | HAA | VIS | VIS |
| C..... | 1420 | 1 | 510 | 1420 | 1¼ | 510 | NA | NA |
| A..... | Not authorized | | | T 2-eng. or less—200-1 all runways. | | | T over 2-eng.—200-1 all runways. | |

City, Batavia; State, N. Y.; Airport name, Genesee County; Elev., 910'; Facility, GEE; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 5 Sept. 63

| Terminal routes | | | | Missed approach | |
|--|-------------------------|-------------------------------------|--------------------------|---|--|
| From— | To— | Via | Minimum altitudes (feet) | MAP: 2.1 miles after passing VORTAC. | |
| FT NDB..... | BPR VORTAC..... | Direct..... | 2500 | Climb to 3000' on R 306° within 20 miles. | |
| Stoneburg Int..... | BPR VORTAC..... | Direct..... | 3000 | | |
| Slidell Int..... | BPR VORTAC..... | Direct..... | 2500 | | |
| R 192°, BPR VORTAC counterclockwise..... | R 126°, BPR VORTAC..... | 8-mile arc BPR, R 140° lead radial. | 2500 | | |
| R 018°, BPR VORTAC clockwise..... | R 126°, BPR VORTAC..... | 8-mile arc BPR, R 112° lead radial. | 2500 | | |
| 8-mile arc..... | BPR VOR (NOPT)..... | BPR R 126°..... | 2000 | | |

Procedure turn S side of crs, 126° Outbnd, 306° Inbnd, 2500' within 10 miles of BPR VORTAC. FAF, BPR VORTAC. Final approach crs, 306°. Distance FAF to MAP, 2.1 miles. Minimum altitude over BPR VORTAC, 2000'. MSA: 000°-090°-2600'; 090°-180°-2500'; 180°-270°-2600'; 270°-360°-2500'. *Night operations not authorized. *Use Fort Worth altimeter setting.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | D |
|---------|-----------------|-----|-----|----------------------------|-----|-----|-------------------------------|-----|
| | MDA | VIS | HAA | MDA | VIS | HAA | VIS | VIS |
| C*..... | 1680 | 1 | 709 | | NA | | NA | NA |
| A..... | Not authorized. | | | T 2-eng. or less—Standard. | | | T over 2-eng.—Not authorized. | |

City, Bridgeport; State, Tex.; Airport name, Bridgeport Municipal Air Strip; Elev., 971'; Facility, BPR; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 5 Sept. 68

| Terminal routes | | | | Missed approach | |
|-----------------|-----|-----|--------------------------|---|--|
| From— | To— | Via | Minimum altitudes (feet) | MAP: 3.2 miles after passing CDS VOR. | |
| | | | | Climb to 3600' on R 352°, right turn direct to CDS VOR and hold. Supplementary charting information: Hold S, 172°-352° Inbnd, 1-minute right turns. | |

Procedure turn E side of crs, 172° Outbnd, 352° Inbnd, 3600' within 10 miles of CDS VOR. FAF, CDS VOR. Final approach crs, 352°. Distance FAF to MAP, 3.2 miles. Minimum altitude over CDS VOR, 2600'. MSA: 000°-360°-3600'.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | | | D |
|-----------|-----------|-----|-----|----------------------------|-----|-----|-------------------------|-----|-----|-----|
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | VIS |
| S-35..... | 2300 | 1 | 348 | 2300 | 1 | 348 | 2300 | 1 | 348 | NA |
| | MDA | VIS | HAA | MDA | VIS | HAA | MDA | VIS | HAA | |
| C..... | 2400 | 1 | 448 | 2420 | 1 | 468 | 2420 | 1½ | 468 | NA |
| A..... | Standard. | | | T 2-eng. or less—Standard. | | | T over 2-eng.—Standard. | | | |

City, Childress; State, Tex.; Airport name, Childress Municipal; Elev., 1952'; Facility, CDS; Procedure No. VOR Runway 35, Amdt. 6; Eff. date, 5 Sept. 68; Sup. Amdt. No. VOR 1, Amdt. 5; Dated, 9 July 66

RULES AND REGULATIONS

11649

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

| Terminal routes | | | | Missed approach |
|------------------|-----------------------|-------------|--------------------------|--|
| From— | To— | Via | Minimum altitudes (feet) | MAP: 2.7 miles after passing Stack Fan Marker. |
| Windsor VOR..... | Stack Fan Marker..... | Direct..... | 1700 | Climb to 2800' direct to Belle Int or, when directed by ATC, make right-climbing turn, proceed to Windsor VOR at 2000'. Supplementary charting information: Approach radial lies about 500' left of Runway 33L. TDZ elevation, 623'. |

Procedure turn not authorized. Approach crs (profile) starts at Windsor VOR. FAF, Stack Fan Marker. Final approach crs, 323°. Distance FAF to MAP, 2.7 miles. Minimum altitude over Windsor VOR, 2000'; over Stack Fan Marker, 1700'. MSA: 000°-180°-2000'; 180°-270°-2300'; 270°-360°-2800'.
 NOTES: (1) ASR. (2) VOR and marker beacon receivers or radar required.
 *Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | | | D |
|---------|-----------|-----|-----|--|-----|-----|---|-----|-----|-----|
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | VIS |
| S..... | | | | | | | | | | |
| 3L..... | 1080 | 1 | 457 | 1080 | 1 | 457 | 1080 | 1 | 457 | NA |
| | MDA | VIS | HAA | MDA | VIS | HAA | MDA | VIS | HAA | |
| C..... | 1180 | 1 | 555 | 1180 | 1 | 555 | 1180 | 1½ | 555 | NA |
| A..... | Standard. | | | T 2-eng. or less—300' ceiling and 1 mile required all runways. | | | T over 2-eng.—300' ceiling and 1 mile required all runways. | | | |

City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 625'; Facility, OG; Procedure No. VOR Runway 33L, Amdt. 7; Eff. date, 5 Sept. 68; Sup. Amdt. No. VOR-1, Amdt. 6; Dated, 6 May 67

| Terminal routes | | | | Missed approach |
|------------------|--------------|-------------|--------------------------|---|
| From— | To— | Via | Minimum altitudes (feet) | MAP: OTG VOR. |
| Digelow Int..... | OTG VOR..... | Direct..... | 3300 | Climb to 3300' on R 170° within 10 miles of VOR, return to VOR. Supplementary charting information: Final approach crs intercepts runway centerline, 4600' from threshold. LRCO, 122.1, 123.6. 2307' tower, 4 miles SW. TDZ elevation, 1567'. |

Procedure turn W side of crs, 350° Outbnd, 170° Inbnd, 3300' within 10 miles of OTG VOR. Final approach crs, 170°. Minimum altitude over OTG VOR, 1900' *(2180' when control zone not effective). MSA: 000°-180°-2900'; 180°-360°-3400'.
 *Use Sioux Falls altimeter setting when control zone not effective. Circling and straight-in MDA increased 220' and alternate minimums not authorized when control zone not effective, except operators with approved weather reporting service.
 % IFR departure restrictions: When weather is below 800-1, aircraft departing southwestbound, flight below 2800' beyond 1 mile from airport is prohibited between R 210° and R 290°, inclusive of OTG VOR. Restriction due to 2307' MSL tower, 4 miles SW of airport.
 CAUTION: Runways 8/26, 14/32, 5/23 unlighted.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | | | D |
|-----------|------------|-----|-----|--|-----|-----|---|-----|-----|----------|
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | VIS |
| S-17..... | 1900 | 1 | 393 | 1900 | 1 | 393 | 1900 | 1 | 393 | NA |
| | MDA | VIS | HAA | MDA | VIS | HAA | MDA | VIS | HAA | |
| C..... | 2080 | 1 | 506 | 2080 | 1 | 506 | 2100 | 1½ | 526 | |
| A..... | Standard.* | | | T 2-eng. or less—300-1, Runway 17; Standard Runway | | | T over 2-eng.—300-1, Runway 17; Standard Runway | | | 35%-35%. |

City, Worthington; State, Minn.; Airport name, Worthington Municipal; Elev., 1574'; Facility, OTG; Procedure No. VOR Runway 17, Amdt. 4; Eff. date, 5 Sept. 68; Sup. Amdt. No. 3; Dated, 24 Feb. 68

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

| Terminal routes | | | | Minimum altitudes (feet) | Missed approach |
|------------------|--------------|-------------|--|--------------------------|---|
| From— | To— | Via | | | |
| Bigelow Int..... | OTG VOR..... | Direct..... | | 3300 | MAP: OTG VOR. Climb to 3300' on R 350° within 10 miles return to VOR. Supplementary charting information: Final approach crs intercepts runway centerline, 3000' from threshold. LRCO, 122.1, 123.6. 2307' tower, 4 miles SW. TDZ elevation, 1574'. |

Procedure turn E side of crs, 181° Outbnd, 001° Inbnd, 3300' within 10 miles of OTG VOR.
 Final approach crs, 001°.
 Minimum altitude over OTG VOR, 2120' *(2340' when control zone not effective).
 MSA: 000°-180°-2900'; 180°-360°-3400'.
 * Use Sioux Falls altimeter setting when control zone not effective. Circling and straight-in MDA increased 220' and alternate minimums not authorized when control zone not effective, except operators with approved weather reporting service.
 %LFR departure restrictions: When weather is below 800-1 aircraft departing southwest bound, flight below 2800' beyond 1 mile from airport is prohibited between R 210° and R 290°, inclusive of OTG VOR. Restriction due to 2307' MSL tower, 4 miles SW of airport.
 CAUTION: Runways 8/26, 14/32, 5/23 unlighted.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | | | D |
|------------|------------|-----|-----|--|-----|-----|---|-----|-----|-----|
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | VIS |
| S-35°..... | 2120 | 1 | 546 | 2120 | 1 | 546 | 2120 | 1 | 546 | NA |
| | MDA | VIS | HAA | MDA | VIS | HAA | MDA | VIS | HAA | |
| C*..... | 2120 | 1 | 546 | 2120 | 1 | 546 | 2120 | 1½ | 546 | NA |
| A..... | Standard.* | | | T 2-eng. or less—300-1, Runway 17; Standard Runway 35.5% | | | T over 2-eng.—300-1, Runway 17, Standard Runway 35.5% | | | |

City, Worthington; State, Minn.; Airport name, Worthington Municipal; Elev., 1574'; Facility, OTG; Procedure No. VOR Runway 35, Amdt. Orig.; Eff. date, 5 Sept. 68

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

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

| Terminal routes | | | | Minimum altitudes (feet) | Missed approach |
|-----------------|-----------------|-------------|--|--------------------------|--|
| From— | To— | Via | | | |
| Winnie Int..... | Robert Int..... | Direct..... | | 1500 | MAP: BPT VOR. Climb to 1500', left turn to R 049°, BPT VOR to Peveto Int. Supplementary charting information: Winnie Int: BPT, R 248°; DAS R 128°, Robert Int: BPT, R 248°; SBI, R 333°, Refinery 160° at 29-57-57/90-02-57. |

Procedure turn not authorized. Approach crs (profile) starts at Robert Int.
 Final approach crs, 068°.
 Minimum altitude over Robert Int, 1500'.
 MSA: 000°-360°-2000'.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | | | D | | |
|--------|-----------|-----|-----|----------------------------|-----|-----|-------------------------|-----|-----|-----|-----|-----|
| | MDA | VIS | HAA | MDA | VIS | HAA | MDA | VIS | HAA | MDA | VIS | HAA |
| C..... | 460 | 1 | 444 | 480 | 1 | 464 | 480 | 1½ | 464 | 580 | 2 | 564 |
| A..... | Standard. | | | T 2-eng. or less—Standard. | | | T over 2-eng.—Standard. | | | | | |

City, Beaumont; State, Tex.; Airport name, Jefferson County; Elev., 16'; Facility, BPT; Procedure No. VOR-1, Amdt. 1; Eff. date, 5 Sept. 68; Sup. Amdt. No. Orig.; Dated 27 June 68

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

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

| Terminal routes | | | Missed approach | |
|-----------------|--------------------|-------------------------------|--------------------------|---|
| From— | To— | Via | Minimum altitudes (feet) | MAP: 5.7 miles after passing DE LOM. |
| QG NDB..... | DE LOM..... | Direct..... | 2300 | Climb to 2000' direct to QG NDB or, when directed by ATC, climb to 2000' direct to QG VOR. Supplementary charting information: DE LOM is named "Madison." TDZ elevation, 623'. |
| QG VOR..... | DE LOM..... | Direct..... | 2300 | |
| SVM VOR..... | DE LOM..... | Direct..... | 2800 | |
| Troy Int..... | DE LOM (NOPT)..... | DR 100° and LOC crs, 9.7..... | 2000 | |

Procedure turn E side of crs, 326° Outbnd, 146° Inbnd, 2300' within 10 miles of DE LOM.
FAF, DE LOM. Final approach crs, 146°. Distance FAF to MAP, 5.7 miles.
Minimum altitude over DE LOM, 2000'.
MSA: 000°-090°-2500'; 090°-180°-2300'; 180°-360°-2800'.
Notes: (1) Back crs unusable. (2) ASR. (3) Inoperative component table does not apply to REILS Runway 15R.
*Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | | | D |
|--------|-----------|-----|-----|--|-----|-----|---|-----|-----|-----|
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | VIS |
| E-15R* | 1160 | 1 | 537 | 1160 | 1 | 537 | 1160 | 1 | 537 | NA |
| | MDA | VIS | HAA | MDA | VIS | HAA | MDA | VIS | HAA | |
| C..... | 1180 | 1 | 555 | 1180 | 1 | 555 | 1180 | 1½ | 555 | NA |
| A..... | Standard. | | | T 2-eng. or less—300-1 required all runways. | | | T over 2-eng.—300-1 required all runways. | | | |

City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 625'; Facility, I-DET; Procedure No. LOC Runway 15R, Amdt. 2; Eff. date, 5 Sept. 68; Sup. Amdt. No. ILS-15, Amdt. 1; Dated, 24 Dec. 66

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

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

| Terminal routes | | | Missed approach | |
|-----------------|--------------------|--|--------------------------|---|
| From— | To— | Via | Minimum altitudes (feet) | MAP: 5.7 miles after passing DE LOM. |
| QG NDB..... | DE LOM..... | Direct..... | 2300 | Climb to 2000' direct to QG NDB or, when directed by ATC, climb to 2000' direct to QG VOR. Supplementary charting information: DE LOM is named "Madison." TDZ elevation, 623'. |
| QG VOR..... | DE LOM..... | Direct..... | 2300 | |
| SVM VORTAC..... | DE LOM..... | Direct..... | 2800 | |
| Troy Int..... | DE LOM (NOPT)..... | Direct 100° and 326° bearing, 9.7 miles..... | 2000 | |

Procedure turn E side of crs, 326° Outbnd, 146° Inbnd, 2300' within 10 miles of DE LOM.
FAF, DE LOM. Final approach crs, 146°. Distance FAF to MAP, 5.7 miles.
Minimum altitude over DE LOM, 2000'.
MSA: 000°-090°-2500'; 090°-180°-2300'; 180°-360°-2800'.
NOTE: ASR.
*Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | | | D |
|--------|-----------|-----|-----|--|-----|-----|---|-----|-----|-----|
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | VIS |
| E-15R* | 1200 | 1 | 577 | 1200 | 1 | 577 | 1200 | 1 | 577 | NA |
| | MDA | VIS | HAA | MDA | VIS | HAA | MDA | VIS | HAA | |
| C..... | 1200 | 1 | 575 | 1200 | 1 | 575 | 1200 | 1½ | 575 | NA |
| A..... | Standard. | | | T 2-eng. or less—300' ceiling and 1 mile required all runways. | | | T over 2-eng.—300' ceiling and 1 mile required all runways. | | | |

City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 625'; Facility, DE; Procedure No. NDB (ADF) Runway 15R, Amdt. 10; Eff. date, 5 Sept. 68; Sup. Amdt. No. ADF 1, Amdt. 9; Dated, 24 Dec. 66

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

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

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

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

| Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna) | | | | | | | | | | Notes |
|---|-----|----------|----------|----------|----------|----------|----------|----------|----------|--|
| From— | To— | Distance | Altitude | Distance | Altitude | Distance | Altitude | Distance | Altitude | |
| | | | | | | | | | | 1. Descend aircraft after passing FAF. |
| | | | | | | | | | | 2. Runway 33L, FAF 6 miles from threshold TDZ elevation, 623'. |
| | | | | | | | | | | 3. Runway 25, FAF 6 miles from threshold, TDZ elevation, 625'. |
| | | | | | | | | | | 4. Runway 15R, FAF 6 miles from threshold TDZ elevation, 623'. |

As established by Detroit ASR minimum vectoring charts. Missed approach: Runway 33L—climb to 2800' and proceed direct to DE LOM. Runway 25—climbing right turn to 2800' direct to DE LOM. Runway 15R—climb to 2000' direct to QG VOR.

NOTE: Inoperative components table does not apply to REILS Runway 15R.
*Sliding scale not authorized.

DAY AND NIGHT MINIMUMS

| Cond. | A | | | B | | | C | | | D |
|--------|-----------|-----|--|------|-----|-----|---|-----|-----|-----|
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | VIS |
| S-33L* | 1200 | 1 | 577 | 1200 | 1 | 577 | 1200 | 1 | 577 | NA |
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | |
| S-25* | 1140 | 1 | 515 | 1140 | 1 | 515 | 1140 | 1 | 515 | NA |
| | MDA | VIS | HAT | MDA | VIS | HAT | MDA | VIS | HAT | |
| S-15R* | 1160 | 1 | 537 | 1160 | 1 | 537 | 1160 | 1 | 537 | NA |
| | MDA | VIS | HAA | MDA | VIS | HAA | MDA | VIS | HAA | |
| C | 1200 | 1 | 575 | 1200 | 1 | 575 | 1200 | 1½ | 575 | NA |
| A | Standard. | | T 2-ang. or less—300-1 required all runways. | | | | T over 2-ang.—300-1 required all runways. | | | |

City, Detroit; State, Mich.; Airport name, Detroit City; Elev., 625'; Facility, Detroit Metro Radar; Procedure No. Radar 1, Amdt. 1; Eff. date, 5 Sept. 68; Sup. Amdt. No. Radar 2, Orig.; Dated, 24 June 67

These procedures shall become effective on the dates specified therein.

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

Issued in Washington, D.C., on July 31, 1968.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 68-9392; Filed, Aug. 15, 1968; 8:45 a.m.]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 3, Amdt. 5]

PART 120—LOAN POLICY

Business Loans and Guarantees

Section 120.2 of Part 120 of Title 13 of the Code of Federal Regulations is hereby amended by revising paragraph (b) (2) thereof to read as follows:

§ 120.2 Business loans and guarantees.

(b) * * *

(2) SBA's share of immediate participation loans shall not exceed 75 percent of the loan. Exceptions may be made in cases where the participant's legal lending limit precludes a 25-percent participation. In such cases the participant will be required to share in the loan to the extent of its legal lending limit but in no event less than 10 percent. In guaranteed loans the exposure of SBA under

the guaranty may not exceed 90 percent of the unpaid principal balance and accrued interest.

Effective date: August 1, 1968.

HOWARD J. SAMUELS,
Administrator.

[F.R. Doc. 68-9818; Filed, Aug. 15, 1968; 8:46 a.m.]

[Rev. 3, Amdt. 2]

PART 122—BUSINESS LOANS

Immediate Participation Loans

Part 122 of Title 13 of the Code of Federal Regulations is hereby amended by revising §122.7 thereof to read as follows:

§ 122.7 Immediate participation loans.

Immediate participation loans are those where either SBA or a financial institution agrees to purchase from the other, immediately upon disbursement, and agreed percentage of each disbursement, SBA's participation shall not exceed 75 percent of the amount of the loan. Exceptions may be made in cases where the participant's legal lending

limit precludes a 25-percent participation. In such cases the participant will be required to share in the loan to the extent of its legal lending limit but in no event less than 10 percent. An immediate participation loan may not be made if a guaranteed loan is available.

Effective date: August 1, 1968.

HOWARD J. SAMUELS,
Administrator.

[F.R. Doc. 68-9819; Filed, Aug. 15, 1968; 8:46 a.m.]

Title 23—HIGHWAYS AND VEHICLES

Chapter II—Vehicle and Highway Safety

[Docket No. 2-8; Standard 212]

PART 255—INITIAL FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Windshield Mounting; Passenger Cars

A proposal to amend Part 255 of the Federal Motor Vehicle Safety Standards

by adding a Standard No. 212, Windshield Mounting—Passenger Cars, was published as an advance notice of proposed rule making on October 14, 1967 (32 F.R. 14281), and a notice of proposed rule making on December 28, 1967 (32 F.R. 20866).

Interested persons have been given the opportunity to participate in the making of this amendment, and careful consideration has been given to all relevant matter presented.

This new standard requires that, when tested as prescribed, each passenger car windshield mounting must retain either: (1) Not less than 75 percent of the windshield periphery; or (2) not less than 50 percent of that portion of the windshield periphery on each side of the vehicle longitudinal centerline, if an unrestrained 95th percentile adult male manikin is seated in each outboard front seating position.

Several comments objected to the proposed standard and in some cases urged that more research should be done before any type of windshield mounting is required. The standard is, however, part of an integrated program aimed at accomplishing the widely accepted safety goal of keeping occupants within the confines of the passenger compartment during a crash. One major step in this program is the utilization of the laminated glazing material prescribed in Federal Motor Vehicle Safety Standard No. 205, which has resulted in a marked reduction in serious head injury to occupants known to have struck the windshield. The windshield mounting retention requirement prescribed in this standard takes advantage of this improved glazing material and will further minimize the likelihood of occupants being thrown from the vehicle during a crash.

Several comments requested reduction of the 75 percent retention requirement to 50 percent. The Administrator concludes that, as an alternative, 50 percent retention is acceptable if: (1) An unrestrained 95 percent percentile adult male manikin is seated in each outboard front seating position when the test procedure is performed, and (2) at least 50 percent of that portion of the windshield periphery on each side of the vehicle longitudinal centerline is retained.

Several comments requested that the phrase "or approved equivalent" be added to the "Demonstration procedures" provision. Section 255.11 of the Federal motor vehicle safety standards provides that "an approved equivalent may be substituted for any required destructive demonstration procedure." Consequently, inclusion of the phrase requested is not necessary.

In consideration of the foregoing, § 255.21 of Part 255 of the Federal motor vehicle safety standards is amended by adding Standard No. 212, "Windshield Mounting—Passenger Cars," as set forth below, effective January 1, 1970.

This rule making action is taken under the authority of sections 103 and 119 of the National Traffic and Motor Vehicle Safety Act of 1966 (P.L. 89-563, 15 U.S.C. 1392 and 1407) and the delegation of

authority contained in Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 1).

Issued in Washington, D.C., on August 13, 1968.

JOHN R. JAMIESON,
Deputy

Federal Highway Administrator.

MOTOR VEHICLE SAFETY STANDARD No. 212

WINDSHIELD MOUNTING—PASSENGER CARS

S1. Purpose and scope. This standard establishes windshield retention requirements for windshield mountings.

S2. Application. This standard applies to passenger cars.

S3. Requirements. When tested in accordance with S4, each windshield mounting must retain either—

(a) Not less than 75 percent of the windshield periphery; or

(b) Not less than 50 percent of that portion of the windshield periphery on each side of the vehicle longitudinal centerline, if an unrestrained 95th percentile adult male manikin is seated in each outboard front seating position.

S4. Demonstration procedures. Compliance with S3 shall be demonstrated by a front end longitudinal barrier collision test conducted in accordance with Society of Automotive Engineers Recommended Practice J850, "Barrier Collision Tests," February 1963, at not less than 30 mph.

[F.R. Doc. 68-9854; Filed, Aug. 15, 1968; 8:48 a.m.]

PART 255—INITIAL FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Appendix A; Interpretation; Bulbs and Bulb Sockets

A number of vehicle manufacturers and other interested parties have questioned the permissibility of using tubular-type bulbs to meet certain requirements of Federal Motor Vehicle Safety Standard No. 108 (Lamps, Reflective Devices, and Associated Equipment).

Paragraph S3.1 and Tables I and III of Federal Standard No. 108 as amended (32 F.R. 18033, Dec. 16, 1967), specify that certain lamp assemblies shall conform to applicable SAE Standards. Each of these basically referenced standards subreferences both SAE Standard J575 (tests for motor vehicle lighting devices and components) which in turn references SAE Standard J573 on bulbs, and SAE Standard J567 on bulb sockets.

Paragraph C of SAE Standard J575 states in part: "Where special bulbs are specified, they should be submitted with the devices and the same or similar bulbs used in the tests and operated at their rated mean spherical candlepower." The Administrator has determined that this provision of SAE Standard J575 permits the use of special bulbs, including tubular-type bulbs, which do not conform to the detailed requirements of Table I of SAE Standard J573. It follows that the sockets for special bulbs need not conform to the detailed requirements of SAE Standard J567. These provisions for spe-

cial bulbs in no way except the lamp assemblies from meeting all performance requirements specified in Federal Standard No. 108, including those specified in the basically referenced SAE Standards, and in the subreferenced SAE Standard J575.

Issued in Washington, D.C., on August 12, 1968.

JOHN R. JAMIESON,
Deputy

Federal Highway Administrator.

[F.R. Doc. 68-9827, Filed, Aug. 15, 1968; 8:46 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter II—Forest Service, Department of Agriculture

PART 251—LAND USES

Administration and Use of National Forest Wilderness and National Forest Primitive Areas

Part 251 of Chapter II, Code of Federal Regulations, is amended as follows: In § 251.85, paragraph (b) is amended by adding subparagraph (8) to read as follows:

§ 251.85 Special provisions governing the Boundary Waters Canoe Area, Superior National Forest.

(b) * * *

(8) In order to permit customary use of the Boundary Waters Canoe Area to continue pending a permanent solution to the change of water levels resulting from the failure of Prairie Portage Dam and notwithstanding the provisions of subparagraphs (3) and (5) of this paragraph until December 31, 1969, use of portage wheels to transport boats across the temporary portage between Moose Lake and Newfound Lake may be permitted, and permits may be issued for the storage of boats and related equipment in the vicinity of this temporary portage to the extent consistent with the operating practices of the permittees prior to the failure of Prairie Portage Dam as determined by the Forest Supervisor; and notwithstanding the provisions of subparagraph (1) of this paragraph, a structure to maintain normal water levels in Moose Lake is authorized.

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

(78 Stat. 890, 16 U.S.C. 1131-1136; 74 Stat. 215, 16 U.S.C. 528-531; 46 Stat. 1020, 16 U.S.C. 577-577c)

Done at Washington, D.C., this 13th day of August 1968.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 68-9835; Filed, Aug. 15, 1968; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4509]

[Oregon 2980]

OREGON

Partial Revocation of Reclamation Project Withdrawal

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The departmental order of March 26, 1924, withdrawing lands for the Klamath Project, is hereby revoked so far as it affects the following described lands:

WILLAMETTE MERIDIAN

T. 39 S., R. 12 E.,
Sec. 9, N $\frac{1}{2}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 15, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 240 acres in Klamath County.

The lands are located about 30 miles east of Klamath Falls, Ore. Vegetative cover is sagebrush, cheatgrass and other native shrubs, grasses, and forbs, with a scattered growth of western juniper and ponderosa pine.

2. At 10 a.m. on September 17, 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. All valid applications received at or prior to 10 a.m. on September 17, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands will be open to location under the U.S. mining laws at 10 a.m. on September 17, 1968. They have been open to applications and offers under the mineral leasing laws.

The State of Oregon has waived the preference right of application granted to certain States by R.S. 2276, as amended (43 U.S.C. 852).

Inquiries concerning the lands should be addressed to the Land Office, Bureau of Land Management, Portland, Ore.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 12, 1968.

[F.R. Doc. 68-9809; Filed, Aug. 15, 1968; 8:45 a.m.]

[Public Land Order 4510]

[Oregon 3174]

OREGON

Partial Revocation of National Forest Administrative Site Withdrawal

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. Public Land Order No. 2298 of March 14, 1961, withdrawing national forest lands as administrative sites and recreation areas, is hereby revoked so far as it affects the following described lands:

WILLAMETTE MERIDIAN

WINEMA NATIONAL FOREST

Davis Flat Administrative Site

T. 27 S., R. 10 E.,
Sec. 32, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 60 acres in Klamath County.

2. At 10 a.m. on September 17, 1968, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 12, 1968.

[F.R. Doc. 68-9810; Filed, Aug. 15, 1968; 8:45 a.m.]

[Public Land Order 4511]

[Oregon 3088]

OREGON

Partial Revocation of Reclamation Project Withdrawal

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. The departmental orders of March 28, 1925, and February 18, 1937, withdrawing lands for the Owyhee Project, are hereby revoked so far as they affect the following described lands:

WILLAMETTE MERIDIAN

T. 13 S., R. 45 E.,
Sec. 10, NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 21 S., R. 46 E.,
Sec. 27, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 33, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$.
T. 22 S., R. 46 E.,
Sec. 4, lots 3 and 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and
N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 9, W $\frac{1}{2}$ NW $\frac{1}{4}$.

The areas described aggregate 743.15 acres in Malheur County.

The lands are near Vale, Ore. Vegetative cover is sagebrush, cheat grass, and other native shrubs, grasses and forbs.

2. At 10 a.m. on September 17, 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. All valid applications received at or prior to 10 a.m. on September 17, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

3. The lands will be open to location under the U.S. mining laws at 10 a.m. on September 17, 1968. They have been open to applications and offers under the mineral leasing laws.

The State of Oregon has waived the preference right of application granted to certain states by R.S. 2276, as amended (43 U.S.C. 852).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Ore.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 12, 1968.

[F.R. Doc. 68-9810; Filed, Aug. 15, 1968; 8:45 a.m.]

[Public Land Order 4512]

[Fairbanks 013103]

ALASKA

Revocation of Public Land Order No. 1426

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. Public Land Order No. 1426 of May 29, 1957, which withdrew a tract of 91.83 acres for use of the Department of the Air Force as the Bethel TACAN Site, located approximately one-half mile north of the townsite of Bethel, described by metes and bounds, is hereby revoked.

2. Until 10 a.m. on November 12, 1968, the State of Alaska shall have a preferred right to select the public lands released from withdrawal, as provided by section 6(g) of the Alaska Statehood Act of June 7, 1958 (72 Stat. 339), and the regulations in 43 CFR 2222.9. After that time the lands shall be open to operation of the public land laws generally, including the mining and mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on November 12, 1968, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Fairbanks, Alaska.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 12, 1968.

[F.R. Doc. 68-9811; Filed, Aug. 15, 1968; 8:45 a.m.]

[Public Land Order 4513]

[Wyoming 10641]

WYOMING

Withdrawal for Reclamation Project

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

Subject to valid existing rights, the following described public 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 the Buffalo Bill Reservoir of the Shoshone Project:

SIXTH PRINCIPAL MERIDIAN

T. 29 N., R. 84 W.,
Sec. 11, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, lots 1, 4, and 5.

The area described contains 143.59 acres.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 12, 1968.

[F.R. Doc. 68-9812; Filed, Aug. 15, 1968;
8:45 a.m.]

[Public Land Order 4514]

[Sacramento 1626]

CALIFORNIA

Partial Revocation of National Forest Withdrawal

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4631), it is ordered as follows:

1. Public Land Order No. 1817 of March 12, 1959, withdrawing lands for the Squaw Valley Olympic Site and Recreation Area is hereby revoked so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN
TAHOE NATIONAL FOREST

T. 16 N., R. 16 E.,
Sec. 33, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
and NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains approximately 30 acres in Placer County.

2. At 10 a.m. on September 17, 1968, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 12, 1968.

[F.R. Doc. 68-9813; Filed, Aug. 15, 1968;
8:45 a.m.]

[Public Land Order 4515]

[Sacramento 1503]

CALIFORNIA

Partial Revocation of Reclamation Project Withdrawal

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), as amended and supplemented, it is ordered as follows:

1. Public Land Order No. 2729 dated July 17, 1962, withdrawing lands for the Central Valley Project is hereby revoked so far as it affects the following described patented land:

MOUNT DIABLO MERIDIAN

T. 7 N., R. 10 E.,
Sec. 2, that portion of unsegregated Mineral Lot 62 within Lot 7.

The unsegregated area on the official plat of survey contains approximately 13.92 acres in Amador County.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

AUGUST 12, 1968.

[F.R. Doc. 68-9814; Filed, Aug. 15, 1968;
8:45 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 24; Docket No. 67-55]

PART 522—FILING OF AGREEMENTS BETWEEN COMMON CARRIERS OF FREIGHT BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES

This proceeding was instituted by notice of proposed rulemaking published in the FEDERAL REGISTER on November 4, 1967 (32 F.R. 15438), inviting comments on the proposed rules. The proposed rules would specify the number of copies, the type of endorsement, and the typographical form of agreements and modifications. In addition, in the interest of uniformity and in order to assure expeditious processing and consideration of agreements filed with the Commission pursuant to section 15 of the Shipping Act, 1916, the proposed rules suggest standardized wording of agreements. Except for the provisions pertaining to the methods of filing agreements and modifications of approved agreements, the proposed rules are permissive in nature rather than mandatory. When effective, the rules will cancel and supersede 46 CFR Part 522.¹ A total of 17 comments were filed by or on behalf of 27 conferences, two independent common carriers by water, one shipowners committee, one manufacturers association, and one chamber of commerce. Replies were filed by Hearing Counsel. Answers to Hearing Counsel's reply were filed by the shipowners committee and the American Great Lakes Mediterranean Conference.

After consideration of the comments of these parties, and in the light thereof, the Commission herewith adopts its final rules.

Objections were made to the use of the word "anticompetitive" or any phrase including it throughout the rules, and its deletion or alteration was recommended. The deletion is being effected, but for reasons other than those offered by the various commentators. Rather than being too broad in scope, it is unduly restrictive. From the beginning plenary jurisdiction was intended for the Commission. The Alexander Report, House Committee on Merchant Marine and Fisheries Re-

¹ Regulations for filing copies of agreements under sec. 15, Shipping Act, 1916.

port on Steamship Agreements and Affiliations (H.R. Doc. No. 805, 63d Cong., second sess., at p. 418 (1914)), sets forth the following:

On the other hand * * * witnesses * * * were in the great majority of instances favorable to a comprehensive system of government supervision * * * [and] the approval of contracts, agreements, and arrangements, and the general supervision of all conditions of water transportation which vitally affect the interests of shippers.

Supporting this is the interpretation by the court of section 15 of the Act in Volkswagenwerk v. FMC, 390 U.S. 261, 275 (1968).

To limit § 15 to agreements that "affect competition," as the Commission used that phrase in the present case, simply does not square with the structure of the statute. Section 15 requires filing of "every agreement" in any of seven categories, and one of the seven comprises all agreements which "regulat[e] * * * competition." The other six categories would be rendered virtually meaningless by the Commission's construction.

Therefore, with these exemplifications of the broad reach of the Shipping Act, the word "anticompetitive" wherever used will be deleted.

Objections which were also made to the proposed rule which made mandatory the transmittal of a letter memorandum demonstrating that the agreement is required by serious transportation considerations have been met by transferring the proposed rule to § 522.5 *Accompanying memoranda*, which is permissive, but the provision must remain in the rules as proposed. In *FMC v. Svenska Amerika Linien*, 390 U.S. 238 (1968), the court in its comments on the new authority permitting disapproval under section 15 of any agreement found to be "contrary to the public interest," said:

The Commission has formulated a principle that conference restraints which interfere with the policies of the antitrust laws will be approved only if the conferences can "bring forth such facts as would demonstrate that the * * * rule was required by a serious transportation need, necessary to secure important public benefits or in furtherance of a valid regulatory purpose of the Shipping Act" * * * By its very nature an illegal restraint of trade is * * * "contrary to the public interest," and the Commission's antitrust standard, involving an assessment of the necessity for this restraint in terms of legitimate commercial objectives, simply gives understandable content to the broad statutory concept of "the public interest".

The court concluded that the antitrust test formulated by the Commission was an appropriate refinement of the statutory "public interest" standard. Hence, this memorandum justification will be of assistance to the staff in evaluating the agreement vis-a-vis the public interest standard.

With respect to the objection that certain transshipment agreements should not have to be filed because they do not constitute arrangements limiting competition which require section 15 authorization, see the quotation from *Volkswagen*, supra. All transshipment agreements must be filed. However, in Docket

No. 68-4—Exemption of Nonexclusive Transshipment Agreements From the Approval Requirements of Section 15, Shipping Act, 1916, served May 9, 1968, it was held that if certain requirements were met as to form and content, non-exclusive transshipment agreements may be implemented without Commission approval, so long as they have been filed first. That proceeding provided for expedition in the execution and implementation of nonexclusive transshipment agreements. That new procedure does not assure the parties that they will enjoy antitrust immunity. To obtain such protection, the parties would continue to file such agreements with the Commission for section 15 determination and approval in accordance with currently applicable procedures. Accordingly, the instant proceeding applies to all transshipment agreements other than nonexclusive transshipment agreements except those nonexclusive transshipment agreements the parties elect to file with the Commission for section 15 determination and approval in accordance with currently applicable procedures. See § 524.6, *Compliance With the Filing and Approval Requirements of Section 15*.

As to the argument that an agreement covering initial or on-carriage of cargo by vessels which never call at the United States concerns activities outside the jurisdiction of the United States and properly cannot and should not be the subject of any attempted regulation by the United States, see Transshipment Agreement Indonesia/United States, 10 F.M.C. 183 (1966) and Transshipment Agreement Between S. Thailand and U.S., 10 F.M.C. 199 (1966), which held that carriers party to transshipment arrangements and activities which have either as their origin or destination ports in the United States are subject to the Shipping Act because they are "engaged in transportation by water * * * property between the United States * * * and a foreign country in the import or export trade" within the meaning of the Shipping Act.

Other revisions and changes in the proposed rules have been suggested by the commentators and have been incorporated in the final rules as effectuated. These include clarifying the method by which an agreement shall be modified; the deletion of the last line of the suggested preamble to the Freight conference agreement which related to service by "single line haul or joint member line haul"; the deletion of the last line of the preamble to the Freight conference agreement with the addition of new material to indicate that to the extent rates established under the agreement include service by transshipment as well as direct service, approval of the agreement does not constitute approval of any transshipment agreement which would otherwise require section 15 approval; under authority under the agreement, the provision relating to the establishment of rates was expanded to encompass rules and regulations governing the application of rates and the services to be rendered therefor; again under authority,

the provision relating to brokerage has been modified to specifically include forwarders; and the adjective "substantial" was deleted from the expulsion provision. In the Rate agreement, the same caveat relating to transshipment agreements was inserted in Freight conference agreement was noted; again under authority under rate agreement, a provision was inserted granting coextensive rate-making authority with Freight conference agreement; the provision relating to brokerage has been modified to specifically include forwarders; and another provision was inserted to allow use of a dual rate system. Finally under the Transshipment agreement, the bill of lading of either the initial or delivering carrier may now be used.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 553) and sections 15 and 43 of the Shipping Act, 1916 (46 U.S.C. 814 and 841a), Part 522 of Title 46 CFR is revised to read as follows:

| | |
|-------|--|
| Sec. | |
| 522.1 | Statement of policy. |
| 522.2 | Definitions. |
| 522.3 | Filing of agreements and modifications. |
| 522.4 | Modifications. |
| 522.5 | Accompanying memoranda. |
| 522.6 | Suggested language for parts of section 15 agreements. |
| 522.7 | Conditional approvals. |

AUTHORITY: The provisions of this Part 522 issued under sec. 4, Administrative Procedure Act (5 U.S.C. 553); secs. 15, 43, Shipping Act, 1916 (46 U.S.C. 814 and 841a).

§ 522.1 Statement of policy.

The provisions in this part establish guidelines for the filing, format, and content of agreements submitted to the Commission pursuant to section 15. Such guidelines should encourage the uniformity of agreements, reduce the cost of handling and processing agreements, and expedite the approval of agreements. Except for the provisions pertaining to the mechanics of filing and to the method of handling modifications of approved agreements (§§ 522.3 and 522.4), the provisions in this part are permissive rather than mandatory. The agreements set forth in § 522.6 contain language which will insure expeditious processing and which may, in most instances, result in approval without the necessity for formal hearings. Commission processing of section 15 agreements can be further expedited if accompanied by a memorandum of information as set forth in § 522.5.

§ 522.2 Definitions.

For the purposes of the provisions in this part, the following definitions of terms used therein shall apply.

(a) **Agreement.** A formal document or written memorandum which reflects an understanding, arrangement, or undertaking, between two or more common carriers, in the foreign commerce of the United States, subject to the Shipping Act, 1916, which, because of the nature of the understanding, arrangement, or undertaking, is required by the provisions of section 15 of said Act to be

filed with the Commission for approval. Such agreements include but are not limited to the following general types:

(1) **Freight conference agreement.** An agreement which is denominated as a "conference" by the parties; or an agreement which will or could reasonably be expected to cause the parties to become a dominant force in the trade covered by the arrangement. Such agreements usually contain provisions for:

(i) The fixing and adherence to uniform rates, charges, and practices relating to the receipt, carriage, and delivery of cargo for all members;

(ii) The filing in the name of the group of a common tariff or tariffs in which all members participate;

(iii) The appointment of a chairman or secretary to conduct the administrative affairs of the parties;

(iv) Such other matters as the parties may agree upon or as may from time to time be required by statute or by general orders of the Commission.

(2) **Rate agreement.** An agreement which is not, will not be, or cannot reasonably be expected to cause the parties to become a dominant factor in the commerce of the United States in the trade covered by the arrangement. Such agreements usually contain provisions for:

(i) The fixing and adherence to uniform rates, charges, and practices relating to the receipt, carriage, and delivery of cargo, for all members;

(ii) The filing in the name of the group of a common tariff or tariffs in which all members participate;

(iii) Such other matters the parties may agree upon or as may from time to time be required by statute or by general orders of the Commission.

(3) **Pooling agreement.** An agreement which provides for the division of the cargo carryings or earnings and/or losses among the parties in accordance with a fixed formula.

(4) **Joint service agreement.** An agreement which establishes a new and separate line or service to be operated by the parties as a joint venture. The new and separate service fixes its own rates, publishes its own tariffs, issues its own bills of lading, and acts generally as a single carrier.

(5) **Sailing agreement.** An agreement which establishes a schedule of ports which each carrier will serve and the frequency of each carrier's calls at those ports.

(6) **Transshipment agreement.** An agreement between a common carrier of freight by water serving a port of origin and a common carrier of freight by water serving a port of destination to establish a joint through rate in which both participate between such ports.

(7) **Cooperative working agreement.** An agreement which establishes exclusive, preferential, or cooperative working relationships which are subject to section 15 of the Shipping Act, 1916, but which do not fall precisely within any of the arrangements in subparagraphs (1) through (6) of this paragraph.

(b) **Modification.** An understanding, arrangement or undertaking between

parties to an approved agreement which changes the terms of the agreement.

§ 522.3 Filing of agreements and modifications.

A true copy and 15 additional copies of all agreements and modifications of approved agreements, filed for approval pursuant to section 15 of the Act, should be submitted to the Federal Maritime Commission, Washington, D.C. 20573, accompanied by a letter of transmittal which states that such agreements are filed pursuant to section 15 of the Shipping Act and specifically requests Commission approval of the agreement or agreements submitted. The true copy of the agreement so submitted should be personally signed by each of the parties or by a representative authorized to act for each such party, and show immediately below each signature the position and/or authority of the signer. The 15 copies may be made by any permanent process of duplication.

§ 522.4 Modifications.

(a) Every modification of an approved agreement, when submitted for filing and approval, should indicate the page and restate the portion of the agreement for which modifications are contemplated. The portions of the agreement to be modified or excised should be struck through, but not obliterated, and the substituted language, if any, should be inserted directly following that which is to be modified or excised. The modifications should be underscored. If the modification consists of new material that is not a complete substitute for approved provisions, the page or pages on which the proposed modifications will appear should be restated with the proposed modifications underscored and placed in proper sequence on the page.

(b) Whenever an approved agreement shall have been modified by three approved consecutive modifications in the manner stated in paragraph (a) of this section, the next succeeding modification shall be accomplished by restating the entire agreement, incorporating all previous modifications, and showing the latest change in the same manner as provided in paragraph (a) of this section.

(c) With respect to approved agreements which, at the effective date of this part, shall have been modified by three or more approved consecutive modification agreements, the next succeeding modification submitted for approval shall be accomplished by restating the entire agreement, incorporating all previous modifications, and showing the latest change in the same manner as provided in paragraph (a) of this section. After such modification, further modifications shall conform to the requirements of paragraphs (a) and (b) of this section.

§ 522.5 Accompanying memoranda.

Determinations regarding the compatibility of agreements with the standards of approvability enunciated in section 15 will be facilitated and the agreement can be more expeditiously processed if the letter of transmittal is

accompanied by a memorandum demonstrating that the agreement is required by serious transportation considerations.

§ 522.6 Suggested language for parts of section 15 agreements.

(a) Freight conference agreement.

AGREEMENT NO. -----

(Name of Conference)

This agreement was entered into by and between the parties on ----- The undersigned, common carriers of freight by water in the foreign commerce of the United States (hereinafter referred to as "Members"), in consideration of the benefits, advantages and privileges to be severally and collectively derived from this agreement, hereby associate themselves in a conference to be known as ----- (hereinafter referred to as "the Conference") to govern their transportation of freight from ----- to ----- (or between ----- and -----).¹

AUTHORITY UNDER THIS AGREEMENT

Subject to applicable provisions of law, the Conference is authorized to:

1. Agree upon and establish rates and charges for the carriage of cargo and rules and regulations governing the application thereof and defining the service to be rendered therefor;
2. Declare rates for specified commodities to be "open," with or without agreed minimum, and thereafter declare the rates for such commodities to be "closed";
3. Agree upon and establish tariffs, tariff amendments, and supplements;
4. Make rules and regulations for the handling and carriage of cargo;
5. Provide for use of a contract/noncontract rate system for filing with the Commission for approval pursuant to section 14b of the Shipping Act, 1916;
6. Agree on amounts of brokerage and/or compensation to forwarders and the conditions for the payment thereof as permitted by applicable law;
7. Keep such records and statistics as may be required by the parties or deemed helpful to their interests.

ADMISSION

Any common carrier by water, as defined in section 1 of the Shipping Act, 1916, which has been regularly engaged as a common carrier in the trade covered by this Agreement, or which furnishes evidence of ability and intention in good faith to institute and maintain such a common carrier service between ports within the scope of this Agreement, and which agrees in good faith to abide by all the terms and conditions of this Agreement, may hereafter become a party to this agreement by affixing its signature thereto. Every application for membership shall be acted upon promptly. No carrier which has complied with the conditions set forth in this paragraph shall be denied admission or readmission to membership.

Prompt notice of admission to membership shall be furnished to the Federal Maritime Commission and no admission shall be effective prior to the postmark date of such

¹ If the intention is that the conference rates should apply whether the service is direct or with transshipment, the following provision should be included; to the extent that rates established under this agreement include service by way of transshipment as well as direct service by the members, approval of this agreement does not encompass approval of any transshipment arrangement which would otherwise require section 15 approval.

notice. Advice of any denial of admission to membership, together with a complete statement of the reasons therefor, shall be furnished promptly to the Federal Maritime Commission. (Other conditions of membership which are not inconsistent with the foregoing, including payment of a reasonable admission fee, payment of any outstanding financial obligations arising out of prior membership, or the posting of a security bond or deposit may be included.)

WITHDRAWAL

Any Member may withdraw from the Conference without penalty by giving the Conference at least ----- days written notice of intention to withdraw: *Provided, however,* That action taken by the Conference to compel the payment of outstanding financial obligations by the resigning Member shall not be construed as a penalty for withdrawal. Notice of the withdrawal shall be furnished promptly to the Federal Maritime Commission.

EXPULSION

No Member may be expelled against its will from this Conference except for failure to maintain a common carrier service between the ports within the scope of this Agreement (said failure to be determined according to the minimum sailing requirements set forth in this Agreement) or for failure to abide by the terms and conditions of this agreement. No expulsion shall become effective until a detailed statement setting forth the reason or reasons therefor has been furnished the expelled Member and a copy of the statement submitted to the Federal Maritime Commission.

ABANDONMENT OF SERVICE

Membership in the Conference shall cease when service is abandoned. A Member's failure to have a sailing in the trade for a period of ----- consecutive months shall be regarded as an abandonment. If war, strikes, Force majeure, or other circumstances beyond its control compel a Member to suspend service, it may apply for inactive status: *Provided,* That application is made prior to termination of membership. Notice of termination of membership shall be furnished promptly to the Federal Maritime Commission.

OFFICERS, ORGANIZATION, AND ADMINISTRATION

The Members shall select a Chairman and/or Secretary to serve for ----- The Chairman (or Secretary), when available, shall preside at Conference meetings. He (or she) shall have full authority to carry out the decisions of the Conference and perform such duties and appoint such committees as may be directed by the Conference. In the absence of the Chairman (or Secretary) at any meeting, an Acting Chairman may be selected by the Members present to conduct the meeting. The Chairman (or Secretary) shall keep a record of the proceedings of all Conference meetings, whether formal or otherwise, and of the actions taken by the Conference. Information and statistics required by the Chairman (or Secretary) in making or carrying out decisions of the Conference shall be made available by the Conference members.

The members may select a Vice Chairman (or Assistant Secretary) and such other assistants as may be required to assist the Chairman (or Secretary) in the performance of his (or her) duties.

The Conference office shall be located at ----- This office may compile cargo statistics required or necessary to the carrying out of Conference decisions; compiled data relating to rate applications; issue dockets for meetings; maintain contract lists and files of all conference tariffs (copies of such

RULES AND REGULATIONS

tariffs shall be filed with the Federal Maritime Commission in conformity with the provisions of section 18(b)(1) of the Shipping Act, 1916; and perform such other duties as are prescribed by this Agreement, directed by the Members and specifically recorded in the minutes of Conference meetings.

The expense of annual Conference maintenance, as determined by the Conference members or by a committee established or appointed for the purpose, shall be divided among the members of the Conference in a manner to be agreed upon. Bills for such expenses shall be paid promptly upon receipt thereof.

MEETINGS²

Regular Conference meetings shall be held ----- upon not less than ----- notice from the Chairman (Secretary) unless such notice is unanimately waived. Advance notice of all matters requiring Conference action shall be given each member.

Special Conference meetings may be requested by any member upon application to the Conference office together with an explanation of the reason or reasons therefor. The special meeting shall be called by the Chairman (Secretary), and adequate notice thereof shall be given all members. The notice shall indicate the subject matter and reason for the meeting.

If it is required or necessary that the Conference take emergency action with respect to rates or other matters, and there is not time to convene a special meeting, the members may be polled by the Chairman (Secretary) by telephone, and such action authorized by the consent of ----- of the members. All such telephone calls, the subject matter thereof, and the action taken by the Conference shall be reported in the Minutes of the next regular Conference meeting.

Meetings of such committees as are appointed by the Conference in the conduct of its affairs shall be held at times and places as may be decided by such committees and a record shall be made of proceedings of all such committee meetings, whether formal or otherwise, including the results of all actions taken.

VOTING RIGHTS

Each member shall be entitled to vote with the following exceptions:

1. Any member who has given notice of withdrawal shall not, while such notice is outstanding, be entitled to vote on any Conference matter, rate, rule, or regulation which is to continue in effect or become effective after the effective date of such withdrawal;

2. Any inactive member whose service has been suspended shall not be entitled to vote on any matter except (a) amendment of the Conference agreement, and (b) dissolution of the Conference;

3. No member shall be entitled to vote on the expulsion of another member if it is a parent, subsidiary or associated company of the member complained against.

A quorum at any meeting shall consist of -----, and no meeting shall be held unless a quorum is present. Voting on any matter regularly before the Conference shall be by those present (or by proxy) and entitled to vote.

² Every agreement should contain a provision stating the manner in which the joint business of the parties may be carried out; i.e., full membership meeting, agents' meeting, principals' meeting, owners' meeting, through committees or subcommittees, telephone or oral polls, or through any other procedure by which the joint business of the parties may be conducted.

All Conference action shall be authorized by the affirmative vote of not less than ----- of the members.

1. Unanimous consent shall be required to: -----

2. An affirmative vote of not less than ----- of the Members shall be required to authorize the taking of the following actions: -----

SELF-POLICING OF AGREEMENT³OTHER PROVISIONS⁴

(b) Rate agreement.

AGREEMENT No. -----

(Name of Agreement—if any)

This agreement was entered into by and between the parties on ----- The undersigned, common carriers of freight by water in the foreign commerce of the United States (hereinafter referred to as "parties"), hereby associated themselves in a Rate Agreement to be known as the (-----) Rate Agreement to govern their transportation of freight from ----- to ----- (or between ----- and -----).⁵

AUTHORITY UNDER THIS AGREEMENT

Subject to applicable provisions of law, the parties to this Agreement are authorized to:

1. Agree upon and establish rates and charges for the carriage of cargo and rules and regulations governing the application thereof and defining the service to be rendered therefor;

2. Agree upon and establish tariffs, tariff amendments, and supplements;

3. Make rules and regulations for the handling and carriage of cargo;

4. Agree on amounts of brokerage and/or compensation to forwarders and the conditions for the payment thereof as permitted by applicable law;

5. Provide for the use of a contract/non-contract rate system for filing with the Commission for approval pursuant to section 14b of the Shipping Act, 1916;

6. Keep such records and statistics as may be required by the parties or deemed helpful to their interests.

SELF-POLICING OF AGREEMENT⁶OTHER PROVISIONS⁷

(c) Pooling agreement.

³ The agreement must contain provisions describing the method or system used by the parties in policing the obligations under the agreement, including the procedure for handling complaints and the authority of every person having responsibility for administering the system. (G.O. 7, 46 CFR Part 528.)

⁴ All these agreements may contain such other provisions, permitted by law and not inconsistent with those indicated above, as may be deemed necessary by the parties.

⁵ If the intention is that the rates should apply whether the service is direct or with transshipment, the following provision should be included: To the extent that rates established under this agreement include service by way of transshipment as well as direct service by the members, approval of this agreement does not encompass approval of any transshipment arrangement which would otherwise require section 15 approval.

⁶ The agreement must contain provisions describing the method or system used by the parties in policing the obligations under the

AGREEMENT No. -----

(Name of Agreement—if any)

This agreement was entered into by and between the parties on ----- The undersigned, common carriers of freight by water in the foreign commerce of the United States (hereinafter referred to as "parties") agree that in the trade from ----- to -----

(or between ----- and -----), they will pool (or apportion) the revenues earned by, or losses of, each party for the carriage of (all cargoes, specific commodities, etc.) (if the pool is for traffic only to so specify).

1. The pool to be established pursuant to this agreement will operate as follows:

(List in lettered subparagraphs the exact method or procedure under which the pool will operate. Show percentage formula for division of revenue; deductions prior to division; expenses to be shared, with share to each party; division of carryings, if any; allocation by each party of space and/or vessels; etc.)

OTHER PROVISIONS⁸

(d) Joint service agreement.

AGREEMENT No. -----

(Name of Agreement—if any)

This agreement was entered into by and between the parties on ----- The undersigned, common carriers of freight by water in the foreign commerce of the United States (hereinafter referred to as "parties") agree that in the trade from ----- to -----

(or between ----- and -----), they will establish and maintain a joint cargo service to be known as ----- (Insert name of new service.)

1. The joint service may become a member of, and may resign, or withdraw from any lawful conference, pooling arrangement or other agreement subject to the Shipping Act, 1916, as amended, that may operate in the whole or any portion of the trades covered hereby. The joint service shall act as a single

agreement, including the procedure for handling complaints and the authority of every person having responsibility for administering the system (G.O. 7, 46 CFR Part 528).

⁷ Every agreement should contain a provision stating the manner in which the joint business of the parties may be carried out; i.e., full membership meeting, agents' meeting, principals' meeting, owners' meeting, through committees or subcommittees, telephone or oral polls, or through any other procedure by which the joint business of the parties may be conducted. This provision should also include quorum requirements, and the types of vote necessary to take various actions; i.e., majority, two-thirds, three-fourths, majority plus one, unanimous, etc. All these agreements may contain such other provisions, permitted by law and not inconsistent with those indicated above, as may be deemed necessary by the parties.

⁸ 1. If a pool secretary is to be appointed, his duties must be specified; 2. Provision should be made for the method of settling any disputes that may arise among the parties in the operation of the pool; 3. A limitation on the duration of the agreement should be shown; 4. Provision should be made for periodic (not less than yearly) reports to the Commission, showing at least the carryings, total earnings and divisions for each party to the pool.

member or party to such agreements and shall be represented for such conference, pooling or other purposes by ----- which (or who) shall have full authority with respect to all matters coming before the conference. The signature to such conference, pooling or other arrangements shall be in the following form:

 (Name of new service)
 By -----

 (Title or authority)

2. In the case of any trades or traffic within the scope of this agreement where the rates, charges, and practices are not prescribed by any conference of which the joint service is a member, the new service shall establish and maintain its own rates, charges and practices covering such trades or traffic. The joint service shall file a tariff containing such rates, rules and regulations with the Federal Maritime Commission in accordance with the provisions of section 18(b) of the Shipping Act, 1916, as amended;

3. The parties shall cooperate to supply tonnage for this joint service as their owned or chartered vessels are available (or -----). It is intended to have a sailing approximately at least -----;

4. The parties shall contribute to and share in any and all deposits, costs, expenses, profits, and losses incurred by and derived from this joint service in the following proportions -----;

5. Copies of bills of lading of the joint service, showing the name of the new service and the names of the companies which are parties to this agreement, shall be furnished promptly to the Federal Maritime Commission;

6. The parties shall establish and maintain at (-----) an office from which the operations of the joint service will be directed;

7. This agreement may be canceled by any party giving ----- months written notice to the other party, and to the Federal Maritime Commission. Notice of resignation or withdrawal from every conference, pooling or other agreement of which the joint service is a member or party shall also be given, so that such resignations or withdrawals shall become effective simultaneously or as near thereto as possible, with the termination of this agreement; *Provided, however,* That this agreement shall remain in full force and effect until all such resignations and withdrawals become effective.

(e) *Sailing agreement.*

AGREEMENT No. -----

(Name of Agreement—if any)

This agreement was entered into by and between the parties on ----- The undersigned, common carriers of freight by water in the foreign commerce of the United States (hereinafter referred to as the "parties") agree that in the trade from ----- to ----- (or between ----- and -----), they will space their sailings in accordance with the following provisions of this agreement.

1. This agreement shall apply to the berth services operated or to be operated by the parties in the above-named trade(s);

2. Each of the parties hereto will furnish equivalent tonnage as regards type and capacity, and will maintain alternate (or specify other arrangement) sailings in the trade mentioned above, with a minimum of ----- sailings each annually, so far as practicable and subject to such changes as may be instituted by cargo requirements or other factors. The parties will cooperate to arrange advertising and sailing schedules so as to avoid conflicting sailing dates;

3. There shall be no pooling or sharing of profits or losses. Revenues earned by the vessels employed under this agreement shall accrue to the operator thereof;

4. Each party shall manage and operate its own vessels at its own risk and expense, each party being responsible for the manning, navigation, etc., of its own vessels, the solicitation and booking of cargoes, collection of freight, appointment and removal of agents, settlement of cargo claims and all other activities required in the maintenance of service and sailings covered by this agreement;

5. The parties may advertise their respective services separately but in the event that such services are advertised in a single newspaper advertisement, or other medium, the full corporate or trade name of each party shall be shown in a manner to reflect their separate interests (For example: XYZ Line, Inc.) (For example: ABC Lines);

ALTERNATE SERVICES

6. Each of the parties hereto shall, as a member of any conference, exercise its rights, independent of the other, in voting on freight rates or on any other matter or thing within the scope of the agreement of such conference;

7. This agreement shall continue in effect until—

a. Canceled by mutual consent to be evidenced in writing; or

b. By the giving of ----- () months written notice by either party to the other;

8. If in the opinion of a party to this agreement one of the parties hereto has committed a breach of this agreement, the matter of whether such breach has occurred shall be left to the determination of three (3) arbitrators, one to be nominated by the complaining party within thirty (30) days after his giving written notice to the party charged of demand for arbitration, a second to be nominated by the party charged within thirty (30) days after receipt by him of notice of demand for arbitration, and the third to be appointed by agreement of the two so nominated or, failing agreement thereon, by (a recognized arbitration body). The arbitrators so chosen shall, after hearing both parties, make their award in writing. The decision of the arbitrators shall be final and binding on the parties hereto and there shall be no appeal against the award of the arbitrators. All expenses in connection with any complaint made under this agreement shall be borne equally by all parties hereto. Nothing contained in this agreement shall interfere with the rights of any party hereto under the provisions of the Shipping Act of 1916, as amended.

(f) *Transshipment agreement.*

AGREEMENT No. -----

(Name of Agreement—if any)

This agreement was entered into by and between the parties on ----- The undersigned are common carriers of freight by water in the foreign commerce of the United States.

1. This agreement, between ----- (hereinafter referred to as the initial carrier) and ----- (hereinafter referred to as the delivering carrier) covers and is restricted to transportation of cargo under through bills of lading from ports of call of the initial carrier in ----- to ports of call of the delivering carrier in ----- with transshipment at -----;

2. The parties to this agreement shall establish through rates, rules and regulations and shall file a tariff containing such rates, rules, and regulations with the Federal Maritime Commission in accordance with the provisions of section 18(b) of the Shipping Act, 1916, as amended;

3. Accessorial and port charges (not including loading and discharging) shall be in addition to the through rates and will accrue to the initial carrier or to the delivering carrier, as appropriate, over and above its proportion of the through rate;

4. The through rates shall be apportioned on the basis of ----- percent to the initial carrier and ----- percent to the delivering carrier;

5. The expenses of transshipment on such cargo shall be absorbed on the basis of ----- percent by the initial carrier and ----- percent by the delivering carrier;

6. Each carrier will indemnify and hold the other harmless from all liabilities and expenses incurred by the latter which in any way arise from or are connected with any loss, damage, delay or misdelivery of the goods while in the possession or custody of the indemnifying carrier under this agreement, except where the indemnifying carrier can establish that such loss, damage, delay or misdelivery was directly attributable to the neglect or willful misconduct of the other carrier, its agents, servants or employees;

7. Nothing in this agreement shall bind the delivering carrier to tranship exclusively from vessels employed in the initial carrier's service;

8. Cargo shall be carried on the terms of either the initial or delivering carrier's bill of lading, as the parties may deem necessary;

9. Neither party hereto shall enter into an agreement with any other party with respect to transportation of cargo within the scope of this agreement on terms at variance with those stated herein;

10. Either party to this agreement may terminate its participation herein by giving ----- () days' written notice to the other. A copy of such notice shall be promptly furnished to the Federal Maritime Commission.

(g) *Cooperative working agreement.*

Agreement No. ---

(Name of Agreement—if any)

This agreement was entered into by and between the parties on --- and --- (hereinafter referred to as the "parties") common carriers of freight by water in the foreign commerce of the United States, who agree:

1. (Set forth in numbered paragraphs the exact extent of the agreement between the parties which establishes the exclusive, preferential, or cooperative relationship between the parties, including the method by which the matters agreed upon will be carried out.)*

§ 522.7 Conditional approvals.

(a) In expediting the procedures involved in processing section 15 agreements, the Commission may grant approval of the agreement conditioned upon the acceptance by the parties of certain changes in the filed agreement. If the parties accept the Commission's changes within the time specified in the order of conditional approval by submitting a complete revised agreement signed by the parties, the agreement as revised will stand approved from the date of receipt by the Commission of the signed revised agreement. Notice of such date shall be given the parties or their representative by the Commission. In instances in which the time specified in the order of conditional approval expires

* All these agreements may contain such other provisions, permitted by law and not inconsistent with those indicated above, as may be deemed necessary by the parties ((a) through (g)).

without the above-stated acceptance, the approval shall be null and void and the agreement, as filed, will be reconsidered without further notice to the parties.

(b) It is unlawful to carry out the provisions of a conditionally approved agreement prior to acceptance by the parties of the conditions stated in the order of conditional approval in the manner specified in paragraph (a) of this section.

Effective date. Since all substantial objections which have been raised were either answered or the alternatives suggested were adopted, the rules shall be effective within 30 days after publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] FRANCIS C. HURNEY,
Assistant Secretary.

[F.R. Doc. 68-9806; Filed, Aug. 15, 1968;
8:45 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Missisquoi National Wildlife Refuge, Vt.

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

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

VERMONT

MISSISQUOI NATIONAL WILDLIFE REFUGE

The public hunting of migratory game birds on the Missisquoi National Wildlife Refuge, Vt., is permitted only on the areas designated by signs as open to hunting. These areas are delineated on maps available at refuge headquarters, Swanton, Vt., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable Federal and State regulations covering the hunting of migratory game birds.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1968.

DONALD H. REESE,
Acting Regional Director, Bureau
of Sport Fisheries and Wildlife.

AUGUST 2, 1968

[F.R. Doc. 68-9852; Filed, Aug. 15, 1968;
8:48 a.m.]

PART 32—HUNTING

Alamosa National Wildlife Refuge, Colo.

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

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

COLORADO

ALAMOSA NATIONAL WILDLIFE REFUGE

The public hunting of rabbits on the Alamosa National Wildlife Refuge, Colo., is permitted from October 1 through October 18, 1968, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 2,805 acres, is delineated on maps available at refuge headquarters, Alamosa, Colo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103.

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

(1) Dogs—Not to exceed two dogs per hunter may be used in the hunting of rabbits.

(2) Admittance—Entrance to the open area and parking of vehicles will be restricted to designated parking areas.

(3) Hunting with rifles and hand guns is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 18, 1968.

CHARLES R. BRYANT,
Refuge Manager, Alamosa National
Wildlife Refuge, Alamosa,
Colo.

AUGUST 8, 1968.

[F.R. Doc. 68-9848; Filed, Aug. 15, 1968;
8:48 a.m.]

PART 32—HUNTING

Monte Vista National Wildlife Refuge, Colo.

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

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

COLORADO

MONTE VISTA NATIONAL WILDLIFE REFUGE

The public hunting of rabbits on the Monte Vista National Wildlife Refuge, Colo., is permitted from October 1 through October 18, 1968, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 5,314 acres, is delineated on maps available at refuge headquarters, Monte Vista, Colo., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, N. Mex. 87103.

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

(1) Dogs—Not to exceed two dogs per hunter may be used in the hunting of rabbits.

(2) Admittance—Entrance to the open area and parking of vehicles will be restricted to designated parking areas.

(3) Hunting with rifles and hand guns is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 18, 1968.

CHARLES R. BRYANT,
Refuge Manager, Monte Vista
National Wildlife Refuge,
Monte Vista, Colo.

AUGUST 8, 1968.

[F.R. Doc. 68-9850; Filed, Aug. 15, 1968;
8:48 a.m.]

PART 32—HUNTING

Missisquoi National Wildlife Refuge, Vt.

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

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

VERMONT

MISSISQUOI NATIONAL WILDLIFE REFUGE

The public hunting of upland game on the Missisquoi National Wildlife Refuge, Vt., is permitted only on the areas designated by signs as open to hunting. These areas are delineated on maps available at refuge headquarters, Swanton, Vt., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of upland game.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through February 28, 1969.

DONALD H. REESE,
Acting Regional Director, Bureau
of Sport Fisheries and
Wildlife.

AUGUST 2, 1968.

[F.R. Doc. 68-9853; Filed, Aug. 15, 1968;
8:48 a.m.]

PART 32—HUNTING

Browns Park National Wildlife Refuge, Colo.

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

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

COLORADO

BROWNS PARK NATIONAL WILDLIFE REFUGE

Public hunting of deer and antelope is permitted on the Browns Park National Wildlife Refuge, Colo., for the 1968 archery and rifle seasons except in those areas designated by signs as closed to hunting. Archery deer season is August 17 through September 15, 1968, inclusive. Rifle deer season is October 19 through November 7, 1968, inclusive.

Hunting will be in accordance with all applicable State regulations covering the hunting of deer.

The provisions of this special regulation supplements the regulations which govern hunting of wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 7, 1968.

H. J. JOHNSON,

Refuge Manager, Ouray National Wildlife Refuge, Vernal, Utah.

AUGUST 6, 1968.

[F.R. Doc. 68-9849; Filed, Aug. 15, 1968; 8:48 a.m.]

PART 32—HUNTING

Missisquoi National Wildlife Refuge, Vt.

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

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

VERMONT

MISSISQUOI NATIONAL WILDLIFE REFUGE

The public hunting of deer on the Missisquoi National Wildlife Refuge, Vt., is permitted only on the areas designated by signs as open to hunting. These areas are delineated on maps available at refuge headquarters, Swanton, Vt., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, U.S. Post Office and Courthouse, Boston, Mass. 02109. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer, subject to the following special condition:

1. During the regular season, rifles may not be used on the Island portions of the open area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 24, 1968.

DONALD H. REESE,

Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 8, 1968.

[F.R. Doc. 68-9851; Filed, Aug. 15, 1968; 8:48 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 68-192]

PART 16—LIQUIDATION OF DUTIES

Countervailing Duties; Merchandise From France

[Republished from 33 F.R. 11543, August 14, 1968, in order to include attachments]

In a Notice of Countervailing Duty Proceedings published in the FEDERAL REGISTER of July 9, 1968 (33 F.R. 9834), the Commissioner of Customs announced that information had been received which appeared to indicate that certain measures adopted by the Government of France in Decree 68-581 dated June 29, 1968, with respect to the exportation of merchandise from France constitute the payment or bestowal of a bounty or grant, directly or indirectly, within the meaning of section 303 of the Tariff Act of 1930 (19 U.S.C. 1303), upon the manufacture, production, or exportation of the merchandise to which the measures apply. This decree has since been amended by Decree 68-599 dated July 6, 1968. English translations of Decrees 68-581 and 68-599 are attached to this order. The notice provided interested parties 30 days from the date of publication to submit data, views, or arguments with regard to the existence or non-existence and the net amount of a bounty or grant.

An investigation was conducted pursuant to § 16.24(d) of the Customs Regulations (19 CFR 16.24(d)).

After consideration of all information received, the Bureau is satisfied that exports of merchandise from France which are benefited by the allowances provided for by Decree 68-581 of June 29, 1968, as amended, receive bounties or grants within the meaning of section 303.

Accordingly, notice is hereby given that all dutiable merchandise, imported directly or indirectly from France, if entered for consumption or withdrawn from warehouse for consumption after the expiration of 30 days after publication of this notice in the Customs Bulletin, will be subject to the payment of countervailing duties unless it can be proved that the importation was not benefited by an allowance provided for by Decree 68-581, as amended.

In accordance with section 303, the net amount of the bounty or grant under the information presently available has been ascertained and determined or estimated, and such net amount is hereby declared to be 2.5 percent of the f.o.b. price of such exported merchandise. Effective on the 31st day after the date of publication of the notice in the Customs Bulletin and until further notice, upon the entry for consumption or withdrawal from warehouse for consumption of such dutiable merchandise imported directly or indirectly from France which benefits from such bounties or grants, there shall be collected, in addition to any other duties estimated or determined to be due,

countervailing duties in the amount ascertained in accordance with the above declaration.

Any merchandise subject to the terms of this order shall be deemed to have benefited from a bounty or grant if such bounty or grant has been or will be paid or credited, directly or indirectly, upon the manufacture, production, or exportation of such merchandise.

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

| Country | Commodity | Treasury decision | Action |
|-------------|---|-------------------|-----------------------|
| France..... | All merchandise except that not benefited by decree 68-581 dated June 29, 1968, as amended by decree 68-599 dated July 6, 1968. | 68-192 | Bounty declared—Rate. |

(R.S. 251, secs. 303, 624, 46 Stat. 687, 759; 19 U.S.C. 66, 1303, 1624)

[SEAL]

LESTER D. JOHNSON,
Commissioner of Customs.

Approved: August 10, 1968.

JOSEPH M. BOWMAN,
Assistant Secretary
of the Treasury.

ENGLISH TRANSLATION—DECREE No. 68-581

Upon the recommendation of the Minister of the Economy and Finance:

In view of Decree No. 62-1587 of December 29, 1962, providing general regulations for government accounting, particularly Article 104; in view of the Customs Code; in view of the general tax code,

The Prime Minister Decrees:

ARTICLE 1. A special, temporary allowance is hereby granted to exporters for exports made on a definitive basis.

ART. 2. The following shall be excluded from the benefit of this allowance: Exports composed of the products appearing on the attached list in Annex I to this decree; exports composed of all products intended for the overseas departments and territories.

ART. 3. The amount of the allowance pertaining to exports covered by an "Economic Risks" policy issued by the Compagnie Francaise D'Assurances Pour Le Commerce Extérieur shall be deducted from the sum to be paid by that company at the time of payment of the claim due.

ART. 4. (A) The period for which the allowance may be granted shall run from July 1, 1968, to January 31, 1969.

(B) For transactions carried out between July 1, 1968, and October 31, the allowance shall be granted at the full rate; from November 1 on, it shall be reduced by half.

(C) The date to be considered in granting the allowance shall be the date of the registration of the export customs declaration.

ART. 5. The allowance shall be computed in accordance with the following formula:

$$X = \frac{6}{100} \times \frac{E}{CA} \left(S \text{ Plus } \frac{M}{3} \right)$$

In which, for the month under consideration: X represents the amount of the allowance to be computed; 6 over 100 the base index at the full rate; E the value of the month's exports that may be considered in computing the allowance under the conditions laid down by this decree; CA the total sales of the concern for the month under consideration.

It is equal to the total appearing on Line 38 of the return on Form CA3 filed by taxpayers in connection with the taxes on gross sales.

For concerns placed under the lump-sum system, CA represents one-twelfth of the lump-sum sales established for 1968, increased should the case arise, by the total of the transactions not included in the lump-sum that were effected during the month under consideration. If the lump-sum is not yet established, CA represents one-twelfth of the sales for the year 1967 as shown on the return on Form 951 submitted in January 1968.

The total sales referred to in the two preceding subparagraphs shall be reduced by the total of the taxes on gross sales levied on the transactions effected on the domestic market.

In no case may the ratio be greater than 1.

$$\frac{E}{CA}$$

S: 27 times the amount of the tax on wages pertaining to the wages of the month under consideration.

M: The total, including taxes, of the purchases of all types of goods and services of French origin made on the domestic market and of the imports from overseas departments and territories.

ART. 6. When the exports that can be considered in computing the allowance are composed of products on the list that constitutes Annex II of this decree, the allowance shall be computed by the following formula:

$$X: \frac{6}{100} \times \frac{E}{CA} (S)$$

The elements of which are determined as stated in Article 5 above.

ART. 7. (A) The allowance shall be granted to the natural or juridical person shown on the export customs declaration as being responsible for the repatriation of the foreign exchange covering the exportation.

(B) The value of the exports to be considered in applying the computation formulas defined in Articles 5 and 6 is composed of the total amount to be repatriated, after deducting, in case of a sale c.i.f. or f.o.b. destination or f.o.b. through customs, the expenses incurred outside France.

(C) When the natural or juridical person responsible for the repatriation is not the manufacturer of the product exported but a commission agent or an exporting trader, or any other person acting in any capacity whatever in the marketing of the product exported, such person must transfer back to his supplier the amount of the allowance.

ART. 8 (A) Any natural or juridical person who is to obtain the allowance must, to that end, deposit a monthly declaration, the form of which is fixed by an *Arrete* of the Director General for Customs and Indirect Taxes.

(B) The transactions to be included on each monthly declaration are those for which an export declaration was filed with the customs authorities during the same month.

(C) The conditions under which exports listed on the monthly declaration must be substantiated are fixed by *Arrete* of the Director General for Customs and Indirect Taxes.

ART. 9. Exports transactions whose monthly total, computed by the formula set forth in Article 5 or in Article 6, as the case may be, does not amount to 250 francs, shall not entail payment of the allowance.

ART. 10. The Bureau of Customs and Indirect Taxes shall be responsible for the payment of the allowance.

ART. 11. False declarations or acts the purpose or effect of which is to obtain, in whole or in part, an allowance that is not due or is greater than the total resulting from the application of this decree shall fall within the purview of the Customs Code, particularly Paragraph 4 of Article 426 thereof.

ART. 12. The Minister of the Economy and Finance shall be responsible for enforcing this decree, which shall be published in the *Journal Officiel De La Republique Francaise*.

Done in Paris, June 29, 1968.

GEORGES POMPIDOU,

By the Prime Minister:

MAURICE COUVE DE MURVILLE,
Minister of the Economy and Finance.

ANNEX I—LIST OF PRODUCTS WHICH ARE EXCLUDED FROM THE BENEFITS OF THE EXPORT AID MEASURES

Customs tariff position and description of the products

Chapter 1 to 24—All products listed in these chapters except those forming the subject of Annex II, which enjoy special aid measures.

Chapter 27—Mineral fuels, mineral oils and products of their distillation, bituminous substances, mineral waxes.

41-01—Raw hides and skins (fresh, salted, dried, limed, or pickled), including sheepskins in the wool.

54-01—Raw flax; flax tow and waste.

Chapter 72—Coin.

89-04—Ships, boats and other vessels for breaking up.

Chapter 99—Works of art, collectors' pieces, and antiques.

Miscellaneous—Waste and debris of all sorts.

Ex Chapter 73—Products to which the treaty of Apr. 18, 1951, establishing a European coal and steel community applies, marked (with its French abbreviation) C.E.C.A. in column 2 of the customs tariff on imports.

ANNEX II—LIST OF PRODUCTS THAT ARE ENTITLED TO THE ALLOWANCE UNDER THE CONDITIONS SPECIFIED IN ARTICLE 6 OF THE DECREE

Customs tariff position and description of the products

07-02—Vegetables (whether or not cooked), preserved by freezing.

07-03—Vegetables preserved in brine, in sulphur water or in other substances.

07-04—Dried, dehydrated or evaporated vegetables.

08-10—Fruit (whether or not cooked), preserved by freezing, not containing added sugar.

08-11—Fruit provisionally preserved but unsuitable for consumption as it is.

08-12—Fruit, dried, other than that falling within heading No. 08-01 to 08-05, inclusive.

13-03—Vegetable saps and extracts; pectic substances, pectinates and pectates, agar-agar and other mucilages and thickeners derived from vegetable materials.

15-07—Fixed vegetable oils, fluid or solid, crude, refined or purified.

Chapter 16—Preparations of meat, of fish, or crustaceans, or molluscs.

17-04—Sugar confectionery, not containing cocoa.

18-06—Chocolate and other food preparations containing cocoa.

Chapter 19—Preparations of cereals, flour or starch, pastry-cooks' products.

Chapter 20—Preparations of vegetables, fruit, or other parts of plants.

Chapter 21—Miscellaneous edible preparations.

22-01—Waters, including spa waters and aerated waters.

22-02—Lemonade, flavored aerated waters and other nonalcoholic beverages, not including fruit and vegetable juices falling within heading No. 20-07.

22-03—Beer made from malt.

22-06—Vermouths and wines of fresh grapes flavored with aromatic extracts.

22-10—Vinegar and substitutes for vinegar.

23-07—Sweetened forage; other preparations of a kind used in animal feeding.

Chapter 71—All products in this chapter with the exception of those listed under the following positions: 71-3. Synthetic or reconstructed precious or semiprecious stones, 71-15 B II. Articles consisting of, or incorporating precious or semiprecious stones (natural, synthetic, or reconstructed). Others: 71-16. Imitation jewelry, which benefits from the aid under the conditions laid down in Article 8 of the decree.

ENGLISH TRANSLATION—DECREE No. 68-599

Decree No. 68-599 of July 6, 1968, amending Decree No. 68-581 of June 29, 1968, granting a special temporary allowance to exporters.

Upon the recommendation of the Minister of Economy and Finance:

In view of Decree No. 62-1587 of December 23, 1962, providing for general regulations for government accounting, particularly Article 104;

In view of the Customs Code;

In view of the general tax code;

The Prime Minister decrees:

ARTICLE 1, Annex 1 to Decree No. 68-581 of June 29, 1968, mentioned above shall be amended as follows:

Delete: "Ex Chap. 73. Products to which the treaty of April 18, 1951, establishing a European coal and steel community applies, marked with its French abbreviation C.E.C.A. in column 2 of the Customs Tariff on Imports."

ART. 2: The Minister of Economy and Finance shall be responsible for enforcing this decree, which shall be published in the *Journal Officiel of the French Republic*.

Done at Paris on July 6, 1968.

GEORGES POMPIDOU,

By the Prime Minister:

MAURICE COUVE DE MURVILLE,
Minister of Economy and Finance.

[F.R. Doc. 68-9821; Filed, Aug. 13, 1968; 11:59 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and
Conservation Service

[7 CFR Part 729]

PEANUTS

Notice of Proposed Proclamation Regarding 1969 National Marketing Quota, National Acreage Allotment, Apportionment of National Acreage Allotment to States, and Intention To Establish Date of Referendum

The Secretary of Agriculture is required by section 358(a) of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1358(a)), to proclaim, between July 1 and December 1 of each calendar year, the amount of the national marketing quota for peanuts for the crop produced in the next succeeding calendar year. The amount of such quota is the total quantity of peanuts which will make available for marketing a supply of peanuts from the crop with respect to which the quota is proclaimed equal to the average quantity of peanuts harvested for nuts during the 5 years immediately preceding the year in which such quota is proclaimed, adjusted for current trends and prospective demand conditions.

Section 358(a) of the act further provides that the national marketing quota for peanuts shall be converted to a national acreage allotment by dividing such quota by the normal yield per acre of peanuts for the United States determined by the Secretary on the basis of the average yield per acre of peanuts in the 5 years preceding the year in which the quota is proclaimed, with such adjustment as may be found necessary to correct for trends in yields and for abnormal conditions of production affecting yields.

Section 358(a) of the act also requires that the national marketing quota be a quantity of peanuts sufficient to provide a national acreage allotment of not less than 1,610,000 acres.

Section 358(c) (1) of the act (7 U.S.C. 1358(c) (1)) provides that the national acreage allotment for any year, less the acreage to be allotted to new farms under section 358(f) of the act (7 U.S.C. 1358(f)), shall be apportioned among the States on the basis of their shares of the national acreage allotment for the most recent year in which such apportionment was made. Pursuant to this provision of the act, the national acreage allotment for the 1969 crop of peanuts will be apportioned to States on the basis of their shares of the 1968 national acreage allotment.

As required by section 358(b) of the Agricultural Adjustment Act of 1938 (7

U.S.C. 1358(b)), a referendum of farmers who were engaged in the production of the 1968 crop of peanuts will be held not later than December 15, 1968, to determine whether such farmers are in favor of or opposed to peanut marketing quotas for the crops of peanuts produced in the calendar years 1969, 1970, and 1971.

The subjects and issues involved in the proposed determinations are:

1. The amount of the national marketing quota.
2. The amount of the national acreage allotment.
3. The amount of acreage to be reserved from the national acreage allotment for new farms.
4. The date or period of the referendum and whether such referendum should be conducted at polling places rather than by mail ballot (§ 717.17; 31 F.R. 12011).

Consideration will be given to data, views, and recommendations pertaining to the proposed determinations covered by this notice which are submitted in writing to the Director, Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)). All submissions must, in order to be considered, be postmarked not later than 30 days after the date of publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 9, 1968.

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

[F.R. Doc. 68-9834; Filed, Aug. 15, 1968; 8:47 a.m.]

Consumer and Marketing Service

[7 CFR Part 33]

EXPORT APPLES AND PEARS

Size Marking Requirements

Notice is hereby given that the Department is considering the proposed amendment of the regulations (7 CFR Part 33), as hereinafter set forth, effective pursuant to the provisions of the Export Apple and Pear Act, as amended (48 Stat. 123; 7 U.S.C. 581-589), and the authority set forth in section 7, 48 Stat. 124; 7 U.S.C. 587.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal shall file the same, in quadruplicate, with the

Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed amendment would provide the option of marking packages of pears with the count size in satisfaction of the size marking requirement specified in § 33.10(d) (4). Currently this requirement specifies that such packages shall be marked with the numerical count or the minimum size.

New developments in packaging in which pears are placed in containers in random order by machinery rather than being placed packed by hand has made it difficult for export packagers to comply with the current size marking requirements. Such packagers report that providing the alternative of marking count size related to the standard western pear box as hereinafter set forth would provide a remedy for the problem.

As proposed to be amended, § 33.10(d) (4) reads as follows (for purposes of clarity the preamble text is included):

§ 33.10 Minimum requirements.

No person shall ship, or offer for shipment, and no carrier shall transport, or receive for transportation, any shipment of apples or pears to any foreign destination unless:

(d) Each package of apples or pears is marked plainly and conspicuously with * * * and (4) the numerical count or the minimum size, or, for pears, the count size in terms of the number required to fill a standard western pear box in accordance with the standard pack requirements set forth in the applicable U.S. Standard specified in this section. If count size is used the number denoting count shall be followed by the word "size," e.g., 120 size.

Dated: August 12, 1968.

JOHN C. BLUM,
*Acting Deputy Administrator,
Marketing Services.*

[F.R. Doc. 68-9831; Filed, Aug. 15, 1968; 8:47 a.m.]

[7 CFR Part 53]

LAMB, YEARLING MUTTON, AND MUTTON CARCASSES; SLAUGHTER LAMBS, YEARLINGS, AND SHEEP

Standards for Grades

Notice is hereby given, in accordance with the administrative procedure provisions of 5 U.S.C. 553, that pursuant to

authority conferred by the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), it is proposed to amend (1) the standards for grades of lamb, yearling mutton, and mutton carcasses (7 CFR 53.114—53.118), and (2) the standards for grades of slaughter lambs, yearlings, and sheep (7 CFR 53.130—53.134). The proposal would supplement the existing standards with five yield grades which would identify slaughter ovines and their carcasses for varying carcass yields of major boneless retail cuts, and would make related changes in the present grade standards.

Statement of considerations. These grade standards are proposed under authority of the Agricultural Marketing Act of 1946 which provides for the issuance of official U.S. grades to designate different levels of quality for the voluntary use of producers, buyers, and consumers. Official grading service is also provided under this Act upon request of the applicant and upon payment of a fee to cover the cost of the service.

The value of carcasses from any of the meat animals—sheep, cattle, and hogs—is dependent almost entirely on two general considerations. These are (1) quality, or the palatability of the lean and (2) cutability, or the proportion of the carcass weight that will make retail cuts. Observation and research have shown that these value determining factors differ widely among carcasses within each species. In the case of sheep (ovines) the present carcass grade standards primarily reflect differences in quality—they do little to identify carcasses for differences in cutability.

Observations of variations in fatness among lamb carcasses of the same quality grade indicated the need for studies on lamb carcass cutability. Thus, in carrying out the Department's responsibility for developing meaningful grade standards, two extensive studies were conducted to determine the variation in cutability that exists in ovine carcasses of the same weight and grade and to identify and evaluate the factors responsible for these differences. Data from these studies confirmed that carcasses of the same weight and grade differed widely in their yields of trimmed retail cuts and value and, therefore, that yield grades would make a definite contribution to more efficient marketing. For example, in each of the Department studies reported in 1961 and 1967, there were differences of about 12 percent in the combined yields of bone-in retail cuts from the leg, loin, hotel rack, and shoulder among Choice grade carcasses of the same weight group. As a result of such differences in cutability, differences in retail sales value of nearly \$10 per hundredweight among carcasses of the same quality and weight group are not unusual.

These studies also showed that differences in cutability resulted primarily from differences in fatness on the outside of the carcass and in fat deposited on the inside of the carcass, mainly around the kidneys and in the pelvic area. Lamb carcasses having the greatest

amounts of these fats were lowest in cutability. It was also found that variations in leg conformation affected the yields of the cuts and that among lambs of the same degree of fatness those that had higher conformation grades had higher yields of retail cuts. On the basis of those findings, an equation with a high degree of accuracy for predicting the yields of closely trimmed boneless, major retail cuts was developed. Factors considered in that equation were (1) the amount of external fat evaluated in terms of its thickness measured over the center of the ribeye muscle between the 12th and 13th ribs, (2) the amount of kidney and pelvic fat, and (3) the conformation grade of the legs. That equation was subsequently adapted to a system of experimental yield grades which were very similar to those being proposed herein.

The Department tested these experimental yield grades in January 1968. The test included cutability evaluations of a group of slaughter lambs and their carcasses and the subsequent cutting of the carcasses into bone-in retail cuts according to commercial retail operations. A major packer, a major chain store, a university, and two producer organizations cooperated in the test. This cutting test also confirmed previous findings that there are wide differences in yields of retail cuts and trimmable fat and in retail sales value among lamb carcasses. For instance, a difference of about \$13 per hundredweight in total retail carcass value was found between the highest and lowest yielding carcasses within the Choice grade. Further, these tests indicated that differences in cutability both on slaughter lambs and lamb carcasses could be identified very satisfactorily for yield differences. The test data also showed that the yield grades of the slaughter lambs were closely related to the yield grades of their carcasses and also that the yield grades of the carcasses were closely related to their retail sales value.

The Department's yield grade studies have been discussed at animal science research meetings and at various grower meetings and have the support of a number of groups. For instance, at the 1968 meeting of the National Wool Growers Association a resolution was adopted reaffirming the Association's position of 1964 requesting the Department of Agriculture to develop grade standards that would more accurately measure value differences in lamb carcasses and which would also provide a market identification to reflect these differences.

Much reference has been made to the "consumer-preferred lamb" and the advantages that could accrue to the industry through the increased production of this kind of lamb. However, this is not likely to be accomplished without the use of a grading system which identifies these lambs and their carcasses through the marketing process. This is needed in order that producers can be given the guidance and financial incentives needed to encourage the production of such

lambs. The proposed yield grades and the present quality grades will provide that tool since the consumer-preferred lamb is essentially one that combines thick muscling, a minimum of excess fat, and a high quality of lean.

The standards for grades of slaughter ovines should be closely correlated with the standards for grades of ovine carcasses if they are to be of maximum benefit to the sheep industry. Thus, the proposed changes in the slaughter ovine grade standards would establish yield grades that are coordinated with the yield grades proposed for carcasses.

The changes being proposed provide that carcasses may be graded for quality grade, yield grade, or a combination of both the quality and yield grades.

The proposed yield grade standards consist of five grades. Each yield grade reflects a specific range in yields of retail cuts irrespective of the quality grade. The basic equation used in developing the yield grades is as follows:

$$\begin{aligned} & \text{Estimated percentage yield of boneless,} \\ & \text{closely trimmed, retail cuts from leg, loin,} \\ & \text{hotel rack, and shoulder} = 47.80 - (11.80 \\ & \times \text{adjusted fat thickness over ribeye, inches}) \\ & + (0.09 \times \text{leg conformation grade code}) + (0.44 \\ & \times \text{percent kidney and pelvic fat}). \end{aligned}$$

The evaluations of the factors used in this equation are discussed in § 53.115(c) (2), (3), and (4).

The estimated yields of boneless, closely trimmed, major retail cuts from each of the five yield grades are shown below:

| Yield grade | Yield of cuts |
|-------------|-------------------------|
| No. 1..... | 47.3 percent and over. |
| No. 2..... | 45.5 to 47.2 percent. |
| No. 3..... | 43.7 to 45.4 percent. |
| No. 4..... | 41.9 to 43.6 percent. |
| No. 5..... | Less than 41.9 percent. |

The above yields are based on cutting and trimming methods used by the U.S. Department of Agriculture in developing the proposed standards. (A publication describing these cutting and trimming methods may be obtained from the Livestock Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.) Other cutting and trimming methods may result in different yields. For example, if more fat is left on the four major cuts than is prescribed in the USDA cutting and trimming methods, the yield for each grade will be higher than indicated. However, such a method of trimming, if applied uniformly, should result in similar differences in yields between grades.

The results of a research study designed to identify and evaluate the factors responsible for palatability differences in lamb and mutton are now being reviewed. It is anticipated that this may be useful in determining the need for revising the present quality grade standards. However, no changes are being proposed in the quality grade standards at this time.

It is proposed to revise the Official U.S. Standards for Grades of Lamb, Yearling Mutton, and Mutton Carcasses and for Slaughter Lambs, Yearlings, and Sheep appearing in 7 CFR, Part 53 as follows:

1. Section 53.115 would be revised to read as follows:

§ 53.115 Application of standards.

(a) *Grade factors.* (1) The grade of an ovine carcass is based on separate evaluations of two general considerations: Palatability-indicating characteristics of the lean and conformation, herein referred to as "quality;" and the estimated percent of closely trimmed, boneless, major retail cuts to be derived from the carcass, herein referred to as "yield." (However, the grade of an ovine carcass when applied by Federal meat graders may consist of an identification for the quality grade, the yield grade, or a combination of both the quality and yield grades.) In previous grade standards for ovine carcasses, the Department used the term "quality" to refer only to the palatability-indicating characteristics of the lean without reference to conformation. Its use herein to include consideration of conformation is not intended to imply that variations in conformation are either directly or indirectly related to differences in palatability.

(2) The grade standards are written so that the quality and yield grade standards are contained in separate sections. The quality section is divided further into three separate sections applicable to carcasses from lambs, yearling mutton, and mutton. There are five quality grades—Prime, Choice, Good, Utility, and Cull—applicable to lamb, yearling mutton, and mutton carcasses, except that mutton carcasses are not eligible for Prime. There are five yield grades applicable to all classes of ovine carcasses, denoted by numbers 1 through 5, with Yield Grade 1 representing the highest degree of outability.

(3) Carcasses qualifying for any particular grade may vary with respect to the relative development of their individual grade factors, and there will be carcasses which qualify for a particular grade in which the development of some of these individual grade factors will be typical of other grades. Because it is impractical to describe the nearly limitless numbers of such recognizable combinations of characteristics, the standards for each quality and yield grade describe only carcasses which have a relatively similar development of individual factors and which are also representative of the lower limits of each grade. In the quality grade standards, examples of the extent to which superiority in quality may compensate for deficiencies in conformation, and vice versa, are indicated for each grade. In the Prime and Choice grades certain minimum requirements for external fat covering are also indicated.

(b) *Quality grades.* (1) The quality grade of an ovine carcass is based on separate evaluations of two general considerations: The quality or the palatability-indicating characteristics of the lean and the conformation of the carcass.

(2) Conformation is the manner of formation of the carcass with particular reference to the relative development of the muscular and skeletal systems, al-

though it is also influenced to some extent, by the quantity and distribution of external finish. The conformation of a carcass is evaluated by averaging the conformation of its various component parts, giving consideration not only to the proportion that each cut constitutes the carcass weight but also to the general desirability of each cut as compared with other cuts. Superior conformation implies a high proportion of edible meat to bone and a high proportion of the weight of the carcass in the more demanded cuts and is reflected in carcasses which are very wide and thick in relation to their length and which have a very plump and full and well-rounded appearance. Inferior conformation implies a low proportion of edible meat to bone and a low proportion of the weight of the carcass in the more demanded cuts and is reflected in carcasses which are very narrow in relation to their length and which have a very angular, thin and sunken appearance. External fat in excess of that normally left on retail cuts is not considered in evaluating conformation.

(3) The quality of the lean flesh is best evaluated by consideration of its texture, firmness, and marbling, as observed in a cut surface, in relation to the apparent maturity of the animal from which the carcass was produced. However, in grading carcasses direct observation of these characteristics is not possible. Therefore, the quality of the lean is evaluated indirectly by giving equal consideration to: The quantity of fat intermingled within the lean between the ribs called "feathering," the streaking of fat within and upon the inside flank muscles, and the firmness of the fat and lean—all in relation to the apparent evidence of maturity.

(4) The ovine quality standards are intended to cover the full range of maturity within which ovines are marketed. The standards for Prime, Choice, and Good grades of lamb specify two general levels of development of the quality-indicating characteristics described in this section, dependent upon the apparent evidences of maturity attained by the lamb at the time of slaughter. The quality standards for Utility and Cull grades of lamb and for each grade of yearling mutton and mutton specify only one general level of development of the quality-indicating characteristics described, and these characteristics apply only to carcasses which are typical in maturity for their class. In order to qualify for a specific grade, yearling mutton or mutton carcasses with evidence of more advanced maturity than typical for their class are required to have a slightly greater development of these characteristics than described in the standards. Conversely, such carcasses with evidence of less maturity than typical for their class may qualify for a given grade with a slightly lesser development of these characteristics.

(5) The quality standards are intended to apply to all ovine carcasses without regard to the apparent sex condition of the animal at time of slaughter. However, carcasses from males which have thick,

heavy necks and shoulders typical of uncastrated males are discounted in quality grade in accord with the extent to which these characteristics are developed. Such discounts may vary from less than one-half grade in carcasses from young lambs in which such characteristics are barely noticeable to as much as two full grades in carcasses from mature rams in which such characteristics are very pronounced.

(6) The quality standards for lamb, yearling mutton, and mutton carcasses contained in this subpart together provide for grading carcasses within the full range of maturity of the ovine species. Although the grade standards for this full range of maturity are contained in three separate standards, it is the intent that the three standards be considered as a continuous series. Therefore, in determining the grade of a carcass which has a degree of maturity that is not typical of that specified in one of the three standards, it is necessary to interpolate between the standard for the kind of carcass (lamb, yearling mutton, or mutton) being graded and the standard for the kind of carcass which is most closely adjacent to it in maturity.

(c) *Yield grades.* (1) The yield grade of an ovine carcass is determined by considering three characteristics: The amount of external fat, the amount of kidney and pelvic fat, and the conformation grade of the legs.

(2) The amount of external fat for carcasses with a normal distribution of this fat is evaluated in terms of its actual thickness over the center of the ribeye muscle and is measured perpendicular to the outside surface between the 12th and 13th ribs. On intact carcasses fat thickness is measured by probing. This measurement may be adjusted, as necessary, to reflect unusual amounts of fat on other parts of the carcass. In determining the amount of this adjustment, if any, particular attention is given to the amount of external fat on those parts where fat is deposited at a faster-than-average rate, particularly the rump, outside of the shoulders, breast, flank, and cod or udder. Thus, in a carcass which is fatter over these other parts than is normally associated with the actual fat thickness over the ribeye, the measurement is adjusted upward. Conversely, in a carcass which has less fat over these other parts than is normally associated with the actual fat thickness over the ribeye, the measurement is adjusted downward. In many carcasses no such adjustment is necessary; however, an adjustment in the thickness of fat measurement of 0.05 or 0.10 inch is not uncommon. In some carcasses a greater adjustment may be necessary. As guides in making these adjustments, the standards for each yield grade include three additional related measurements. These include the thickness of the fat over the rump and at the 5th rib and the thickness of the body wall. The 5th rib measurement is made 4 inches laterally from the middle of the backbone between the 5th and 6th ribs. The fat thickness over the rump is measured 1 inch laterally

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from the middle of the backbone at the point where the short-cut legs are separated from the loin between the 4th and 5th sacral vertebrae—approximately 2 inches anterior to the base of the tail. The body wall thickness is measured 5 inches laterally from the middle of the backbone between the 12th and 13th ribs. As the amount of fat increases, the percent of retail cuts decreases—each 0.05 inch change in adjusted fat thickness over the ribeye changes the yield grade by one-third of a grade.

(3) The amount of kidney and pelvic fat considered in determining the yield grade includes the kidney knob (kidney and surrounding fat) and the lumbar and pelvic fat in the loin and leg which are removed in making closely trimmed retail cuts. The amount of these fats is evaluated subjectively and expressed as a percent of the carcass weight. As the amount of kidney and pelvic fat increases, the percent of retail cuts decreases—a change of 1 percent of the carcass weight in kidney and pelvic fat changes the yield grade by one-fourth of a grade.

(4) The conformation grade of the legs is evaluated as described in the quality standards. The evaluation is made in terms of thirds of grades and coded using 15 for high Prime and 1 for low Cull. An increase in the conformation grade of the legs increases the percent of retail cuts—a change of one-third of a grade changes the yield grade by approximately 5 percent of a grade.

(5) The yield grade descriptions are defined primarily in terms of carcasses. However, the yield grade standards also are applicable to the grading of sides, foresaddles, hindsaddles, forequarters, and hindquarters, and hotel racks, loins, and combinations of regular or trimmed wholesale cuts which include either a hotel rack or a loin.

(6) The standards include an equation for determining yield grade. The application of this equation usually results in a fractional grade. However, in normal grading operations any fractional part of a yield grade is dropped. For example, if the computation results in a yield grade of 3.9, the final yield grade is 3—it is not rounded to 4.

(7) The yield grade standards for each of the first four yield grades list characteristics of a carcass with descriptions of the amount of external fat normally present on various parts of the carcass. These descriptions are not specific requirements—they are included only as illustrations of carcasses which are near the borderline between grades. For example, the characteristics listed for Yield Grade 1 represent a carcass which is near the borderline of Yield Grade 1 and Yield Grade 2. These descriptions facilitate the subjective determination of the yield grade without making detailed measurements and computations. The yield grade for most ovine carcasses can be determined accurately on the basis of a visual appraisal.

2. The headings for §§ 53.116, 53.117, and 53.118 would be revised to read:

§ 53.116 Specifications for official U.S. standards for grades of lamb carcasses (quality).

§ 53.117 Specifications for official U.S. standards for grades of yearling mutton carcasses (quality).

§ 53.118 Specifications for official U.S. standards for grades of mutton carcasses (quality).

3. A new section, § 53.119, would be added as follows:

§ 53.119 Specifications for official U.S. standards for grades of carcass lamb, yearling mutton, and mutton (yield).

(a) The yield grade of an ovine carcass or side is determined on the basis of the following equation: Yield Grade = $1.66 - (0.05 \times \text{leg conformation grade code}) + (0.25 \times \text{percent kidney and pelvic fat}) + (6.66 \times \text{adjusted fat thickness over the ribeye inches})$.

(b) (1) The yield grade of a hind-saddle, hindquarter, foresaddle, forequarter, or a cut eligible for grading also is determined on the basis of the above equation except that if the portion being graded does not include the leg, the conformation grade of the portion being graded shall be substituted for leg conformation grade. In addition, if the portion being graded does not include kidney and pelvic fat or if the portion is a trimmed cut (cut from which most of the kidney and pelvic fat has been removed), the following standard percentages of kidney and pelvic fat, as applicable to the quality grade of the portion also shall be used in the equation:

| Grade | Kidney and pelvic fat, percent |
|---------|--------------------------------|
| Prime | 4.5 |
| Choice | 3.5 |
| Good | 3.0 |
| Utility | 2.0 |
| Cull | 1.5 |

(2) For untrimmed hindsaddles and for untrimmed hindsaddle cuts, the quantity of kidney and pelvic fat is estimated as a percent of the carcass weight.

(3) For untrimmed hindquarters and for untrimmed hindquarter cuts, the quantity of kidney and pelvic fat is estimated as a percent of the side weight.

(c) The following descriptions provide a guide to the characteristics of carcasses in each yield grade to aid in determining yield grades subjectively.

(1) *Yield Grade 1.* (i) A carcass in Yield Grade 1 usually has only a thin layer of external fat over the back and loin and slight deposits of fat in the flanks and cod or udder. There is usually a very thin layer of fat over the top of the shoulders and the outside of the legs. Muscles are usually plainly visible on most areas of the carcass.

(ii) A carcass of this yield grade which is near the borderline of Yield Grade 1 and Yield Grade 2 might have 0.1 inch of fat over the ribeye, 1.5 percent of its weight in kidney and pelvic fat, and an

average Prime leg conformation grade. Such a carcass with normal fat distribution would also have 0.3 inch of fat at the 5th rib and over the rump, and a body wall thickness of 0.5 inch.

(2) *Yield Grade 2.* (i) A carcass in Yield Grade 2 usually has a slightly thin layer of fat over the back and loin and the muscles of the back are not visible. The top of the shoulders and the outside of the legs have a thin covering of fat and the muscles are slightly visible. There are usually small deposits of fat in the flanks and cod or udder.

(ii) A carcass of this yield grade which is near the borderline of Yield Grade 2 and Yield Grade 3 might have 0.2 inch of fat over the ribeye, 2.5 percent of its weight in kidney and pelvic fat, and a low Prime leg conformation grade. Such a carcass with normal fat distribution would also have 0.5 inch of fat at the 5th rib and over the rump and a body wall thickness of 0.7 inch.

(3) *Yield Grade 3.* (i) A carcass in Yield Grade 3 usually has a slightly thick covering of fat over the back. The top of the shoulders are completely covered with fat, although the muscles are still barely visible. The legs are nearly completely covered, although the muscles on the outside of the lower legs are visible. There usually are slightly large deposits of fat in the flanks and cod or udder.

(ii) A carcass of this yield grade which is near the borderline of Yield Grade 3 and Yield Grade 4 might have 0.3 inch of fat over the ribeye, 3.5 percent of its weight in kidney and pelvic fat, and a high Choice leg conformation grade. Such a carcass with normal fat distribution would also have 0.6 inch of fat at the 5th rib and over the rump and a body wall thickness of 0.9 inch.

(4) *Yield Grade 4.* (i) A carcass in Yield Grade 4 usually is completely covered with fat. There usually is a moderately thick covering of fat over the back and a slightly thick covering over the shoulder and legs. There usually are large deposits of fat in the flanks and cod or udder.

(ii) A carcass in this yield grade which is near the borderline of Yield Grade 4 and Yield Grade 5 might have 0.4 inch of fat over the ribeye, 4.5 percent of its weight in kidney and pelvic fat, and an average Choice leg conformation grade. Such a carcass with normal fat distribution would also have 0.7 inch fat at the 5th rib and over the rump, and a body wall thickness of 1.1 inches.

(5) *Yield Grade 5.* A carcass in Yield Grade 5 usually has more external and kidney and pelvic fat and a lower conformation grade of leg than a carcass in Yield Grade 4.

4. Section 53.132 would be revised to read as follows:

§ 53.132 Application of standards.

(a) *Grade factors.* Grades of slaughter ovines are intended to be directly related to the grades of the carcasses being produced. To accomplish this, these slaughter ovine grade standards are based on factors which are directly related to the quality grades and the yield

grades of ovine carcasses. The standards are written so that the quality and yield grade standards are contained in separate sections. The quality grade standards are divided into two sections applicable to slaughter lambs and slaughter yearlings and sheep. There are five quality grades—Prime, Choice, Good, Utility, Cull—applicable to slaughter lambs, yearlings, and sheep, except that sheep are not eligible for Prime. Also, there are five yield grades applicable to all classes of slaughter ovines, denoted by numbers 1 through 5, with Yield Grade 1 representing the highest degree of cutability.

(b) *General principles.* (1) The determination of the carcass grade that the slaughter animal will produce requires the exercise of well-regulated judgment. Each animal presents a different combination of the grade-determining factors. Animals frequently have characteristics associated with two or more grades. Therefore, a composite evaluation of all inherent physical characteristics is essential for accuracy in determining grade.

(2) The accurate determination of the grade of a slaughter lamb or sheep requires handling in addition to visual observation. The length and density of the fleece varies greatly with individuals and the thickness and firmness of the flesh covering of woolled lambs and sheep can only be roughly estimated without handling. The technique used in handling usually varies with the degree of precision in mind as well as the experience of the grader. Experienced graders may find one quick handling satisfactory. This usually consists of placing one open hand over the back and ribs in simultaneous motion. The thumb extends just over the backbone, while the fingers, which are held close together, cover the rib section and pressure is applied very lightly with a slight lateral and forward and backward motion. The generally accepted technique of handling sheep where time permits, and especially when noting slight differences between individuals, is to handle forward from the dock to neck with the open hand, fingers together, laid flat and with a slight lateral motion. Both hands may then be used, one on each side, in a similar manner to determine the fleshing over the shoulders, ribs, and hips. Regardless of the method, considerable experience is necessary in handling lambs or sheep to accurately determine the grade.

(c) *Quality grades.* (1) The quality grade of a slaughter lamb or sheep is determined by a composite evaluation of two general considerations which influence carcass excellence: Conformation and quality—fatness, maturity, and other indicators of differences in palatability of the lean flesh.

(2) Conformation refers to the general body proportions of the animal and to the ratio of meat to bone. Although primarily determined by the inherent muscular and skeletal systems, it is also influenced by the degree of fatness. Excellent conformation in slaughter lambs and sheep is denoted by a compact, wide-topped, thick-fleshed individual that has

a large plump leg. Fullness and thickness should be especially evident in the portions of the body producing the more desirable cuts of meat—loin, hotel rack, and leg.

(3) In grading slaughter lamb and sheep, quality of the lean flesh must necessarily be evaluated indirectly from consideration primarily of the quantity, distribution, and type of fat or finish in relation to the maturity of the animal being graded. Limited consideration is also given to such factors as character of bone and smoothness and symmetry of body. Finish is evaluated by noting variations in the fullness and apparent thickness of the fat covering over the back, loin, ribs, and legs. A high degree of desirable finish is evidenced by a firm, smooth layer of fat which is uniformly distributed over the body.

(4) Although the market designation of slaughter lambs and sheep is usually made by classes, the quality standards are intended to apply to all classes without regard to sex condition. However, male animals which have thick heavy necks and shoulders typical of uncastrated males are discounted in grade in proportion to the extent to which these characteristics are developed. Such discounts may vary from less than half a grade in young lambs in which such characteristics are barely noticeable to as much as two full grades in mature rams in which such characteristics are very pronounced.

(d) *Yield grades.* (1) The yield grades for slaughter lambs, yearlings, and sheep are based on the same factors used in the official yield grade standards for ovine carcasses. These factors are as follows:

(i) *Thickness of fat over ribeye.* As the amount of external fat increases, the percent of retail cuts decreases and the numerical yield grade increases. Assuming no change in the other factors, each 0.15 inch change in adjusted fat thickness over the ribeye changes the yield grade by a full grade.

(ii) *Percent of kidney and pelvic fat.* As the amount of these fats increases, the percent of retail cuts decreases. A change of 4 percent of the carcass weight in kidney and pelvic fat changes the yield grade by a full grade.

(iii) *Leg conformation grade.* An increase in the conformation grade of the legs increases the percent of retail cuts. A change of two full grades in conformation of the legs changes the yield grade by approximately one-third of a yield grade.

(2) When evaluating slaughter ovines for yield grade, each of these factors can be estimated and the yield grade determined therefrom by using the equation contained in the official standards for yield grades of lamb, yearling mutton, and mutton carcasses. However, a more practical method of appraising slaughter ovines for yield grade is to use only two factors normally considered in evaluating live ovines—leg conformation and degree of fatness. In this approach, the degree of fatness largely accounts for the effects of thickness of fat

over the ribeye and the percent of kidney and pelvic fat.

(3) The overall fatness of an animal can be determined best by giving particular attention to those parts on which fat is deposited at a faster-than-average rate. These include the back, loin, rump, flank, cod, udder, and brisket. As ovines increase in fatness, these parts become progressively fuller, thicker, and more distended in relation to the thickness and fullness of the other parts, particularly the legs. However, since an animal's thickness of muscling also affects the development of its various parts, this also needs to be considered when evaluating the degree of fatness. In thinly muscled ovines with a low degree of finish, the width of the back usually will be greater than the width through the center of the legs. Conversely, in thickly muscled ovines with a low degree of finish, the thickness through the legs will be greater than through the back and the back will be full and rounded. At an intermediate degree of fatness, ovines which are thinly muscled will be considerably wider through the back than through the leg and will be nearly flat across the back. Thickly muscled ovines that have an intermediate degree of fatness will be about the same width through the legs as through the back and the back will appear only slightly rounded. Very fat ovines will be wider through the back than through the legs, but this difference will be greater in thinly muscled ovines than in those that are thickly muscled. As ovines increase in fatness, they also become deeper bodied because of large deposits of fat in the flanks and brisket and along the underline. In determining yield grade, variations in fatness are very much more important than variations in conformation of the leg.

(e) *Other considerations.* (1) Other factors such as sex, heredity, and management also may affect the development of grade-determining characteristics in slaughter ovines. Although these factors do not lend themselves to descriptions in the standards, the use of factual information of this nature is justified in determining the grade of slaughter ovines. The ability to make proper allowances for the effects of genetic and management factors on the appearance of grade-determining characteristics must be developed through experience.

(2) Slaughter ovines qualifying for any particular grade may vary with respect to the relative development of their individual grade factors. In fact, some will qualify for a particular grade although they have some characteristics more typical of ovines of another grade. Because it is impractical to describe the nearly infinite number of such recognizable combinations of characteristics, the standards describe only ovines which have a relatively similar development of the various quality and yield grade-determining factors and which are near the lower limits of quality or yield for the grade. However, examples of the extent to which superiority in quality-indicating characteristics may compensate for defi-

ciencies in conformation, and vice versa, are indicated for each quality grade. In the quality grade standards, the requirements are given for two maturity groups. In the yield grade standards ovines with two levels of muscling are described and specific examples in terms of carcass characteristics also are included.

5. The headings for §§ 53.133 and 53.134 would be revised to read as follows:

§ 53.133 Specifications for official U.S. standards for grades of slaughter lambs (quality).

§ 53.134 Specifications for official U.S. standards for grades of slaughter yearlings and sheep (quality).

6. A new section, § 53.135, would be added as follows:

§ 53.135 Specifications for official U.S. standards for grades of slaughter lambs, yearlings, and sheep (yield).

(a) *Yield Grade 1.* (1) Yield Grade 1 slaughter lambs, yearlings, and sheep produce carcasses which have very high yields of boneless retail cuts. Ovines with characteristics qualifying them for the lower limits of Yield Grade 1 (near the borderline between Yield Grade 1 and Yield Grade 2) will differ considerably because of inherent differences in the development of their muscling and skeletal systems and related differences in fatness.

(2) Very thickly muscled ovines typical of the minimum of this grade have a high proportion of lean to bone. They are moderately wide and usually the width through the shoulders and legs is greater than through the back. The top is well-rounded with no evidence of flatness and the back and loin are moderately full and plump. The legs are moderately large and plump and the width through the middle part of the legs is greater than through the back. The shoulders and hips are slightly prominent. These ovines have only a thin covering of external fat over the back and loin and a slightly thick covering of fat over the rump and down over the ribs. They are shallow through the flanks and the brisket and cod or udder have little evidence of fullness. In handling, the backbone, ribs, and ends of bones at the loin edge are moderately prominent. A carcass produced from slaughter ovines of this description might have 0.1 inch of fat over the ribeye and a low Prime leg conformation grade.

(b) *Yield Grade 2.* (1) Yield Grade 2 slaughter lambs, yearlings, and sheep produce carcasses with high yields of boneless retail cuts. Ovines with characteristics qualifying them for the lower limits of Yield Grade 2 (near the borderline between Yield Grade 2 and Yield Grade 3) will differ considerably because of inherent differences in the development of their muscling and skeletal systems and related differences in fatness.

(2) Very thickly muscled ovines typical of the minimum of this grade have a high proportion of lean to bone. They are wide through the back and loin and

have slightly greater width through the shoulders and legs than through the back. The top is well-rounded with little evidence of flatness and the back and loin are full and plump. The legs are large and plump and the width through the middle part of the legs is slightly greater than through the back. The shoulders and hips are slightly smooth. These ovines have a slightly thin layer of external fat over the back and loin and a thick covering of fat over the rump and down over the ribs. They are slightly shallow through the flanks and the brisket and cod or udder are slightly full. In handling, the backbone, ribs and ends of bones at the loin edge are readily discernible. A carcass produced from slaughter ovines of this description might have 0.2 inch of fat over the ribeye and an average Prime Leg conformation grade.

(3) Thinly muscled ovines typical of the minimum of this grade have a relatively low proportion of lean to bone. They tend to be slightly narrow over the back, loin, and rump. The legs tend to be slightly small and thin and the width over the back is slightly greater than through the legs. The shoulders and hips tend to be moderately prominent. These ovines have a thin covering of external fat over the back and loin and a moderately thick covering of fat over the rump and down over the ribs. They tend to be slightly shallow through the flanks. The brisket and cod or udder have little evidence of fullness. In handling, the backbone, ribs, and ends of the bones at the loin edge are moderately prominent. A carcass produced from slaughter ovines of this description might have 0.15 inch of fat over the ribeye and high Good leg conformation grade.

(c) *Yield Grade 3.* (1) Yield Grade 3 slaughter lambs, yearlings, and sheep produce carcasses with intermediate yields of boneless retail cuts. Ovines with characteristics qualifying them for the lower limits of Yield Grade 3 (near the borderline between Yield Grade 3 and Yield Grade 4) will differ considerably because of inherent differences in the development of their muscling and skeletal systems and related differences in fatness.

(2) Very thickly muscled ovines typical of the minimum of this grade have a high proportion of lean to bone. They are very wide through the back and loin and are uniform in width from front to rear. The top is nearly flat with only a slight tendency toward roundness. The back and loin are very full and plump. The legs are very large and plump. The shoulders and hips are moderately smooth. These ovines have a slightly thick covering of fat over the back and loin and a very thick covering of fat over the rump and down over the ribs. The flanks are slightly deep and full and the brisket and cod or udder are moderately full. In handling, the backbone, ribs, and ends of bones at the loin edge are moderately discernible. A carcass produced from slaughter ovines of this description might have 0.3 inch of fat over the ribeye and a high Prime leg conformation grade.

(3) Thinly muscled ovines typical of the minimum of this grade have a relatively low proportion of lean to bone. They tend to be slightly wide over the back, loin and rump. The legs tend to be slightly thick and plump. The width over the back is moderately greater than through the legs. The shoulders and hips are slightly prominent. These ovines have a slightly thin covering of external fat over the back and loin and a thick covering of fat over the rump and down over the ribs. The flanks tend to be slightly deep and full. The brisket and cod or udder are slightly full. In handling, the backbone, ribs, and ends of bones at the loin edge tend to be moderately discernible. A carcass produced from slaughter ovines of this description might have 0.25 inch of fat over the ribeye and a low Choice leg conformation grade.

(d) *Yield Grade 4.* (1) Yield Grade 4 slaughter lambs, yearlings, and sheep produce carcasses with moderately low yields of boneless retail cuts. Ovines with characteristics qualifying them for the lower limits of Yield Grade 4 (near the borderline between Yield Grade 4 and Yield Grade 5) will differ considerably because of inherent differences in the development of their muscling and skeletal systems and related differences in fatness.

(2) Very thickly muscled ovines typical of the minimum of this grade have a high proportion of lean to bone. They are extremely wide through the back and loin and are slightly wider over the top than through the shoulders and legs. The back and loin are extremely full and plump. The legs are extremely large and plump. The shoulders and hips are smooth. These ovines have a moderately thick covering of fat over the back and loin, and an extremely thick covering of fat over the rump and down over the ribs. The flanks are moderately deep and full and the brisket and cod or udder are full. In handling, the backbone, ribs, and ends of bones at the loin edge are slightly discernible. A carcass produced from slaughter ovines of this description might have 0.4 inch of fat over the ribeye and a high Prime leg conformation grade.

(3) Thinly muscled ovines typical of the minimum of this grade have a relatively low proportion of lean to bone. They tend to be moderately wide over the back, loin, and rump. The legs tend to be moderately thick and plump. They are wider over the back than through the legs. The shoulders and hips are slightly smooth. These ovines have a slightly thick covering of external fat over the back and loin and a very thick covering of fat over the rump and down over the ribs. The flanks are slightly deep and full. The brisket and cod or udder are moderately full. In handling, the backbone, ribs, and ends of bones at the loin edge tend to be slightly discernible. A carcass produced from slaughter ovines of this description might have 0.35 inch of fat over the ribeye and an average Choice leg conformation grade.

(e) *Yield Grade 5.* Yield Grade 5 slaughter lambs, yearlings, and sheep produce carcasses with low yields of

boneless retail cuts. Ovines of this grade consist of those not meeting the minimum requirements of Yield Grade 4 because of either more fat or a lower leg conformation grade or a combination of these characteristics.

Any person who desires to submit written data, views, or arguments concerning the proposal set forth above may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 60 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 times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 13th day of August 1968.

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

[F.R. Doc. 68-9856; Filed, Aug. 15, 1968;
8:48 a.m.]

[7 CFR Part 101]

COTTON

Weights To Be Shown on Multiple Bale Warehouse Receipts Issued by Licensed Warehousemen

Notice is hereby given, in accordance with the administrative procedure provisions in 5 U.S.C. 533, that Consumer and Marketing Service, pursuant to the authority conferred by section 28 of the U.S. Warehouse Act (7 U.S.C. 268), is considering amending warehouse regulations appearing in Part 101 of Subchapter E of Chapter I in Title 7 of the Code of Federal Regulations in the following respects:

1. Subparagraph (9), paragraph (a) of § 101.16 would be amended to read:

§ 101.16 Form.

(a) * * *

(9) A statement to the effect that the weight was determined by a weigher licensed under the U.S. Warehouse Act, except that if the weight is not so determined, as permitted in § 101.38 the receipt shall contain a statement to that effect.

2. Section 101.38 would be amended to read as follows:

§ 101.38 Weighing of cotton; weighing apparatus.

(a) All cotton before being stored in a licensed warehouse, shall be weighed at the warehouse by a licensed weigher, and the weight so determined shall be stated on the warehouse receipt; except that by agreement with the depositor, point of origin weights may be stated on the receipt for cotton tendered for storage in a lot the identity of which is to be preserved during storage and shipment from the warehouse, and for which a multiple bale receipt is to be issued: *Provided*, That if such lot is broken at the warehouse, each bale shall be weighed at the

warehouse by a licensed weigher before single bale warehouse receipts are issued.

(b) Each licensed warehouse shall be equipped with scales acceptable to the Department for weighing cotton into and out of the warehouse. The weighing apparatus used for ascertaining the weight stated in a receipt or certificate, issued for cotton stored in a licensed warehouse, shall be subject to examination by an officer or agent of the Department designated by the Administrator for the purpose. If the Department shall disapprove such weighing apparatus, it shall not thereafter, unless such disapproval be withdrawn, be used in ascertaining the weight of any cotton for the purposes of the act and the regulations in this part.

Cotton merchants are purchasing cotton and assembling mill lots at country points. The lots are being tendered for storage in transit at compress points. Each lot is received at such points as a unit, stored as a unit under a multiple bale receipt, and shipped as a unit at time of delivery. The cotton is purchased by the merchants on the basis of point of origin weights. It is sold to the mills on the basis of destination weights. The intermediate weights are expensive to obtain and serve no economic purpose.

The Act requires that "the weight of such bales or packages" be shown on the warehouse receipt. Regulations were promulgated in 1953 to require the bales to be weighed at the warehouse. The regulations were amended in 1958 to require the bales to be weighed by a weigher licensed under the United States Warehouse Act. The primary purpose was to establish better control over the weighing of cotton stored in licensed warehouses. The proposed amendments would continue these same controls over cotton received from depositors for which single bale receipts, used for trading purposes, are issued.

The requirement for weighing shippers' lots at the warehouse would be eased, for the weights of such lots by agreement with the depositor could be point of origin weights, if the identity of the lots is retained in storage. This would allow licensed warehousemen to meet competition of nonlicensed warehousemen.

Any interested person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them with the Director, Transportation and Warehouse Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 30 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 12th day of August 1968.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 68-9832; Filed, Aug. 15, 1968;
8:47 a.m.]

FEDERAL COMMUNICATIONS
COMMISSION

[47 CFR Parts 2, 81, 83, 85]

[Docket No. 18271; FCC 68-781]

TRANSITION OF SHIP AND COAST STATIONS FROM DOUBLE SIDEBAND TO SINGLE SIDEBAND RADIOTELEPHONY

Establishment of Schedule of Dates, Technical Standards, Frequencies, and Other Requirements

In the matter of amendments of Parts 2, 81, 83, and 85, to effect orderly shifts from present double sideband (DSB) and/or single sideband (SSB) to new (replacement) frequencies; to establish a revised schedule of dates, technical standards, frequencies, and other requirements for the transition of ship and coast stations from DSB to SSB radiotelephony on frequencies within the revised frequency allotments adopted by the World Administrative Radio Conference, Geneva-1967, for the exclusive HF maritime mobile service bands between 4 and 23 Mc/s, Docket No. 18271.

1. In the instant proceedings the Commission proposes to amend Parts 2, 81, 83, and 85 to bring those parts, to the extent necessary, into accord with the Final Acts of the World Administrative Radio Conference (WARC), convened by the International Telecommunication Union (ITU) and concluded at Geneva on November 3, 1967. The proposal herein does not satisfy in full all requirements which have been brought to the attention of the Commission. After further study, it is possible that additional proposals may be issued with regard to the above captioned matter. The proposed amendments include:

Provisions for the orderly withdrawal from Parts 81, 83, and 85 of currently designated double sideband (DSB) and single sideband (SSB) channels, and the inclusion of replacement DSB and SSB channels;

Provisions for shifting coast and ship stations from the present DSB channels to new DSB channels in accordance with WARC agreements;

Provisions for shifting coast and ship stations from the present SSB channels to new SSB channels in accordance with a WARC agreement;

Provisions for adjustment of the schedule of dates for conversion from DSB to SSB, and class of emission associated therewith, to more closely align the schedule for conversion adopted by the Commission in Docket No. 15068 and that adopted by the WARC; and

Provisions for adjustment of the technical characteristics applicable to SSB equipment, as necessary, to align the criteria adopted in Docket No. 15068 and those adopted by the WARC.

2. Agenda Item 1 of the WARC provided for consideration of the use of SSB technique in the Maritime Mobile Service in the bands available to that service in the exclusive HF Maritime Mobile Radiotelephone Bands, among others. In

that regard, the Commission released a series of six Notices of Inquiry (Docket No. 16440) in the matter of preparation for the WARC and the amendment of the International Radio Regulations (IRR) presently applicable to the Maritime Services.

3. The WARC was convened at Geneva, Switzerland, between the dates of September 18 and November 3, 1967. It adopted wide-spread revisions to the IRR bearing on the Maritime Mobile Service in the exclusive HF bands between 4 and 23 Mc/s, including, among others:

Changes in frequency allotments to expand by 170 kc/s the spectrum available for radiotelephony; and reduction by 170 kc/s of the spectrum available for radiotelegraphy;

A schedule of dates for the changes in channel spacing and types of emission to be used in the various bands;

A schedule of dates for the orderly shifts, on a world-wide basis, of ship and coast stations from present DSB channels to the new SSB channels;

A schedule for shifts from current SSB channels to new SSB channels.

A schedule of dates for the orderly conversion, on a world-wide basis, from DSB to SSB radiotelephony; and

Technical characteristics applicable to single sideband radiotelephony transmitters used in the Maritime Mobile Service in the bands between 4 and 23 Mc/s.

4. The WARC, to accomplish the objectives which evolved, i.e., (i) to increase the number of duplex radiotelephony channels, (ii) to provide channels for oceanographic data, and (iii) to increase the number of channels for narrow-band direct-printing and data systems, while retaining the allocation limits adopted by the Administrative Radio Conference, Geneva-1959 (ARC), made extensive shifts within those allocation limits in the allotments to the several maritime mobile services. In particular, the spectrum allotted by the ARC was:

Decreased in the case of bands for: Ship wide-band telegraphy, facsimile and special transmission systems; high traffic ships; low traffic ships; radiotelegraph calling bands; and coast and ship simplex radiotelephony;

Increased in the case of bands for: Ship and coast duplex radiotelephony; ship narrow-band direct-printing telegraph and data transmission systems; coast wide-band and manual telegraphy, facsimile, special and data systems and direct-printing telegraph systems; and ship and coast radiotelegraph oceanographic data.

5. In consequence, the new allotments adopted will necessitate changes in many of the frequencies used by coast and ship stations. In order that these changes could be made in an orderly manner, the WARC developed and adopted separate schedules to provide for the vacating of spectrum by a displaced service and occupancy of that space by a new service. These schedules were merged into a master schedule, thus avoiding simultaneous occupancy of the same spectrum by different maritime mobile services.

6. The matter of shifting coast and ship radiotelegraphy stations from present spectrum to the new allotments

adopted by the WARC will be considered in a separate proceeding. In the instant proceeding, consideration is being limited to coast and ship radiotelephony and matters which bear thereon.

7. As adopted by the WARC, the schedule agreed upon for radiotelephony provides two principal steps:

Step 1—shift of coast and ship stations from the present DSB channels to new DSB channels adopted by the WARC, on or before specified dates; and

Step 2—conversion of ship and coast stations from DSB to SSB, on or before specified dates. (The schedule for conversion to SSB provides for the discontinuance of emission A3H, following which only emissions A3A and A3J will be available.)

8. In its report and order in Docket No. 15068, released July 27, 1964, the Commission amended Parts 2, 81, 83, and 85 to establish, among other things, technical standards, frequencies and other requirements for the use of single sideband radiotelephony in the Maritime Services. As amended in Docket No. 15068, Parts 81, 83, and 85 currently specify the various DSB channels which are available for use. In addition, the two single sideband channels which are derived from each of the DSB channels are also specified and available for use following conversion to SSB. As adopted by the WARC, substantial shifts were made in the frequency bands allotted to the various Maritime Mobile Services. These shifts made it necessary that both DSB and SSB channels, as now specified in Parts 81, 83, and 85, be shifted to conform to the new (replacement) DSB and SSB channels set forth in the Final Acts of the WARC.

9. Turning now to the general substance of the rule amendments set forth below, which have applicability to use of radiotelephony by ship and coast stations in the exclusive HF maritime mobile service bands between 4 and 23 Mc/s, the Commission proposes:

(a) That coast radiotelephone stations operating on public correspondence channels shift from current DSB frequencies to the replacement (new) DSB frequencies at 0001 G.m.t., March 1, 1970;

(b) That ship stations operating on public correspondence channels shift from current DSB frequencies to the replacement (new) DSB frequencies during the period March 1 to May 1, 1970;

(c) That limited coast stations and ship stations operating radiotelephony on the frequencies of §§ 81.361 and 83.351(a) (4) shift from current SSB frequencies to the replacement (new) SSB frequencies during the period January 1 to February 28, 1970;

(d) To prohibit new installation of DSB equipment in ship stations after January 1, 1969;

(e) That on January 1, 1972, DSB be discontinued at those coast radiotelephone stations which have not already converted to SSB;

(f) To permit U.S. coast stations, where necessary for communication with (foreign) ship stations not equipped for SSB, to employ A3H emission during the period January 1, 1974, to January 1, 1978;

(g) To continue the date of January 1, 1974, adopted in Docket No. 15068, for completion of mandatory conversion from DSB to SSB by coast and ship stations; after which only A3A and A3J will be authorized (see f, above);

(h) To require that those SSB transmitters which were type accepted after adoption of a final order in this docket shall be capable of operation with all three SSB emissions A3A, A3H, and A3J; Provided, That SSB equipment which was type accepted prior thereto, and which is not capable of operation with A3A emission, may continue to be operated.

(i) In regard to spurious emission limitations, to amend the rules to bring them into accord with the values adopted by the WARC;

(j) To reduce the authorized bandwidth for SSB from 3.5 kc/s to 3.0 kc/s, to more closely align the authorized bandwidth with the emission designator and to permit operation within the channel spacing adopted by the WARC (3.1, 3.2, and 3.5 kc/s), for the various bands above 4 Mc/s; and

(k) To effect other changes to the rules which are in support of, or which are consequential to the foregoing amendments.

10. The two DSB frequencies 6240 and 6455 kc/s are now used on the Mississippi River system under the current rules. Further, the rules now provide for conversion from DSB to SSB and, effective January 1, 1974, for use of the two lower-half channels, the carrier frequencies of which are located at 6236.9 and 6451.9 kc/s. For the reasons set forth below, it is proposed that availability of 6240 kc/s (and 6246.9 kc/s) be discontinued effective October 31, 1969. On the other hand, it is proposed that 6455 kc/s (and 6451.9 kc/s, effective January 1, 1974) be continued as at present; together with the limitations regarding creation of harmful interference.

11. Under the IRR, Geneva-1959, the frequency 6240 kc/s was located on the band edge between the ship station bands:

6211-6240 kc/s—Wideband Telegraphy, Facsimile and Special Transmission Systems; and

6240-6265.5 kc/s—Telegraphy, High Traffic Ships.

Under the IRR, Geneva-1967, the allotments and their location in the spectrum was shifted in a manner such that two new services, "Oceanographic Data Transmission" and "Narrow-band Direct-printing Telegraph and Data Transmission Systems", were positioned between the Wideband Telegraphy and the High Traffic Ships bands, as follows:

6216.5-6244.5—Wideband Telegraphy, Facsimile and Special Transmission Systems (7 frequencies, spaced 4 kc/s);

6244.5-6248.0—Oceanographic Data Transmission (10 frequencies, spaced 0.3 kc/s);

6248.0-6258.25—Narrow-band Direct-printing Telegraph and Data Transmission Systems (20 frequencies spaced 0.5 kc/s);

6258.25-6267.0—High Traffic Ships (11 frequencies, spaced 0.75 kc/s).

12. As seen by the Commission, the situation in regard to a replacement for 6240 kc/s is as follows:

A. Under Geneva-1967, 6240 kc/s is wholly within the band 6216.5-6244.5 kc/s. In consequence of the decisions reached at the WARC in regard to the band 6216.5-6244.5 kc/s, international utilization by ship stations can be expected to substantially increase in the future. This is in contrast to the low international utilization under the IRR, Geneva-1959. Under Geneva-1959, where sharing was satisfactory between the inland waters radiotelephony (on 6240 kc/s), and international radiotelegraphy, similar sharing capability is not foreseen under the IRR Geneva-1967.

B. Shifting of the operations now on 6240 kc/s upwards to the band edge (at 6244.5 kc/s), would create overlap of nearly all of the band 6244.5-6248.0 kc/s. Since Oceanographic Data Transmission in this band is expected to occur within communications range of the Gulf, East, and West coasts, sharing between inland waters radiotelephony and oceanographic Data is deemed not feasible.

C. In regard to shared use of the IRR, Geneva-1967, band 6258.25-6267 kc/s between inland waters radiotelephony and international high traffic ships, it should be noted that the spectrum available for high traffic ships was reduced, at 6 Mc/s, from 25.5 kc/s to 8.75 kc/s. Assignment of one radio telephone channel for inland waters use would leave only three channels (of 0.75 kc/s each) for High Traffic Ships. Thus, sharing appears infeasible.

D. Under Geneva-1967, the transfer of assignments from the band 6211-6240 kc/s to the band 6216.5-6244.5 kc/s is scheduled to take place during the period November 1, 1969, to December 31, 1969. To avoid harmful interference to Wideband Telegraphy in the band 6216.5-6244.5 kc/s, the radiotelephony operations on 6240 kc/s must be shifted to a replacement frequency by October 31, 1969.

E. In regard to selection of a frequency to replace 6240 kc/s, this is expected to be completed in advance of, and can be included as a part of the report and order in this proceeding. At that time it will be necessary to effect further amendments to the rules to include: (a) Part 2, § 2.106, Footnotes to the Table, in regard to footnote NG27, to delete 6240 kc/s; and, as now seems probable, to include an additional footnote covering limitations applicable to use and availability of the replacement frequency; (b) Parts 81 and 83, §§ 81.304, 81.306, 83.351, 83.354, and 83.355, to include the replacement frequency, schedule of implementation, and conditions of use applicable to the replacement frequency.

13. The amendments to Columns 7 through 11 of § 2.106 will bring the FCC rules into accord with the new allotment limits adopted by the WARC. Under the schedule of dates adopted by the WARC, transition from the present frequencies to the new (replacement) frequencies involves multiple separate steps over an extended period of time. It becomes administratively infeasible to have § 2.106 reflect simultaneously the current frequency bands available and the replacement (WARC) frequency bands.

The Commission proposes, therefore, to adopt the amendments to § 2.106 set forth below, on the effective date of the final order in this docket, but to permit continuation of current operations as necessary to conform to the schedule of dates adopted by the WARC.

14. The amendments to §§ 81.132(d), 81.140, 81.142, 83.136, 83.137, and 85.152 (d) are proposed to align the technical provisions in the FCC rules with those adopted by the WARC.

15. The amendments of §§ 81.132(a), 81.133(a), 83.132(a), 83.133(a), and 85.152(a) are proposed to bring into accord the provisions in the FCC rules in regard to authorized classes of emission and bandwidth with the decisions taken by the WARC.

16. The amendment to § 83.139 is proposed to include in the FCC rules a program for discontinuing installation of DSB transmitters aboard new ship stations after January 1, 1969; for the withdrawal of type acceptance of DSB transmitters on January 1, 1969; and, subject to specified conditions, for continued use (up to January 1, 1974) of DSB transmitters installed aboard ship stations prior to January 1, 1969.

17. The amendments to §§ 81.304, 81-361, and 83.351 include editorial changes to bring those sections into accord with a more readily usable format adopted in other parts of the Commission's rules and regulations. As revised, these sections list the frequency currently available and the new (replacement) frequency. Provisions bearing on use of the respective frequencies are included under "Conditions of Use", which includes the schedule for conversion from the "old" DSB or SSB frequency to the "new" DSB or SSB frequency; and the schedule for conversion from DSB to SSB, where SSB is not already in use.

18. The amendments to §§ 81.306 (a), (b), (c), and (e), 83.354(a), and 83.355 (a) list for ship stations, coast stations, or both, the DSB or SSB frequency currently available and the new (replacement) frequency. Conversion to the new (replacement) frequency is required in accordance with the schedule included in §§ 81.304 and 83.351.

19. The amendment to § 85.259 provides editorial rearrangement of the current provisions; inclusion of the new (replacement) frequencies; and the schedule for conversion from the currently available frequencies to the new (replace-

ment) frequencies. The schedule for conversion from DSB to SSB is set forth in § 85.152(a) (2).

20. The amendment to § 85.264(k) is proposed to include in the rules the new (replacement) frequencies and the schedule for conversion from currently available frequencies to the new (replacement) frequencies. The schedule for conversion from DSB to SSB is set forth in § 85.152(a) (2).

21. An application for modification submitted solely for a frequency change that is necessary to comply with the rule amendments adopted herein may be submitted without a fee.

22. The proposed amendments, as set forth below, are issued pursuant to the authority contained in sections 303(c), (f), (g), and (r), and 318 of the Communications Act of 1934, as amended.

23. Pursuant to the applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before September 16, 1968, and reply comments on or before September 27, 1968. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into consideration other relevant information before it, in addition to the specific comments invited by this notice.

24. In accordance with the provisions set forth in § 1.419 of the Commission's rules, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: July 31, 1968.

Released: August 8, 1968.

FEDERAL COMMUNICATIONS COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

A. Part 2, Frequency Allocations and Radio Treaty Matters; general rules and regulations, is amended as follows:

§ 2.106 [Amended]

1. In § 2.106, the entries in Column 7-11 for the 4063-4438, 6200-6525, 8195-8815, 12330-13200, 16460-17360, 22000-22720 kc/s bands are amended to read as follows:

¹ Commissioner Johnson concurring in the result.

Federal Communications Commission

| Band (kc/s) | Service | Class of station | Frequency (kc/s) | Nature (OF SERVICES of stations) |
|----------------------|------------------|----------------------------------|------------------|--|
| 7 | 8 | 9 | 10 | 11 |
| 4063-4139.5 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 4139.5-4142.5 (US82) | MARITIME MOBILE. | Ship. Coast. | | Ship; Coast. (Telephony, simplex.) |
| 4142.5-4162.5 | MARITIME MOBILE. | Ship. | | Ship (wideband telegraphy, facsimile, and special transmission systems). |
| 4162.5-4160 | MARITIME MOBILE. | Ship. Buoy. Interrogating coast. | | Ship; Buoy; Interrogating coast. (Oceanographic data transmission.) |

Federal Communications Commission—Continued

| Band (kc/s) | Service | Class of station | Frequency (kc/s) | Nature (OF SERVICES of stations) |
|----------------------|------------------|------------------|------------------|--|
| 7 | 8 | 9 | 10 | 11 |
| 8450, 5-8728.5 | MARITIME MOBILE. | Coast. | | Coast (wide-band and manual telegraphy, facsimile, special and data transmission systems and direct-printing telegraph systems). |
| 8728, 5-8815 | MARITIME MOBILE. | Coast. | | Coast (telephony). |
| 12330-12421 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 12421-12431.5 (USS2) | MARITIME MOBILE. | Ship, Coast. | | Ship, Coast. (Telephony, simplex). |
| 12431, 5-12479.5 | MARITIME MOBILE. | Ship. | | Ship (wideband telegraphy, facsimile, and special transmission systems). |
| 12479, 5-12483 | MARITIME MOBILE. | Ship, Buoy. | | Ship; Buoy; Interrogating coast. (Oceanographic data transmission.) |
| 12483-12503.25 | MARITIME MOBILE. | Ship. | | Ship (narrow-band direct-printing telegraph and data transmission system). |
| 12903, 25-12989 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 12989-13107.5 | MARITIME MOBILE. | Coast. | | Coast (wide-band and manual telegraphy, facsimile, special and data transmission systems and direct-printing telegraph systems). |
| 13107, 5-13200 | MARITIME MOBILE. | Coast. | | Coast (telephony). |
| 16460-16565 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 16565-16570 (USS2) | MARITIME MOBILE. | Ship, Coast. | | Ship, Coast. (Telephony, simplex). |
| 16570-16636.5 | MARITIME MOBILE. | Ship. | | Ship (wideband telegraphy, facsimile, and special transmission systems). |
| 16636, 5-16640 | MARITIME MOBILE. | Ship, Buoy. | | Ship; Buoy; Interrogating coast. (Oceanographic data transmission.) |
| 16640-16660.5 | MARITIME MOBILE. | Ship. | | Ship (narrow-band direct-printing telegraph and data transmission systems). |
| 16660, 5-16917.5 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 16917, 5-17255 | MARITIME MOBILE. | Coast. | | Coast (wide-band and manual telegraphy, facsimile, special and data transmission systems and direct-printing telegraph systems). |

Federal Communications Commission—Continued

| Band (kc/s) | Service | Class of station | Frequency (kc/s) | Nature (OF SERVICES of stations) |
|-----------------------|------------------|------------------|------------------|---|
| 7 | 8 | 9 | 10 | 11 |
| 4160-4172.25 | MARITIME MOBILE. | Ship. | | Ship (narrow-band direct-printing telegraph and data transmission systems). |
| 4172, 25-4231 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 4231-4301 | MARITIME MOBILE. | Coast. | | Coast (wide-band and manual telegraphy, facsimile, special and data transmission systems and direct-printing telegraph systems). |
| 4301-4438 | MARITIME MOBILE. | Coast. | | Coast (telephony). |
| 6200-6210.4 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 6210, 4-6216.5 (USS2) | MARITIME MOBILE. | Ship, Coast. | | Ship, Coast. (Telephony, simplex). |
| 6216, 5-6244.5 | MARITIME MOBILE. | Ship. | | Ship (wide-band telegraphy, facsimile, and special transmission systems). |
| 6244, 5-6248 | MARITIME MOBILE. | Ship, Buoy. | | Ship; Buoy; Interrogating coast. (Oceanographic data transmission.) |
| 6248-6258.25 | MARITIME MOBILE. | Ship. | | Ship (narrow-band direct-printing telegraph and data transmission systems). |
| 6258, 25-6345.5 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 6345, 5-6514 | MARITIME MOBILE. | Coast. | | Coast (wide-band and manual telegraphy, facsimile, special and data transmission systems and direct-printing telegraph systems). (N GZ) |
| 6514-6525 | MARITIME MOBILE. | Coast. | | Coast (telephony). |
| 8195-8281.2 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 8281, 2-8288 (USS2) | MARITIME MOBILE. | Ship, Coast. | | Ship, Coast. (Telephony, simplex). |
| 8288-8328 | MARITIME MOBILE. | Ship. | | Ship (wideband telegraphy, facsimile, and special transmission systems). |
| 8328-8331.5 | MARITIME MOBILE. | Ship, Buoy. | | Ship; Buoy; Interrogating coast. (Oceanographic data transmission.) |
| 8331, 5-8341.75 | MARITIME MOBILE. | Ship. | | Ship (narrow-band direct-printing telegraph and data transmission systems). |
| 8341, 75-8459.5 | MARITIME MOBILE. | Ship. | | Ship (telephony). |

Federal Communications Commission—Continued

| Band (kc/s) | Service | Class of station | Frequency (kc/s) | Nature (OF SERVICES of stations) |
|----------------------|------------------|----------------------------------|------------------|--|
| 7 | 8 | 9 | 10 | 11 |
| 17255-17360 | MARITIME MOBILE. | Coast. | | Coast (telephony). |
| 22000-22094.5 | MARITIME MOBILE. | Ship. | | Ship (telephony). |
| 22094.5-22112 (US82) | MARITIME MOBILE. | Ship. Coast. | | Ship; Coast. (Telephony, simplex). |
| 22112-22160.5 | MARITIME MOBILE. | Ship. | | Ship (wideband telegraphy, facsimile, and special transmission systems). |
| 22160.5-22164 | MARITIME MOBILE. | Ship. Buoy. Interrogating coast. | | Ship; Buoy; Interrogating coast. (Oceanographic data transmission.) |
| 22164-22184.5 | MARITIME MOBILE. | Ship. | | Ship (narrow-band direct-printing telegraph and data transmission systems). |
| 22184.5-22374 | MARITIME MOBILE. | Ship. | | Ship (telegraphy). |
| 22374-22624.5 | MARITIME MOBILE. | Coast. | | Coast (wide-band and manual telegraphy, facsimile, special and data transmission systems and direct-printing telegraph systems). |
| 22624.5-22720 | MARITIME MOBILE. | Coast. | | Coast (telephony). |

2. In § 2.106, Footnotes to the Table, U.S. Footnotes, US82 is amended to read as follows:

US82 The assignable frequencies in this band may be authorized on a shared non-priority basis to Government and non-Government ship and coast stations (SSB telephony, with peak envelope power not to exceed 1 kw).

3. In § 2.106, Footnotes to the Table, NG Footnotes, NG29 is deleted, and NG27 is amended to read as follows:

NG27 The carrier frequencies 6451.9 and 6456 kc/s may be authorized to ship telephone stations and coast telephone stations operating in the Mississippi River maritime mobile service system on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations and that any interference from such services must be accepted.

Note: The instructions relate to the rules as they appear prior to the amendments in Docket No. 17295 which become effective September 3, 1968.

B. Part 81, Stations on Land in the Maritime Services, is amended as follows:

1. Section 81.111 is redesignated § 81.142 and amended to read as follows:

§ 81.142 Modulation requirements.

(a) Transmitters using A3 emission shall be capable of proper technical operation with modulation of 75 percent on peaks but not more than 100 percent on negative peaks. Each such transmitter shall be so adjusted that the transmission of speech and the international radiotelephone alarm signal, if provision

is made for transmission of the signal, normally produce peak modulation percentages within those limits.

(b) Transmitters using F3 emission shall be capable of proper technical operation with a frequency deviation of 15 kc/s, which is defined as 100 percent modulation, and, in general, shall be adjusted so that the transmission of speech normally produces, on this basis, peak modulation percentages between 75 and 100 percent.

(c) Except as provided in paragraph (d) of this section, single sideband and independent sideband transmitters shall be capable of operation in the suppressed carrier (A3J) mode, with the carrier emitted at a power level at least 40 decibels below peak envelope power; and, in addition, in the following modes:

(1) Full carrier (A3H) mode, with the carrier emitted at a power level between 3 and 6 decibels below peak envelope power; and

(2) Reduced carrier (A3A) mode, with the carrier emitted at a power level 16 decibels, ±2 decibels, below peak envelope power.

(d) Transmitters type accepted prior to [the effective date of the final order in this docket] that are not type accepted for operation in all three modes (A3A, A3H and A3J) may continue to be operated until January 1, 1974: *Provided, however,* That where such transmitters have A3J capability, operation in that mode on the frequencies to which § 83.351(b)(13) is applicable, may continue until further notice.

(e) In single sideband operation, the sideband on the higher frequency side

of the carrier frequency shall be transmitted.

(f) Except as provided in paragraph (g) of this section, each radiotelephone transmitter licensed by the Commission for use of F3 or A3 emission in a coast, marine fixed, operational fixed, or marine utility station on shore shall be provided with a device which automatically prevents modulation in excess of 100 percent.

(g) A modulation limiter as prescribed in paragraph (f) of this section is not required in the following stations or transmitters:

(1) Stations authorized for developmental operation;

(2) Transmitters of plate input power of 3 watts or less when used in marine utility stations or other stations of a portable nature;

(3) Transmitters using frequencies in the band 73.0-74.6 Mc/s in operational fixed stations authorized on December 1, 1961, which were first authorized or installed prior to July 1, 1950.

(h) Single sideband and independent sideband transmitters shall automatically limit the peak envelope power to the authorized transmitter power.

(i) Each transmitter operated in the bands 72.0-73.0 and 75.4-76.0 Mc/s shall be equipped with an audio low pass filter. The audio low pass filter shall be installed between the modulation limiter and the modulated stage, and, at audio frequencies between 3 kc/s and 15 kc/s, shall have an attenuation greater than the attenuation at 1 kc/s by at least 40 log₁₀ (f/3) decibels where "f" is the audio frequency in kilocycles. At audio frequencies above 15 kc/s, the attenuation shall be at least 28 decibels greater than the attenuation at 1 kc/s.

(j) In single sideband and independent sideband transmitters, the audio frequency band shall be 350 to 2700 cycles per second, with a permitted amplitude variation of 6 decibels. Audio frequencies outside this band shall be attenuated to protect the adjacent channels.

2. Subparagraph (2) of paragraph (a) and paragraph (d) of § 81.132 are amended to read as follows:

§ 81.132 Authorized classes of emission.

(a) * * *

(2) Coast stations using radiotelephony:

(i) For frequencies designated in § 81.304 (a).

2182 and 2638 kc/s—A3 and A3H. All other frequencies—A3, A3H, A3A, A3B, or A3J as specified in § 81.304 (a) and (b).

(ii) For frequencies designated in § 81.361 (a)—A3J.

(iii) For frequencies in the band 156 to 174 Mc/s—F3.

(d) Authorization to use A3H, A3A, or A3J emission is limited to emitting a carrier, for A3H, at a power level between 3 and 6 decibels below peak envelope power; for A3A, at a power level of 16 decibels, ±2 decibels, below peak envelope power; and, for A3J, at a power level at least 40 decibels below peak envelope power; and, for A3J, at a power

3. Paragraph (a) of § 81.133 is amended to read as follows:

§ 81.133 Authorized bandwidth and frequency deviation.

(a) Unless otherwise specified in the station license, stations shall use bandwidths not exceeding those set forth in this paragraph for the respective classes of emission authorized in § 81.132.

| Class of emission | Emission designator | Authorized bandwidth (kc/s) |
|-------------------|---------------------|-----------------------------|
| A1 | 0.16A1 | 0.3 |
| A2 | 2.66A2 | 2.8 |
| A3 | 6A3 | 8.0 |
| A3A | 2.8A3A | 3.0 ² |
| A3B | 5.6A3B | 7.0 |
| A3H | 2.8A3H | 3.0 ² |
| A3J | 2.8A3J | 3.0 ² |
| F3 | 16F3 ¹ | 20.0 ¹ |
| F3 | 36F3 ² | 40.0 ² |
| P0 | Variable | Variable |

¹ Applicable when maximum authorized frequency deviation is 5 kc/s. See paragraph (c) of this section.

² Applicable when maximum authorized frequency deviation is 15 kc/s. See paragraph (c) of this section.

³ Transmitters type accepted prior to the effective date of the final order in this docket for emissions A3A, A3H, and A3J and an authorized bandwidth of 3.5 kc/s may continue to be operated.

4. In § 81.140, the headnote is amended to read as follows:

§ 81.140 Emission limitations.

5. In § 81.304, paragraph (a) is amended with respect to the frequencies in the band 4-23 Mc/s; paragraph (b) is renumbered as (c); paragraph (d) is amended and renumbered (b); and paragraphs (e) and (f) are renumbered (d) and (e), respectively; as follows:

§ 81.304 Frequencies available.

(a) The following tabulation indicates the frequencies which may be the authorized carrier frequencies for use by public coast stations. For single sideband radiotelephone emission, the assigned frequency will be 1.4 kc/s above the authorized carrier frequency. The specific conditions for authorization and use are enumerated in paragraph (b) of this section.

| Carrier frequencies (kc/s) | | Conditions of use |
|----------------------------|---------------|-------------------|
| Old frequency | New frequency | |
| (1) | (2) | (3) |
| 4069.3 | 4069.2 | 3, 5, 12, 14, 15. |
| 4072.4 | 4072.4 | 3, 5, 11. |
| 4374.3 | 4367.8 | 3, 5, 12, 14, 15. |
| 4377.4 | 4371.0 | 3, 5, 11, 14, 15. |
| 4393.5 | 4387.0 | 12, 14, 15. |
| 4396.6 | 4390.2 | 11, 14, 15. |
| 4406.3 | 4399.8 | 12, 14, 15. |
| 4409.4 | 4403.0 | 11, 14, 15. |
| 4419.1 | 4412.6 | 12, 14, 15. |
| 4422.2 | 4415.8 | 11, 14, 15. |
| 4425.5 | 4419.0 | 12, 14, 15. |

| Carrier frequencies (kc/s) | | Conditions of use |
|----------------------------|---------------|---------------------------|
| Old frequency | New frequency | |
| (1) | (2) | (3) |
| 4428.6 | 4422.2 | 11, 14, 15. |
| 4431.8 | 4425.4 | 12, 14, 15. |
| 4434.9 | 4428.6 | 11, 14, 15. |
| 6236.9 | | See pars 10-12 of notice. |
| 6240 | | Do. |
| 6451.9 | 6451.9 | 3, 4, 5, 12. |
| 6455.0 | 6455.0 | 3, 4, 5, 11. |
| 8207.7 | 8207.6 | 3, 4, 12, 14, 15. |
| 8210.8 | 8210.8 | 3, 4, 11. |
| 8751.3 | 8735.2 | 12, 14, 15. |
| 8754.4 | 8738.4 | 11, 14, 15. |
| 8764.1 | 8748.0 | 12, 14, 15. |
| 8767.2 | 8751.2 | 11, 14, 15. |
| 8770.5 | 8754.4 | 12, 14, 15. |
| 8773.6 | 8757.6 | 11, 14, 15. |
| 8789.7 | 8773.6 | 12, 14, 15. |
| 8792.8 | 8776.8 | 11, 14, 15. |
| 8796.1 | 8789.0 | 12, 14, 15. |
| 8799.2 | 8783.2 | 11, 14, 15. |
| 8808.8 | 8792.8 | 12, 14, 15. |
| 8811.9 | 8796.0 | 11, 14, 15. |
| 13151.2 | 13130.0 | 12, 14, 15. |
| 13154.5 | 13133.5 | 11, 14, 15. |
| 13158.2 | 13137.0 | 12, 14, 15. |
| 13161.5 | 13140.5 | 11, 14, 15. |
| 13172.2 | 13151.0 | 12, 14, 15. |
| 13175.5 | 13154.5 | 11, 14, 15. |
| 13179.2 | 13158.0 | 12, 14, 15. |
| 13182.5 | 13161.5 | 11, 14, 15. |
| 13193.2 | 13172.0 | 12, 14, 15. |
| 13196.5 | 13175.5 | 11, 14, 15. |
| 17304.2 | 17269.0 | 12, 14, 15. |
| 17307.5 | 17272.5 | 11, 14, 15. |
| 17318.2 | 17285.0 | 12, 14, 15. |
| 17321.5 | 17288.5 | 11, 14, 15. |
| 17339.2 | 17304.0 | 12, 14, 15. |
| 17342.5 | 17307.5 | 11, 14, 15. |
| 17353.2 | 17318.0 | 12, 14, 15. |
| 17356.5 | 17321.5 | 11, 14, 15. |
| 22678.2 | 22653.5 | 12, 14, 15. |
| 22681.5 | 22657.0 | 11, 14, 15. |
| 22692.2 | 22667.5 | 12, 14, 15. |
| 22695.5 | 22671.0 | 11, 14, 15. |
| 22713.2 | 22688.5 | 12, 14, 15. |
| 22716.5 | 22692.0 | 11, 14, 15. |

(b) Authorization and use of the carrier frequencies set forth in paragraph (a) of this section shall be in accordance with the following limitations and conditions.

(1) [Reserved]
 (2) [Reserved]
 (3) Available for assignment to coast stations serving vessels on the Mississippi River and connecting inland waters, except, that this frequency shall not be used by coast stations to serve vessels on the Great Lakes.

(4) Transmission is prohibited during the period from 8 p.m. to 5 a.m., c.s.t.

(5) Authorization to use this carrier frequency is subject to the express condition that harmful interference shall not be caused to the service of any station which, in the discretion of the Commission, may have priority on the frequency or frequencies used for the service to which interference is caused.

(6) [Reserved]
 (7) [Reserved]
 (8) [Reserved]
 (9) [Reserved]
 (10) [Reserved]
 (11) Until January 1, 1972, emission A3, A3B, A3A, A3H, and A3J; during the

period January 1, 1972, to January 1, 1974, emission A3A, A3H, and A3J; after January 1, 1974, emission A3A and A3J; *Provided, however,* That during the period January 1, 1974, to January 1, 1978, emission A3H may be used with ship stations not equipped for single sideband operation: *And further provided,* That availability of emission A3B after January 1, 1972, is dependent upon the decision taken by the ITU World Administrative Radio Conference, to be convened in 1973, in regard to continued use of that emission.

(12) Until January 1, 1974, emission A3A, A3H, and A3J; after January 1, 1974, emission A3A and A3J; *Provided, however,* That during the period January 1, 1974, to January 1, 1978, emission A3H may be used for communication with ship stations which are not equipped for single sideband operation.

(13) [Reserved]
 (14) The change-over from the currently available frequencies listed in Column (1) to the replacement frequency listed in Column (2) shall be made at 0001 G.m.t., March 1, 1970. Except for equipment testing, transmission on the replacement frequency shall not commence prior to 0001 G.m.t., March 1, 1970.

(15) Authorization for use of the frequency listed in Column (1) is withdrawn effective March 1, 1970.

(16) Until January 1, 1972, emission A3, A3A, A3H, and A3J; during the period January 1, 1972, to January 1, 1974, emission A3A, A3H, and A3J.

(17) Until January 1, 1974, emission A3A, A3H, and A3J.

(18) Authorization for use of the frequency listed in Column (1) is withdrawn effective January 1, 1974.

6. Paragraphs (a), (b), (c), and (e) of § 81.306 are amended to read as follows:

§ 81.306 Frequencies available below 27.5 Mc/s.

(a) The carrier frequencies designated herewith are assignable to class I public coast stations using telephony when the coast station and the mobile station transmit alternately on different radio-channels: *Provided,* That the designated carrier frequencies below 5000 kc/s and above 22,650 kc/s are assignable only to coast stations located in the vicinity of the harbors, ports, or places designated hereinafter opposite the respective coast station transmitting frequency: *Provided further,* That each coast station shall receive transmissions from mobile stations on the associated receiving frequency also designated in this paragraph.

(1) Working frequencies below 5000 kc/s.

| Coast station transmitting carrier frequency (kc/s) | | Coast station located in the vicinity of— | Coast station receiving carrier frequency (kc/s) | |
|---|---------------------|---|--|---------------|
| Old frequency | New frequency | | Old frequency | New frequency |
| 2506 | (1) | San Francisco, Calif. | 2406 | (1) |
| 2530 | (1) | Hawaii | 2134 | (1) |
| 2590 | (1) | New York, N.Y. | 2198 | (1) |
| 4374.3 ¹ | ² 4367.8 | San Francisco, Calif. | 4069.3 | 4069.2 |
| 4377.4 | 4371.0 | do | 4072.4 | 4072.4 |
| 4393.5 ² | ² 4387.0 | New York, N.Y. | 4088.5 | 4088.4 |
| 4396.6 | 4390.2 | do | 4091.6 | 4091.6 |
| 4406.3 ² | ² 4399.8 | do | 4101.3 | 4101.2 |
| 4409.4 | 4403.0 | do | 4104.4 | 4104.4 |
| 4419.1 ² | ² 4412.6 | Hawaii | 4114.1 | 4114.0 |
| 4422.2 | 4415.8 | do | 4117.2 | 4117.2 |
| 4425.5 ² | ² 4419.0 | Miami, Fla. | 4120.5 | 4120.4 |
| 4428.6 | 4422.2 | do | 4123.6 | 4123.6 |
| 4431.8 ^{1,2} | ² 4425.4 | New York, N.Y. | 4126.8 | 4126.8 |
| 4434.9 ² | ² 4428.6 | do | 4129.9 | 4130.0 |

¹ Subject to separate rule making proceeding.
² Available for single sideband emission only.
³ Available for use annually during period Dec. 15 to Mar. 15.

(2) Working frequencies between 5000 kc/s and 27.5 Mc/s.

| Coast station transmitting carrier frequency (kc/s) | | Coast station located in the vicinity of— | Coast station receiving carrier frequency (kc/s) | |
|---|---------------|---|--|---------------|
| Old frequency | New frequency | | Old frequency | New frequency |
| 8751.3 ¹ | 8735.2 | San Francisco, Calif. | 8201.3 | 8201.2 |
| 8754.4 | 8738.4 | do | 8204.4 | 8204.4 |
| 8764.1 ¹ | 8748.0 | Hawaii | 8214.1 | 8214.0 |
| 8767.2 | 8751.2 | do | 8217.2 | 8217.2 |
| 8770.5 ¹ | 8754.4 | New York, N.Y. | 8220.5 | 8220.4 |
| 8773.6 | 8757.6 | do | 8223.6 | 8223.6 |
| 8789.7 ^{1,2} | 8773.6 | Miami, Fla. | 8239.7 | 8239.6 |
| 8792.8 ² | 8776.8 | do | 8242.8 | 8242.8 |
| 8808.8 ¹ | 8792.8 | New York, N.Y. | 8258.8 | 8258.8 |
| 8811.9 | 8796.0 | do | 8261.9 | 8262.0 |
| 13151.2 ^{1,2} | 13130.0 | Miami, Fla. | 12351.2 | 12351.0 |
| 13154.5 ² | 13133.5 | do | 12354.5 | 12354.5 |
| 13188.2 ¹ | 13137.0 | New York, N.Y. | 12358.2 | 12358.0 |
| 13161.5 | 13140.5 | do | 12361.5 | 12361.5 |
| 13172.2 ¹ | 13151.0 | Hawaii | 12372.2 | 12372.0 |
| 13175.5 ¹ | 13154.5 | do | 12375.5 | 12375.5 |
| 13179.2 ¹ | 13158.0 | San Francisco, Calif. | 12379.2 | 12379.0 |
| 13182.5 | 13161.5 | do | 12382.5 | 12382.5 |
| 13193.2 ¹ | 13172.0 | New York, N.Y. | 12393.2 | 12393.0 |
| 13196.5 | 13175.5 | do | 12396.5 | 12396.5 |
| 17304.2 ¹ | 17269.0 | Hawaii | 16474.2 | 16474.0 |
| 17307.5 | 17272.5 | do | 16477.5 | 16477.5 |
| 17318.2 ¹ | 17283.0 | New York, N.Y. | 16488.2 | 16488.0 |
| 17321.5 | 17286.5 | do | 16491.5 | 16491.5 |
| 17339.2 ¹ | 17304.0 | San Francisco, Calif. | 16509.2 | 16509.0 |
| 17342.5 | 17307.5 | do | 16512.5 | 16512.5 |
| 17353.2 ¹ | 17318.0 | New York, N.Y. | 16523.2 | 16523.0 |
| 17356.5 | 17321.5 | do | 16526.5 | 16526.5 |
| 22678.2 ¹ | 22653.5 | do | 22028.2 | 22028.0 |
| 22681.5 | 22657.0 | do | 22031.5 | 22031.5 |
| 22692.2 ¹ | 22667.5 | San Francisco, Calif. | 22042.2 | 22042.0 |
| 22695.5 | 22671.0 | do | 22045.5 | 22045.5 |
| 22713.2 ¹ | 22688.5 | New York, N.Y. | 22063.2 | 22063.0 |
| 22716.5 | 22692.0 | do | 22066.5 | 22066.5 |

¹ Available for single sideband emissions only.
² Available for communication with ship stations in the Gulf of Mexico and the Caribbean area only. Use of the frequency is upon the express condition that interference shall not be caused to the service of any station which may have priority on the frequency or frequencies used for the service to which interference is caused.

(b) Subject to the specific limitations imposed in this paragraph and in § 81.304 with respect to particular frequencies, the carrier frequencies designated are assigned for working purposes to Class II public coast stations using telephony when the coast station and the mobile station transmit alternately on different radio channels: *Provided*, That these

frequencies are assignable only to coast stations located in the vicinity of the harbors, ports, or places designated hereinafter opposite the respective coast station transmitting frequency; *Provided further*, That each coast station shall receive transmissions from mobile stations on the associated receiving frequency also designated in this paragraph.

PROPOSED RULE MAKING

| Coast stations located in the vicinity of— | Coast station transmitting carrier frequency | | | Associated coast station receiving carrier frequency | | |
|--|--|------------|---|--|------------|--|
| | Old (kc/s) | New (kc/s) | Specific limitations imposed upon availability for use ² | Old (kc/s) | New (kc/s) | Specific conditions relating to use of these frequencies by ship stations for transmission as shown in § 83.354(a)(1) of this chapter ² |
| Boston, Mass. | 2506 2450 | | None do | 2406 2366 | | None Do. |
| New York, N. Y. | 2482 | | Available on condition that harmful interference is not caused to the service of any coast station located in the vicinity of New Orleans, La., to which this carrier frequency is assigned for transmission. | 2382 | | Available on condition that harmful interference is not caused to the service of any ship station which is within 300 nautical miles of New Orleans, La., and is transmitting on this frequency to a coast station located in the vicinity of that port. |
| | 2522 | | None | 2126 | | None |
| | 2558 | | do | 2166 | | Do. |
| | 2590 | | do | 2198 | | Do. |
| | ¹ 4393.5 | 4387.0 | do | 4088.5 | 4088.4 | Do. |
| | 4396.6 | 4390.2 | do | 4091.6 | 4091.6 | Do. |
| | ¹ 4406.3 | 4399.8 | do | 4101.3 | 4101.2 | Do. |
| | 4409.4 | 4403.0 | do | 4104.4 | 4104.4 | Do. |
| | ¹ 4431.8 | | Available for use annually during period Dec. 15 to Mar. 15. | 4126.8 | | Available for use annually during period Dec. 15 to Mar. 15. |
| | 4434.9 | 4428.6 | do | 4129.9 | 4130.0 | Do. |
| Wilmington, Del. | 2558 | | None | 2166 | | None. |
| Baltimore, Md. | 2558 | | None | 2166 | | None. |
| Norfolk-Quantico, Va. | 2538 2450 | | None Day only, available on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2142 2366 | | None Day only, available on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |
| Charleston, S. C.-Jacksonville, Fla. | 2566 | | None | 2390 | | None. |
| Lake Allatoona-Lake Sidney, Lanier, Ga. | 2450 | | Available on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2366 | | Available on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |
| Miami, Fla. | 2442 2490 | | Day only Available on a 24-hour basis, on condition that harmful interference shall not be caused to the police radio service in southern California. | 2406 2031.5 | | Day only None. |
| | 2514 | | Unlimited hours of use from Dec. 15 to Apr. 1 annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference shall not be caused to the service of any coast station in the vicinity of Miami, Fla., to which the carrier frequency 2490 kc/s is assigned for transmission; and also on condition that harmful interference shall not be caused to the service of any coast station in the Great Lakes area which in the discretion of the Commission has priority on the frequency or frequencies used for the service to which interference is caused. | 2118 | | Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference shall not be caused to the service of any ship station in the Great Lakes area which in the discretion of the Commission has priority on the frequency or frequencies used for the service to which interference is caused. |
| | 2550 | | Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Tampa, Fla., to which this carrier frequency is assigned for transmission. | 2158 | | Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference is not caused to the service of any ship station which is within 300 nautical miles of Tampa, Fla., and is transmitting on this frequency to a coast station located in the vicinity of that port. |
| | ¹ 4425.5 | 4419.0 | None | 4120.5 | 4120.4 | None. |
| | 4428.6 | 4422.2 | do | 4123.6 | 4123.6 | Do. |
| Tampa, Fla. | 2466 2550 | | None Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference shall not be caused to the service of any coast station in the Great Lakes area which in the discretion of the Commission has priority on the frequency or frequencies used for the service to which interference is caused. | 2099 2158 | | None Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference shall not be caused to the service of any ship station in the Great Lakes area which in the discretion of the Commission has priority on the frequency or frequencies used for the service to which interference is caused. |
| Mobile, Ala. | 2572 | | None | 2430 | | None. |
| New Orleans, La. | 2598 2558 | | None Day only; also on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Mobile, Ala., to which the carrier frequency 2572 kc/s is assigned for transmission. | 2206 2166 | | None. Day only. |
| | 2482 | | None | 2382 | | None. |
| Delcambre, La. | 2506 | | Day only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2458 | | Day only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |
| Galveston, Tex. | 2530 2450 | | None Day only; on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Boston, Mass., San Francisco or Eureka, Calif., to which this carrier frequency is assigned for transmission. ³ | 2134 2386 | | None. Day only; on condition that harmful interference is not caused to the service of any ship station which is within 300 nautical miles of Boston, Mass., and is transmitting on this frequency to a coast station located in the vicinity of that port. ³ |

See footnotes at end of table.

PROPOSED RULE MAKING

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| Coast stations located in the vicinity of— | Coast station transmitting carrier frequency | | | Associated coast station receiving carrier frequency | | |
|--|--|------------|--|--|------------|---|
| | Old (kc/s) | New (kc/s) | Specific limitations imposed upon availability for use ¹ | Old (kc/s) | New (kc/s) | Specific conditions relating to use of these frequencies by ship stations for transmission as shown in § 83.354(a)(1) of this chapter ² |
| Corpus Christi, Tex..... | 2538 | | Available on condition that no harmful interference will be caused to the service of any coast station located in the vicinity of Norfolk-Quantico, Va., to which this carrier frequency is assigned for transmission. | 2142 | | Available on condition that no harmful interference will be caused to the service of any ship station which is within 300 nautical miles of Norfolk-Quantico, Va., and is transmitting on this frequency to a coast station located in the vicinity of that port. |
| San Juan, P.R..... | 2530 | | None | 2134 | | None. |
| Great Lakes..... | 2514 | | Subject to applicable provisions of § 81.304(d) | 2118 | | None. |
| | 2550 | | do | 2158 | | Do. |
| | 2582 | | do | 2206 | | Not available to U.S. ship stations for transmission. |
| | ¹ 4419.1 | 4412.6 | None | 4114.1 | 4114.0 | None. |
| | 4422.2 | 4415.8 | do | 4117.2 | 4117.2 | Do. |
| | ¹ 4431.8 | 4425.4 | do | 4126.8 | 4126.8 | Do. |
| | 4434.9 | 4428.6 | do | 4129.9 | 4130.0 | Do. |
| | ¹ 8796.1 | 8780.0 | do | 8246.1 | 8246.0 | Do. |
| | 8799.2 | 8783.2 | do | 8249.2 | 8249.2 | Do. |
| Los Angeles-San Diego, Calif..... | 2566 | | None | 2009 | | None. |
| | 2466 | | Available on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Tampa, Fla., to which this carrier frequency is assigned for transmission. | 2382 | | Available on condition that harmful interference is not caused to the service of any ship station which is within 300 nautical miles of New Orleans, La., and is transmitting on this frequency to a coast station located in the vicinity of that port. |
| | 2598 | | 7 a.m. to 7 p.m., P.s.t., only | 2206 | | 7 a.m. to 7 p.m., P.s.t., only. |
| | 2522 | | do | 2126 | | Do. |
| San Francisco-Eureka, Calif..... | 2450 | | Available on condition that harmful interference is not caused to police radio service in Kansas or Wisconsin. | 2003 | | Available on condition that harmful interference shall not be caused to the service of any ship station which is within 300 nautical miles of Los Angeles or San Diego, Calif., and is transmitting on 2009 kc/s to a coast station located in the vicinity of either of these ports. |
| | 2506 | | None | 2406 | | None. |
| | 2538 | | 7 a.m. to 7 p.m., P.s.t., only | 2142 | | 7 a.m. to 7 p.m., P.s.t., only. |
| | ¹ 4374.3 | 4367.8 | None | 4069.3 | 4069.2 | None. |
| | 4377.4 | 4371.0 | do | 4072.4 | 4072.4 | Do. |
| Astoria, Oreg..... | 2442 | | Day only, on condition that no harmful interference will be caused to any service or station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2009 | | Day only, on condition that no harmful interference will be caused to any service or station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |
| Astoria-Portland, Oreg..... | 2598 | | None | 2206 | | None. |
| Cooz Bay, Oreg..... | 2566 | | 7 a.m. to 7 p.m., P.s.t., only | 2031.5 | | 7 a.m. to 7 p.m., P.s.t., only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |
| Seattle, Wash..... | 2522 | | None | 2126 | | None. |
| | 2482 | | Authorized for use during the following daily periods on condition that harmful interference is not caused to the service of any coast station located in the vicinity of New Orleans, La., nor to the service of any station in the Alaska area authorized in accordance with Part 85 of this chapter to which this carrier frequency is assigned for transmission: annually from Apr. 1 to Sept. 30, inclusive, from 5 a.m. to 9 p.m., P.s.t., only; and annually from Oct. 1 to Mar. 31, inclusive, from 6 a.m. to 11 p.m., P.s.t., only. | 2430 | | Authorized for use south of 51 degrees north latitude and east of 142 degrees west longitude exclusively during the following daily periods on condition that harmful interference is not caused to the service of any station in the Alaska area authorized in accordance with Part 85 of this chapter to which this carrier frequency is assigned for transmission: annually from Apr. 1 to Sept. 30, inclusive, from 5 a.m. to 9 p.m., P.s.t., only; and annually from Oct. 1 to Mar. 31, inclusive, from 6 a.m. to 11 p.m., P.s.t., only. |
| Kahuku, Hawaii..... | 2530 | | None | 2134 | | None. |
| | ¹ 4419.1 | 4412.6 | do | 4114.1 | 4114.0 | Do. |
| | 4422.2 | 4415.8 | do | 4117.2 | 4117.2 | Do. |
| Hilo, Hawaii..... | 2582 | | None | 2198 | | None. |
| Palmyra Island, Hawaii..... | 2530 | | Available on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Kahuku, Hawaii, to which the carrier frequency 2530 kc/s is assigned for transmission. | 2134 | | Available on condition that harmful interference shall not be caused to the service of any ship station which is within 300 nautical miles of Kahuku, Hawaii, and is transmitting on this frequency to a coast station located in the vicinity of that port. |
| St. Thomas Island, V.I..... | 2506 | | 8 a.m. to 9 p.m., A.s.t., only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2009 | | 8 a.m. to 9 p.m., A.s.t., only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |

¹ Available for single sideband emissions only.

² With respect to each specific date set forth, the associated limitations or conditions imposed shall terminate or begin as applicable, at 3 a.m., e.s.t.

³ This carrier frequency is to be made available by the Commission, for use (on a 24-hour basis except where specific hours of use are designated) by the maritime

mobile service for ship-shore communication in respect to the particular coast station areas designated, on a specific beginning date to be designated in future rule-making as soon as practicable after its use (or the use of its associated transmitting or receiving frequency) by other radio services is terminated or is reduced to the extent necessary to avoid harmful interference to or from the maritime mobile service.

(c) Subject to the specific limitations imposed in this paragraph and in § 81.304 with respect to particular frequencies, the carrier frequencies designated herein are assignable for working purposes to Class II public coast stations using telephony when the coast station and the

mobile station transmit alternately on the same radio channel: *Provided*, That these frequencies are assignable only to coast stations located in the vicinity of the harbors, ports, or places designated hereinafter opposite the respective frequency:

(5) Use should be limited to daytime.
NOTE: The instructions relate to the rules as they appear prior to the amendments in Docket No. 17295 which become effective September 3, 1968.

C. Part 83, Stations on Shipboard in the Maritime Services, is amended as follows:

1. Subparagraph (2) of paragraph (a) of § 83.132 is amended to read as follows:

§ 83.132 Authorized classes of emission.

- (a) * * *
- (2) Stations using radiotelephony:
 - (i) For frequencies designated in § 83.351(a):
 - 2182 kc/s and 2638 kc/s—A3 and A3H.
 - 2003 kc/s on the Great Lakes—A3 and A3H.
 - (ii) All other frequencies—A3, A3H, A3A, A3B, or A3J as specified in § 83.351 (a) and (b).
 - (iii) For the frequency 121.5 Mc/s—A2.
 - (iv) For the frequency band 156 to 174 Mc/s—F3.

2. Paragraph (a) of § 83.133 is amended to read as follows:

§ 83.133 Authorized bandwidth.

(a) Unless otherwise specified in the station license, ship stations shall use bandwidths not exceeding those set forth in this paragraph for the respective classes of emission authorized in § 83.132.

| Class of emission | Emission designator | Authorized bandwidth (kc/s) |
|-------------------|---------------------|-----------------------------|
| A1 | 0.16A1 | 0.3 |
| A2 | 2.66A2 | 2.8 |
| A3 | 6A3 | 8.0 |
| A3A | 2.8A3A | 3.0 ¹ |
| A3B | 5.6A3B | 7.0 |
| A3H | 2.8A3H | 3.0 ¹ |
| A3J | 2.8A3J | 3.0 ¹ |
| F3 | 16F3 ¹ | 20.0 ¹ |
| F3 | 36F3 ² | 40.0 ² |
| PO | Variable | Variable |

¹ Applicable when maximum authorized frequency deviation is 5 kc/s. See paragraph (c) of this section.
² Applicable when maximum authorized frequency deviation is 15 kc/s. See paragraph (c) of the section.
³ Transmitters type accepted prior to the effective date of the final order in this docket for emissions A3A, A3H and A3J and an authorized bandwidth of 3.5 kc/s may continue to be operated.

3. In § 83.136, the headnote is amended to read as follows:

§ 83.136 Emission limitations.

4. In § 83.137, paragraph (c) is amended; paragraphs (d) through (f) are relettered (e) through (g); and new paragraphs (d) and (h) are added to read as follows:

§ 83.137 Modulation requirements.

(c) Except as provided in paragraph (d) of this section, single sideband and independent sideband transmitters shall be capable of operation in the suppressed carrier (A3J) mode, with the carrier emitted at a power level at least 40 decibels below peak envelope power; and, in addition, in the following modes:

- (1) Full carrier (A3H) mode, with the carrier emitted at a power level between

| Coast station located in the vicinity of— | Carrier frequency (kc/s) | | Specific limitations imposed upon availability for use |
|---|--|--|--|
| | Old frequency | New frequency | |
| (1) | (2) | (3) | (4) |
| Baltimore, Md. | 2400 | (1) | Available on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Boston, Mass. |
| Chicago, Ill.; Pittsburgh, Pa.; Louisville, Ky.; St. Louis, Mo.; Memphis, Tenn.; and other locations as required to serve vessels on the Mississippi River and connecting inland waters (other than the Great Lakes). | 2782 4099.3 4072.4 4374.3 4377.4 6236.0 6240.0 6451.9 6455.0 8207.7 8210.8 | (1) (1) (1) (1) (1) (1) (1) (1) (1) (1) (1) (1) | None. Subject to applicable provisions of § 81.304. |
| Lake Dallas, Tex.; Lake Texhoma, Tex.; Lake Mead, Nev.; and other locations as required to serve vessels on inland waters of the Southwestern Continental United States. | 2738 2782 | (1) (1) | None. The use of this frequency at locations other than Lake Mead, Nev., is subject to the condition that harmful interference is not caused to the service of any other station. |
| The Dalles, Oreg.; Umatilla, Oreg.; and other locations as required to serve vessels on inland waters of the Northwestern Continental United States, excluding Alaska. | 2784 | (1) | The use of this frequency at locations other than The Dalles, Oreg., and Umatilla, Oreg., is subject to the condition that harmful interference is not caused to the service of any other station. |

¹ Subject to separate rule making proceeding.
² Available for single sideband emissions only.
³ See pars. 10-12 of the notice.

(e) Class II coast stations shall use frequencies within the band 4000 kc/s to 27.5 Mc/s only when the use of frequency assignments outside this band will not provide effective communication.

7. Section 81.361 is amended to read as follows:

§ 81.361 Frequencies available between 4 and 27.5 Mc/s.

(a) The following carrier frequencies may be authorized to limited coast stations for communication with ship stations operating on the same carrier frequency.

| Carrier frequencies (kc/s) | | |
|-------------------------------|------------------------------|-------------------|
| Available until Feb. 28, 1970 | Available after Jan. 1, 1970 | Conditions of use |
| (1) | (2) | (3) |
| 4133.0 | 4139.5 | 1, 2, 3, 4. |
| 4136.5 | 4136.3 | 1, 2, 3, 4. |
| | 4434.9 | 1, 4. |
| 6200.5 | 6210.4 | 1, 2, 3, 4. |
| 6204.0 | 6213.5 | 1, 2, 3, 4. |
| 6207.5 | 6518.6 | 1, 2, 3, 4, 5. |
| 8273.0 | 8281.2 | 1, 2, 3, 4. |
| 8276.5 | 8284.4 | 1, 2, 3, 4. |
| 12407.0 | | 1, 3. |
| 12410.5 | 12421.0 | 1, 2, 3, 4. |
| 12414.0 | 12424.5 | 1, 2, 3, 4. |
| 12417.5 | 12428.0 | 1, 2, 3, 4. |
| 16537.0 | | 1, 3. |
| 16540.5 | | 1, 3. |
| 16544.0 | | 1, 3. |
| 16547.5 | | 1, 3. |
| 16551.0 | 16565.0 | 1, 2, 3, 4. |
| 16554.5 | 16568.5 | 1, 2, 3, 4. |
| 16558.0 | 16572.0 | 1, 2, 3, 4. |
| 22078.0 | | 1, 3. |
| 22081.5 | 22094.5 | 1, 2, 3, 4. |
| 22085.0 | 22098.0 | 1, 2, 3, 4. |
| 22088.5 | 22101.5 | 1, 2, 3, 4. |
| 22092.0 | 22105.0 | 1, 2, 3, 4. |
| 22095.5 | 22108.5 | 1, 2, 3, 4. |

(b) Assignment of the specific carrier frequencies designated in paragraph (a) of this section and use of frequency assignments of which those frequencies are the authorized carrier frequencies shall be subject to the express limitations and conditions set forth in this paragraph:

(1) (i) The applicant must show that the desired communications are primarily over distances for which frequencies above 27.5 Mc/s would not be suitable;

(ii) These frequencies are available on a shared basis only and shall not be construed as available for the exclusive use of any one station licensee;

(iii) Normally no more than one frequency from each of the frequency bands will be authorized;

(iv) Until April 1, 1969, harmful interference shall not be caused to services carried on by ship stations of other administrations operating in accordance with Appendix 15 to the International Radio Regulations, Geneva, 1959;

(v) These frequencies are not authorized for use in communicating with stations aboard aircraft;

(vi) Transmitter peak envelope power shall not exceed 1kW; and

(vii) The class of emission shall be A3J.

(2) During the period January 1, 1970, to February 28, 1970, transition may be effected from the currently available frequency listed in Column (1) to the replacement frequency listed in Column (2).

(3) Authorization for use of the frequency listed in Column (1) is withdrawn effective February 28, 1970.

(4) The frequency listed in Column (2) will be available for assignment on and after January 1, 1970.

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3 and 6 decibels below peak envelope power; and

(2) Reduced carrier (A3A) mode, with the carrier emitted at a power level 16 decibels, ± 2 decibels, below peak envelope power.

(d) Transmitters type accepted prior to (the effective date of the final order in this docket) that are not type accepted for operation in all three modes (A3A, A3H, and A3J) may continue to be operated until January 1, 1974: *Provided, however,* That where such transmitters have A3J capability, operation in that mode on the frequencies to which § 83.351(b)(13) is applicable, may continue until further notice.

(h) In single sideband and independent sideband transmitters, the audio frequency band shall be 350 to 2700 cycles per second, with a permitted amplitude variation of 6 decibels.

5. In § 83.139 paragraph (a) is amended and a new paragraph (c) is added to read as follows:

§ 83.139 Transmitters required to be type accepted for licensing.

(a) Except as provided by paragraph (c) of this section, each radiotelephone transmitter authorized in a ship station or marine-utility station (other than transmitters authorized solely for developmental stations) must be type accepted by the Commission.

(c) Type acceptance will be withdrawn, effective January 1, 1969, for DSB transmitters operating in the band 4000-27500 kc/s. DSB transmitters for which type acceptance was withdrawn on January 1, 1969, will not be authorized in new ship radio stations after that date: *Provided, however,* That in a ship radio station authorized to operate on frequencies in the band 4000-27500 kc/s, DSB equipment may continue to be authorized for a period not to extend beyond January 1, 1974, where a license:

- (1) Was granted prior to January 1, 1969, and
- (2) Has not expired due to failure to renew; or
- (3) Has not been canceled at the request of the licensee; or
- (4) Has not been revoked by order of the Commission.

6. In § 83.351, paragraph (a) is amended with respect to the frequencies in the band 4-23 Mc/s and paragraph (b) is amended with respect to conditions of use applicable thereto to read as follows:

§ 83.351 Frequencies available.

(a) The following tabulation indicates the carrier frequencies which, when authorized by station license, may be used by ship stations. The specific conditions for use are enumerated in paragraph (b) of this section:

| Carrier frequencies (kc/s) | | Conditions of use |
|----------------------------|---------------|--------------------------------|
| Old frequency | New frequency | |
| (1) | (2) | (3) |
| 4069.3 | 4069.2 | 3, 5, 15, 25, 26, 27. |
| 4072.4 | 4072.4 | 3, 5, 14. |
| 4088.5 | 4088.4 | 20, 15, 25, 26, 27. |
| 4091.6 | 4091.6 | 20, 14. |
| 4101.3 | 4101.2 | 20, 15, 25, 26, 27. |
| 4104.4 | 4104.4 | 20, 14. |
| 4114.1 | 4114.0 | 20, 15, 25, 26, 27. |
| 4117.2 | 4117.2 | 20, 14. |
| 4120.5 | 4120.4 | 20, 15, 25, 26, 27. |
| 4123.6 | 4123.6 | 20, 14. |
| 4126.8 | 4126.8 | 20, 15. |
| 4129.9 | 4130.0 | 20, 14, 25, 26, 27. |
| 4133.0 | 4139.5 | 16, 13, 21, 22, 23. |
| 4136.5 | 4136.3 | 16, 13, 21, 22, 23. |
| 4374.3 | 4367.8 | 3, 5, 15, 28, 29. |
| 4377.4 | 4371.0 | 3, 5, 14, 28, 29. |
| None | 4434.9 | 16, 13, 23. |
| 6200.5 | 6210.4 | 16, 13, 21, 22, 23. |
| 6204.0 | 6213.5 | 16, 13, 21, 22, 23. |
| 6207.5 | 6518.6 | 16, 13, 21, 22, 23, 24. |
| 6236.9 | None | See pars. 10-12 of the notice. |
| 6240.0 | Do | Do. |
| 6451.9 | 6451.9 | 3, 4, 5, 15. |
| 6455.0 | 6455.0 | 3, 4, 5, 14. |
| 8201.3 | 8201.2 | 18, 15, 25, 26, 27. |
| 8204.4 | 8204.4 | 18, 14. |
| 8207.7 | 8207.6 | 3, 4, 15, 25, 26, 27. |
| 8210.8 | 8210.8 | 3, 4, 14. |
| 8214.1 | 8214.0 | 18, 15, 25, 26, 27. |
| 8217.2 | 8217.2 | 18, 14. |
| 8220.5 | 8220.4 | 18, 15, 25, 26, 27. |
| 8223.6 | 8223.6 | 18, 14. |
| 8239.7 | 8239.6 | 18, 15, 25, 26, 27. |
| 8242.8 | 8242.8 | 18, 14. |
| 8246.1 | 8246.0 | 20, 15, 25, 26, 27. |
| 8249.2 | 8249.2 | 20, 14. |
| 8258.8 | 8258.8 | 18, 15. |
| 8261.9 | 8262.0 | 18, 14, 25, 26, 27. |
| 8273.0 | 8281.2 | 16, 13, 21, 22, 23. |
| 8276.5 | 8284.4 | 16, 13, 21, 22, 23. |
| 12351.2 | 12351.0 | 18, 15, 25, 26, 27. |
| 12354.5 | 12354.5 | 18, 14. |
| 12358.0 | 12358.0 | 18, 15, 25, 26, 27. |
| 12361.5 | 12361.5 | 18, 14. |
| 12372.2 | 12372.0 | 18, 15, 25, 26, 27. |
| 12375.5 | 12375.5 | 18, 14. |
| 12379.2 | 12379.0 | 18, 15, 25, 26, 27. |
| 12382.5 | 12382.5 | 18, 14. |
| 12393.2 | 12393.0 | 18, 15, 25, 26, 27. |
| 12396.5 | 12396.5 | 18, 14. |
| 12407.0 | None | 16, 13, 22. |
| 12410.5 | 12421.0 | 16, 13, 21, 22, 23. |
| 12414.0 | 12424.5 | 16, 13, 21, 22, 23. |
| 12417.5 | 12428.0 | 16, 13, 21, 22, 23. |
| 16474.2 | 16474.0 | 18, 15, 25, 26, 27. |
| 16477.5 | 16477.5 | 18, 14. |
| 16488.2 | 16488.0 | 18, 15, 25, 26, 27. |
| 16491.5 | 16491.5 | 18, 14. |
| 16509.2 | 16509.0 | 18, 15, 25, 26, 27. |
| 16512.5 | 16512.5 | 18, 14. |
| 16523.2 | 16523.0 | 18, 15, 25, 26, 27. |
| 16526.5 | 16526.5 | 18, 14. |
| 16537.0 | None | 16, 13, 22. |
| 16540.5 | None | 16, 13, 22. |
| 16544.0 | None | 16, 13, 22. |
| 16547.5 | None | 16, 13, 22. |
| 16551.0 | 16565.0 | 16, 13, 21, 22, 23. |
| 16554.5 | 16568.5 | 16, 13, 21, 22, 23. |
| 16558.0 | 16572.0 | 16, 13, 21, 22, 23. |
| 22028.2 | 22028.0 | 18, 15, 25, 26, 27. |
| 22031.5 | 22031.5 | 18, 14. |
| 22042.2 | 22042.0 | 18, 15, 25, 26, 27. |
| 22045.5 | 22045.5 | 18, 14. |
| 22063.2 | 22063.0 | 18, 15, 25, 26, 27. |
| 22066.5 | 22066.5 | 18, 14. |
| 22078.0 | None | 16, 13, 22. |
| 22081.5 | 22094.5 | 16, 13, 21, 22, 23. |
| 22085.0 | 22098.0 | 16, 13, 21, 22, 23. |
| 22088.5 | 22101.5 | 16, 13, 21, 22, 23. |
| 22092.0 | 22105.0 | 16, 13, 21, 22, 23. |
| 22095.5 | 22108.5 | 16, 13, 21, 22, 23. |

(b) Assignment of the specific carrier frequencies designated in paragraph (a) of this section and use of frequency assignments of which those frequencies are the authorized carrier frequencies shall

be subject to the express limitations and conditions set forth in this paragraph.

(3) Available for use by ship stations aboard vessels operating on the Mississippi River and connecting inland waters, except that this frequency shall not be used by vessels when operating on the Great Lakes.

(4) Transmission by ship stations is prohibited during the period from 8 p.m. to 5 a.m., c.s.t.

(5) Use of this frequency is subject to the express condition that harmful interference shall not be caused to the service of any station which in the discretion of the Commission, may have priority on the frequency or frequencies used for the service to which interference is caused.

(13) Use of this frequency is limited to emission A3J only.

(14) Until January 1, 1974, emissions A3, A3A, A3B, A3H, and A3J; after January 1, 1974, use is limited to emission A3A and A3J: *Provided, however,* That availability of emission A3B after January 1, 1974, is dependent upon the decision taken by the ITU World Administrative Radio Conference, to be convened in 1973, in regard to continued use of that emission.

(15) Until January 1, 1974, emissions A3A, A3H, and A3J; after January 1, 1974, emission A3A and A3J.

(16) Available for use in accordance with the provisions of § 83.360.

(18) Available for use in accordance with the provisions of § 83.355.

(20) Available for use in accordance with the provisions of § 83.354(a).

(21) During the period January 1, 1970, to February 28, 1970, transition may be effected from the currently available frequency listed in Column (1) to the replacement frequency listed in Column (2).

(22) Authorization for use of the frequency listed in Column (1) is withdrawn effective February 28, 1970.

(23) The frequency listed in Column (2) will be available for assignment and use on and after January 1, 1970.

(24) Use should be limited to daytime.

(25) During the period March 1, 1970, to May 1, 1970, transition may be effected from the currently available frequency listed in Column (1) to the replacement frequency listed in Column (2).

(26) Authorization for use of the frequency listed in Column (1) is withdrawn effective May 1, 1970.

(27) The frequency listed in Column (2) will be available for assignment and use on and after March 1, 1970.

(28) The change-over from the currently available frequencies listed in Column (1) to the replacement frequency listed in Column (2) shall be made at 0001 G.m.t., March 1, 1970. Except for

equipment testing, transmission on the replacement frequency shall not commence prior to \$\$\$1 G.m.t., March 1, 1970.

(29) Authorization for use of the frequency listed in Column (1) is withdrawn effective March 1, 1970.

(30) Until January 1, 1974, emissions A3A, A3H, and A3J.

(31) Until January 1, 1974, emissions A3, A3A, A3H, and A3J.

(32) Authorization for use of the frequency listed in Column (1) is withdrawn effective January 1, 1974.

7. The tables below subparagraphs (1) and (2) of paragraph (a) of § 83.354 are amended to read as follows:

§ 83.354 Frequencies below 5000 kc/s for public correspondence.

(a) * * *

(1) Frequencies available for use when the mobile station and the coast station transmit alternately on different radio channels:

| For communication with coast stations located in the vicinity of— | Mobile station transmitting carrier frequency | | | Associated coast station carrier frequency | | |
|---|--|--------------------------------------|--|--|--------------------------------------|--|
| | Old (kc/s) | New (kc/s) | Specific limitations imposed upon availability for use ² | Old (kc/s) | New (kc/s) | Specific conditions relating to use of these frequencies by coast stations for transmission as shown in § 81.306(b) of this chapter ² |
| Boston, Mass. | 2406 2366 | | None do. | 2506 2450 | | None Do. |
| New York, N. Y. | 2126 2166 2198 2382 | | None do. do. Available on condition that harmful interference is not caused to the service of any ship station which is within 360 nautical miles of New Orleans, La., and is transmitting on this frequency to a coast station located in the vicinity of that port. | 2522 2558 2590 2482 | | None Do. Do. Available on condition that harmful interference is not caused to the service of any coast station located in the vicinity of New Orleans, La., to which this carrier frequency is assigned for transmission. |
| | 4088.5 4091.6 4101.3 4104.4 4126.8 | 4088.4 4091.6 4101.2 4104.4 | do. do. do. do. | 4393.5 4396.6 4406.3 4409.4 4431.8 | 4387.0 4390.2 4399.8 4403.0 | Do. Do. Do. Do. |
| | 4129.9 | 4130.0 | Available for use annually during period Dec. 1 to Mar. 15. do. | 4434.9 | 4428.6 | Available for use annually during period Dec. 15 to Mar. 15. Do. |
| Wilmington, Del. | 2166 | | None | 2558 | | None. |
| Baltimore, Md. | 2166 | | None | 2558 | | None. |
| Norfolk-Quantico, Va. | 2142 2366 | | None Day only, available on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2538 2450 | | None. Day only, available on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |
| Charleston, S.C.-Jacksonville, Fla. | 2390 | | None | 2566 | | None. |
| Lake Allatoona-Lake Sidney Lanier, Ga. | 2366 | | Available on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2450 | | Available on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |
| Miami, Fla. | 2406 2031.5 | | Day only None | 2442 2490 | | Day only. Available on a 24-hour basis, on condition that harmful interference shall not be caused to the police radio service in southern California. |
| | 2118 | | Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference shall not be caused to the service of any ship station in the Great Lakes area which in the discretion of the Commission has priority on the frequency or frequencies used for the service to which interference is caused. | 2514 | | Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference shall not be caused to the service of any coast station located in the vicinity of Miami, Fla., to which the carrier frequency 2490 kc/s is assigned for transmission; and also on condition that harmful interference shall not be caused to the service of any coast station in the Great Lakes area which in the discretion of the Commission has priority on the frequency or frequencies used for the service to which interference is caused. |
| | 2158 | | Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference is not caused to the service of any ship station which is within 300 nautical miles of Tampa, Fla., and is transmitting on this frequency to a coast station located in the vicinity of that port. | 2550 | | Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference shall not be caused to the service of any coast station located in the vicinity of Tampa, Fla., to which this carrier frequency is assigned for transmission. |
| | 4120.5 4123.6 | 4120.4 4123.6 | None do. | 4425.5 4428.6 | 4419.0 4422.2 | None. Do. |
| Tampa, Fla. | 2009 2158 | | None Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference shall not be caused to the service of any ship station in the Great Lakes area which in the discretion of the Commission has priority on the frequency or frequencies used for the service to which interference is caused. | 2466 2550 | | None. Unlimited hours of use from Dec. 15 to Apr. 1, annually, and day only from Apr. 1 to Dec. 15, annually, on condition that harmful interference shall not be caused to the service of any coast station in the Great Lakes area which in the discretion of the Commission has priority on the frequency or frequencies used for the service to which interference is caused. |
| Mobile, Ala. | 2430 | | None | 2672 | | None. |
| New Orleans, La. | 2206 2166 | | None Day only | 2598 2558 | | None. Day only; also on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Mobile, Ala., to which the carrier frequency 2672 kc/s is assigned for transmission. |
| | 2382 | | None | 2482 | | None. |

See footnotes at end of table.

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| For communication with coast stations located in the vicinity of— | Mobile station transmitting carrier frequency | | | Associated coast station carrier frequency | | |
|---|--|--|--|--|--|--|
| | Old (kc/s) | New (kc/s) | Specific limitations imposed upon availability for use ² | Old (kc/s) | New (kc/s) | Specific conditions relating to use of these frequencies by coast stations for transmission as shown in §81.306(b) of this chapter ² |
| Deleambre, La..... | 2458 | | Day only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2506 | | Day only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |
| Galveston, Tex..... | 213 2366 | | None. Day only; on condition that harmful interference is not caused to the service of any ship station which is within 300 nautical miles of Boston, Mass., and is transmitting on this frequency to a coast station located in the vicinity of that port. ³ | 2530 2450 | | None. Day only; on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Boston, Mass., San Francisco or Eureka, Calif., to which this carrier frequency is assigned for transmission. ³ |
| Corpus Christi, Tex..... | 2142 | | Available on condition that no harmful interference will be caused to the service of any ship station which is within 300 nautical miles of Norfolk-Quantico, Va., and is transmitting on this frequency to a coast station located in the vicinity of that port. | 2538 | | Available on condition that no harmful interference will be caused to the service of any coast station located in the vicinity of Norfolk-Quantico, Va., to which this carrier frequency is assigned for transmission. |
| San Juan, P.R..... | 2134 | | None. | 2530 | | None. |
| Great Lakes..... | 2118 2158 2206 | | None. do. Not available to U.S. ship stations for transmission. | 2514 2550 2582 | | Subject to applicable provisions of § 81.304(d). Do. Do. |
| | 4114.1 4117.2 4126.8 4129.9 8246.1 8249.2 | 4114.0 4117.2 4126.8 4130.0 8246.0 8249.2 | None. do. do. do. do. do. | 4419.1 4422.2 4431.8 4434.9 8796.1 8799.2 | 4412.6 4415.8 4428.4 4428.6 8780.0 8783.2 | None. Do. Do. Do. Do. Do. |
| Los Angeles-San Diego, Calif..... | 2009 2382 | | None. Available on condition that harmful interference is not caused to the service of any ship station which is within 300 nautical miles of New Orleans, La., and is transmitting on this frequency to a coast station located in the vicinity of that port. | 2566 2466 | | None. Available on condition that harmful interference is not caused to the service on any coast station located in the vicinity of Tampa, Fla., to which this carrier frequency is assigned for transmission. |
| | 2206 2126 | | 7 a.m. to 7 p.m., P.s.t., only do. | 2598 2522 | | 7 a.m. to 7 p.m., P.s.t., only. Do. |
| San Francisco-Eureka, Calif..... | 2003 | | Available on condition that harmful interference shall not be caused to the service of any ship station which is within 300 nautical miles of Los Angeles or San Diego, Calif., and is transmitting on 2000 kc/s to a coast station located in the vicinity of either of these ports. | 2450 | | Available on condition that harmful interference is not caused to police radio service in Kansas or Wisconsin. |
| | 2408 2142 4069.3 4072.4 | 4069.2 4072.4 | None. 7 a.m. to 7 p.m., P.s.t., only None. do. | 2506 2538 4374.3 4377.4 | None. None. 4367.8 4371.0 | None. 7 a.m. to 7 p.m., P.s.t., only. None. Do. |
| Astoria, Ore..... | 2009 | | Day only, on condition that no harmful interference will be caused to any service or station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2442 | | Day only, on condition that no harmful interference will be caused to any service or station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |
| Astoria-Portland, Ore..... | 2206 | | None. | 2598 | | None. |
| Coes Bay, Ore..... | 2031.5 | | 7 a.m. to 7 p.m., P.s.t., only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2566 | | 7 a.m. to 7 p.m., P.s.t., only. |
| Seattle, Wash..... | 2126 2430 | | None. Authorized for use south of 51 degrees north latitude and east of 142 degrees west longitude exclusively during the following daily periods on condition that harmful interference is not caused to the service of any station in the Alaska area authorized in accordance with Part 85 of this chapter to which this carrier frequency is assigned for transmission; annually from Apr. 1 to Sept. 30, inclusive, from 5 a.m. to 9 p.m., P.s.t., only; and annually from Oct. 1 to Mar. 31, inclusive, from 6 a.m. to 11 p.m., P.s.t., only. | 2522 2482 | | None. Authorized for use during the following daily periods on condition that harmful interference is not caused to the service of any coast station located in the vicinity of New Orleans, La., nor to the service of any station in the Alaska area authorized in accordance with Part 85 of this chapter to which this carrier frequency is assigned for transmission; annually from Apr. 1 to Sept. 30, inclusive, from 5 a.m. to 9 p.m., P.s.t., only and annually from Oct. 1 to Mar. 31, inclusive, from 6 a.m. to 11 p.m., P.s.t., only. |
| Kahuku, Hawaii..... | 2134 4114.1 4117.2 | 4114.0 4117.2 | None. do. do. | 2530 4419.1 4422.2 | None. 4412.6 4415.8 | None. Do. Do. |
| Hilo, Hawaii..... | 2198 | | None. | 2582 | | None. |
| Palmyra Island, Hawaii..... | 2134 | | Available on condition that harmful interference shall not be caused to the service of any ship station which is within 300 nautical miles of Kahuku, Hawaii, and is transmitting on this frequency to a coast station located in the vicinity of that port. | 2530 | | Available on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Kahuku, Hawaii, to which the carrier frequency 2530 kc/s is assigned for transmission. |

See footnotes at end of table.

PROPOSED RULE MAKING

| For communication with coast stations located in the vicinity of— | Mobile station transmitting carrier frequency | | | Associated coast station carrier frequency | | |
|---|---|------------|--|--|------------|--|
| | Old (kc/s) | New (kc/s) | Specific limitations imposed upon availability for use ¹ | Old (kc/s) | New (kc/s) | Specific conditions relating to use of these frequencies by coast stations for transmission as shown in §81.306(b) of this chapter ² |
| St. Thomas Island, V.I. | 2009 | | 8 a.m. to 9 p.m., A.s.t., only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. | 2506 | | 8 a.m. to 9 p.m., A.s.t., only; on condition that no harmful interference will be caused to any service or any station which in the discretion of the Commission may have priority on the frequency or frequencies used for the service to which interference is caused. |

¹ Available for single sideband emissions only.
² With respect to each specific date set forth, the associated limitation or condition imposed shall terminate or begin as applicable, at 3 a.m. c.s.t.
³ This carrier frequency is to be made available by the Commission, for use (on a 24-hour basis except where specific hours of use are designated) by the maritime mo-

bile service for ship to shore communication in respect to the particular coast station areas designated, on a specific beginning date to be designated in future rule-making as soon as practicable after its use (or the use of its associated transmitting or receiving frequency) by other radio services is terminated or is reduced to the extent necessary to avoid harmful interference to or from the maritime mobile service.

(2) Frequencies available for use when the mobile stations and the coast station transmit alternately on the same radio channel:

| For communication with coast station located in the vicinity of— | Carrier frequency (kc/s) | | Specific limitations imposed upon availability for use |
|---|--|---|--|
| | Old frequency | New frequency | |
| (1) | (2) | (3) | (4) |
| Baltimore, Md. | 2400 | (1) | Available on condition that harmful interference is not caused to the service of any coast station located in the vicinity of Boston, Mass. |
| Chicago, Ill.; Pittsburgh, Pa.; Louisville, Ky.; St. Louis, Mo.; Memphis, Tenn.; and other locations as required to serve vessels on the Mississippi River and connecting inland waters (other than the Great Lakes). | 2782 4069.3 4072.4 4374.3 4377.4 6236.9 6240.0 6451.9 6455.0 8207.7 8210.8 | (1) 4069.2 4072.4 4367.8 4371.0 (2) (2) 6451.9 6455.0 8207.6 8210.8 | None. Subject to applicable provisions of § 81.304 Do. Do. Do. Do. Do. Do. Do. Do. Do. |
| Lake Dallas, Tex.; Lake Texoma, Tex. | 2738 | (1) | None. |
| Lake Mead, Nev.; and other locations as required to serve vessels on inland waters of the Southwestern Continental United States. | 2782 | (1) | The use of this frequency at locations other than Lake Mead, Nev., is subject to the condition that harmful interference is not caused to the service of any other station. |
| The Dalles, Oreg.; Umatilla, Oreg.; and other locations as required to serve vessels on inland waters of the Northwestern Continental United States, excluding Alaska. | 2784 | (1) | The use of this frequency at locations other than The Dalles, Oreg., and Umatilla, Oreg., is subject to the condition that harmful interference is not caused to the service of any other station. |

¹ Subject to separate rule making proceeding.
² Available for single sideband emission only.

³ See pars. 10-12 of the notice.

8. In § 83.355, paragraph (a) (1), (2), (3), and paragraph (b) are amended to read as follows:

§ 83.355 Frequencies from 5000 kc/s to 27.5 Mc/s for public correspondence.

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

| Ship station transmitting carrier frequency (kc/s) | | For communication with coast stations located in the vicinity of— | Ship station receiving carrier frequency (kc/s) | |
|--|---------------|---|---|---------------|
| Old frequency | New frequency | | Old frequency | New frequency |
| 8201.3 ¹ | 8201.2 | San Francisco, Calif. | 8751.3 | 8735.2 |
| 8204.4 | 8204.4 | do. | 8754.4 | 8738.4 |
| 8214.1 ¹ | 8214.0 | Hawaii | 8764.1 | 8748.0 |
| 8217.2 | 8217.2 | do. | 8767.2 | 8751.2 |
| 8220.5 ¹ | 8220.4 | New York, N.Y. | 8770.5 | 8754.4 |
| 8223.6 | 8223.6 | do. | 8773.6 | 8757.6 |
| 8239.7 ^{1,2} | 8239.6 | Miami, Fla. | 8789.7 | 8773.6 |
| 8242.8 ² | 8242.8 | do. | 8792.8 | 8776.8 |
| 8258.8 ¹ | 8258.8 | New York, N.Y. | 8808.8 | 8792.8 |
| 8261.9 | 8262.0 | do. | 8811.9 | 8796.0 |
| 12351.2 ^{1,2} | 12351.0 | Miami, Fla. | 13151.2 | 13130.0 |
| 12354.5 ² | 12354.5 | do. | 13154.5 | 13133.5 |
| 12358.2 ¹ | 12358.0 | New York, N.Y. | 13158.2 | 13137.0 |
| 12361.5 | 12361.5 | do. | 13161.5 | 13140.5 |
| 12372.2 ¹ | 12372.0 | Hawaii | 13172.2 | 13151.0 |
| 12375.5 | 12375.5 | do. | 13175.5 | 13154.5 |
| 12379.2 ¹ | 12379.0 | San Francisco, Calif. | 13179.2 | 13158.0 |
| 12382.5 | 12382.5 | do. | 13182.5 | 13161.5 |
| 12393.2 ¹ | 12393.0 | New York, N.Y. | 13193.2 | 13172.0 |
| 12396.5 | 12396.5 | do. | 13196.5 | 13175.5 |
| 16474.2 ¹ | 16474.0 | Hawaii | 17304.2 | 17269.0 |
| 16477.5 | 16477.5 | do. | 17307.5 | 17272.5 |
| 16488.2 ¹ | 16488.0 | New York, N.Y. | 17318.2 | 17283.0 |
| 16491.5 | 16491.5 | do. | 17321.5 | 17286.5 |

| Ship station transmitting carrier frequency (kc/s) | | For communication with coast stations located in the vicinity of— | Ship station receiving carrier frequency (kc/s) | |
|--|---------------|---|---|---------------|
| Old frequency | New frequency | | Old frequency | New frequency |
| 16500.2 ¹ | 16509.0 | San Francisco, Calif. | 17339.2 | 17304.0 |
| 16512.5 | 16512.5 | do | 17342.5 | 17307.5 |
| 16523.2 ¹ | 16523.0 | New York, N.Y. | 17353.2 | 17318.0 |
| 16526.5 | 16526.5 | do | 17356.5 | 17321.5 |
| 22028.2 ¹ | 22028.0 | do | 22678.2 | 22653.5 |
| 22031.5 | 22031.5 | do | 22681.5 | 22657.0 |
| 22042.2 ¹ | 22042.0 | San Francisco, Calif. | 22692.2 | 22667.5 |
| 22045.5 | 22045.5 | do | 22695.5 | 22671.0 |
| 22063.2 ¹ | 22063.0 | New York, N.Y. | 22713.2 | 22688.5 |
| 22066.5 | 22066.5 | do | 22716.5 | 22692.0 |

¹ Available for single sideband emissions only.
² Available for communication with ship stations in the Gulf of Mexico and the Caribbean area only. Use of the frequency is upon the express condition that interference shall not be caused to the service if any station which may have priority on the frequency or frequencies used for the service to which interference is caused.

(2) Carrier frequencies authorized for use by ship stations on board vessels while navigated on the Great Lakes; exclusively for communication with coast stations in the Great Lakes area, when the ship station and the coast station transmit alternately on different frequencies. Ship stations shall receive transmission from the particular coast stations on the designated associated receiving frequency:

the coast station transmit alternately on the same frequency:

| Ship station transmitting carrier frequency (kc/s) | | Ship station receiving carrier frequency (kc/s) | |
|--|---------------|---|---------------|
| Old frequency | New frequency | Old frequency | New frequency |
| 6236.9 ¹ | (2) | 6455 | 6455 |
| 6240 | (2) | 8207.7 | 8207.6 |
| 6451.9 ¹ | 6451.9 | 8210.8 | 8210.8 |

¹ Available for use in accordance with § 83.351.
² See pars. 10-12 of the notice.

| Ship station transmitting carrier frequency (kc/s) | | Ship station receiving carrier frequency (kc/s) | |
|--|---------------|---|---------------|
| Old frequency | New frequency | Old frequency | New frequency |
| 8246.1 ¹ | 8246.0 | 8796.1 | 8780.0 |
| 8249.2 | 8249.2 | 8799.2 | 8783.2 |

¹ Available for use in accordance with § 83.351.

(3) Carrier frequencies authorized for use by ship stations on board vessels while navigated on the Mississippi River and connecting inland waters (other than the Great Lakes); exclusively for communication with coast stations located in the vicinity of any harbor, port, or place on the Mississippi River and connecting inland waters (other than the Great Lakes), when the ship station and

(b) The use of the working frequencies authorized in paragraph (a) of this section is subject to the applicable conditions and limitations set forth in § 83.351. Ship stations shall use frequency assignments within the band 5000 kc/s to 27.5 Mc/s only when frequency assignments below 5000 kc/s or above 27.5 Mc/s will not provide effective communication.

D. Part 85, Public Fixed Stations and Stations of the Maritime Services in Alaska, is amended as follows:

1. The table following paragraph (a) and paragraph (d) of § 85.152 are amended to read as follows:

§ 85.152 Authorized classes of emission.

(a) * * *

| Frequency or frequency band | Class of station | Emission |
|--|-----------------------|---|
| (1) For telegraphy: | | |
| 50 to 9000 kc/s | Fixed | A1. |
| 415 to 490 kc/s | Coast | A1; A2 for brief testing and distress, urgency and safety signals, or any communication preceded by one of these signals. |
| 490 to 515 kc/s | do | A1 and A2. |
| 405 to 515 kc/s | Ship | A1 and A2. |
| 1695 to 3400 kc/s | Coast and ship | A1. |
| (2) For telephony: | | |
| 1605 to 4000 kc/s except for 2182 and 2638 kc/s. | Fixed, coast and ship | A3, A3A, A3H, and A3J. |
| 4000 to 9000 kc/s | Fixed | A3, A3A, A3H, and A3J. |
| 4000 to 9000 kc/s | Coast | Until Jan. 1, 1972, emission A3, A3A, A3H and A3J; during the period Jan. 1, 1972, to Jan. 1, 1974, emission A3A, A3H and A3J; after Jan. 1, 1974, emission A3A and A3J; <i>Provided, however,</i> During the period Jan. 1, 1974, to Jan. 1, 1978, emission A3H may be used with ship stations not equipped for single sideband operation. |
| 4000 to 9000 kc/s | Ship | Until Jan. 1, 1974, emissions A3, A3A, A3H and A3J; after Jan. 1, 1974, use is limited to emission A3A and A3J. |
| 2182 kc/s | Coast and ship | A3 and A3H. |
| 2638 kc/s | Ship | A3 and A3H. |
| 156 to 174 Mc/s | Coast and ship | F3. |

(d) Authorization to use A3H, A3A, or A3J emission is limited to emitting a carrier, for A3H, at a power level between 3 and 6 decibels below peak envelope power; for A3A, at a power level of 16 decibels, ±2 decibels, below peak envelope power; and, for A3J, at a power level at least 40 decibels below peak envelope power.

2. Section 85.259 is amended to read as follows:

§ 85.259 Frequencies for ship-shore and ship to ship communication by telegraphy or telephony in all zones.

Each of the following frequencies is an authorized carrier frequency for use in accordance with Subpart E of this part, by coast and ship stations in all zones of the Alaska area, as designated herewith:

- (a) 1622 kc/s and 2382 kc/s: For communication by telegraphy and/or telephony between public coast stations and public ship stations on board any type of vessel.
- (b) 1622 kc/s: For intership communication (for business, operational, and safety purposes) by telegraphy and/or telephony between ships on board vessels of less than 500 gross tons.
- (c) 2382 kc/s: For intership communication (for business, operational, and safety purposes) by telegraphy and/or telephony between ships on board vessels of 500 gross tons or more.
- (d) 4390.2 kc/s: To conform to the revised international radio regulations adopted at Geneva, 1967, the frequency 4409.4 kc/s will be replaced by 4403.0 kc/s and the frequency 4434.9 kc/s will be replaced by 4428.6 kc/s. Changeover by coast stations from 4409.4 to 4403.0 kc/s and from 4434.9 to 4428.6 kc/s will be made at 0001 G.m.t., March 1, 1970. Ship stations shall effect the changeover during the period March 1 to May 1, 1970. The frequencies 4409.4 and 4434.9 kc/s will not be available to coast stations after March 1, 1970, or to ship stations after May 1, 1970. Except for equipment testing, transmission by coast stations on the replacement frequencies 4403.0 and 4428.6 kc/s shall not commence prior to 0001 G.m.t., March 1, 1970. The conditions of use and limitations applicable to this and to the replacement frequency are as follows:

- (1) Primarily for communication by telephony between public coast stations and public ship stations on board any type of vessel, during the hours from 6 a.m. to 9 p.m. local standard time;
- (2) During these hours, the frequency may also be used, on a secondary basis, in accordance with the following limitations:
 - (i) When used between public coast stations;
 - (a) The separation between public coast stations shall not be less than 50 statute miles;

PROPOSED RULE MAKING

(b) Communication shall be limited to the exchange of public correspondence under conditions which make it necessary to use this frequency for this purpose in lieu of a carrier frequency specifically designated in Subpart F of this part for fixed service;

(c) Priority shall be given at all times to ship-shore communication.

(ii) When used between ship stations on board any type of vessel for business, operational, and safety purposes, the following limitations shall apply:

(a) Harmful interference shall not be caused to the service of any coast station using telephony:

(b) Insofar as practicable, use shall be limited to the relatively longer distances

over which the use of frequencies below 3400 kc/s or above 156 Mc/s would not be effective.

3. A new subparagraph (3) is added to paragraph (k) of § 85.264 to read as follows:

§ 85.264 Frequencies available in particular zones.

* * * * *

(k) * * *
(3) To conform to the revised International Radio Regulations adopted at Geneva, 1967, the frequency 4409.4 kc/s will be replaced by 4403.0 kc/s and the frequency 4434.9 kc/s will be replaced by 4428.6 kc/s. Changeover by coast stations

from 4409.4 to 4403.0 kc/s and from 4434.9 to 4428.6 kc/s will be made at 0001 GMT, March 1, 1970. Ship stations shall effect the changeover during the period March 1 to May 1, 1970. The frequencies 4409.4 and 4434.9 kc/s will not be available to coast stations after March 1, 1970, or to ship stations after May 1, 1970. Except for equipment testing, transmission by coast stations on the replacement frequencies 4403.0 and 4428.6 kc/s shall not commence prior to 0001 G.m.t., March 1, 1970.

* * * * *
[F.R. Doc. 68-9656; Filed, Aug. 15, 1968; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Office of the Secretary
PATRICK N. GRIFFIN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

- (1) No change.
- (2) No change.
- (3) No change.
- (4) No change.

This statement is made as of August 22, 1968.

Dated: August 5, 1968.

PAT GRIFFIN.

[F.R. Doc. 68-9816; Filed, Aug. 15, 1968; 8:45 a.m.]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ASSISTANT SECRETARY AND DEPUTY ASSISTANT SECRETARY FOR MODEL CITIES AND GOVERNMENTAL RELATIONS

Delegations of Authority

The Secretary's delegations of authority to the Assistant Secretary and Deputy Assistant Secretary for Demonstrations and Intergovernmental Relations with respect to the model cities program, effective November 27, 1967 (32 F.R. 17496, Dec. 6, 1967), are hereby amended in the following respects:

(1) The caption is revised by changing the titles "Assistant Secretary and Deputy Assistant Secretary for Demonstrations and Intergovernmental Relations" to "Assistant Secretary and Deputy Assistant Secretary for Model Cities and Governmental Relations".

(2) Sections A and B, 1, are revised by changing the titles "Assistant Secretary for Demonstrations and Intergovernmental Relations and the Deputy Assistant Secretary for Demonstrations and Intergovernmental Relations" to "Assistant Secretary for Model Cities and Governmental Relations and the Deputy Assistant Secretary for Model Cities and Governmental Relations".

(3) Section B, 2, is revised by changing the title "Assistant Secretary for Demonstrations and Intergovernmental Relations" to "Assistant Secretary

for Model Cities and Governmental Relations".

Effective date. These revisions of delegations of authority are effective as of April 29, 1968.

ROBERT C. WEAVER,
Secretary of Housing and
Urban Development.

[F.R. Doc. 68-9824; Filed, Aug. 15, 1968; 8:46 a.m.]

DIRECTOR, MODEL CITIES STAFF, REGION I (NEW YORK)

Redelegation of Authority With Respect to Model Cities Program

The Director, Model Cities Staff, Region I (New York), is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development to the extent redelegated to the Regional Administrator and to the Deputy Regional Administrator in section A of the redelegations of authority by the Assistant Secretary for Model Cities and Governmental Relations effective November 27, 1967 (32 F.R. 17496, Dec. 6, 1967), as amended effective April 29, 1968 (33 F.R. 11685, Aug. 16, 1968), with respect to the model cities program under Title I of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3301-3313) except the authority to authorize waivers of contract provisions.

(Redelegations of Authority by Assistant Secretary for Demonstrations and Intergovernmental Relations effective Nov. 27, 1967 (32 F.R. 17496, Dec. 6, 1967))

Effective date. This redelegation of authority shall be effective as of August 16, 1968.

JUDAH GRIBETZ,
Regional Administrator, Region I.

[F.R. Doc. 68-9825; Filed, Aug. 15, 1968; 8:46 a.m.]

DIRECTOR, MODEL CITIES STAFF, REGION II (PHILADELPHIA)

Redelegation of Authority With Respect to Model Cities Program

The Director, Model Cities Staff, Region II (Philadelphia), is hereby authorized to exercise the power and authority of the Secretary of Housing and Urban Development to the extent redelegated to the Regional Administrator and to the Deputy Regional Administrator in section A of the redelegations of authority by the Assistant Secretary for Model Cities and Governmental Relations effective November 27, 1967 (32 F.R. 17496, Dec. 6, 1967), as amended effective April 29, 1968 (33 F.R. 11685, Aug. 16, 1968), with respect to the Model Cities

Program under Title I of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3301-3313) except the authority to authorize waivers of contract provisions.

(Redelegations of Authority by Assistant Secretary for Demonstrations and Intergovernmental Relations effective November 27, 1967 (32 F.R. 17496, December 6, 1967))

Effective date. This redelegation of authority shall be effective as of July 5, 1968.

WARREN P. PHELAN,
Regional Administrator, Region II.

[F.R. Doc. 68-9826; Filed, Aug. 15, 1968; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration
NORWICH PHARMACAL CO.

Notice of Filing of Petition of Food Additive Buquinolate

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 The Norwich Pharmacal Co., Post Office Box 191, Norwich, N.Y. 13815, proposing that § 121.291 Buquinolate (21 CFR 121.291) be amended to provide for the safe use of buquinolate in chicken feed for the prevention of coccidiosis in chickens caused by the organism *E. brunetti*.

Dated: August 7, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-9847; Filed, Aug. 15, 1968; 8:48 a.m.]

ATOMIC ENERGY COMMISSION

PLUTONIUM AND URANIUM ENRICHED IN URANIUM 233

Charges

This notice amends a similarly entitled notice published May 29, 1963, 28 F.R. 5314. In accordance with section 53 of the Atomic Energy Act of 1954, as amended, the Commission has determined that the base charge for contained plutonium isotopes Pu-239 plus Pu-241 may be reduced for purposes of computing the dollar amount due the AEC for use charges for purposes related to power reactor research and development programs such as plutonium

recycle in thermal reactors and development of fast reactor technology where the AEC determines it has a programmatic interest.

1. Delete the first sentence of paragraph 5 of the notice and substitute therefor the following:

Reduced base charges. Notwithstanding paragraph 3 above, the following reduced base charges, solely for computing the dollar amount due the AEC for loss or consumption of plutonium and uranium enriched in Uranium 233 under domestic lease agreements, except that for plutonium to be utilized in power reactor research and development programs (e.g., plutonium recycle in thermal reactors and development of fast reactor technology), in which AEC determines it has a programmatic interest, such reduced base charges shall also apply for purposes of computing the dollar amount due the AEC for use of such plutonium, shall apply to such material distributed under subsections 53a (1) and (2) of the Act, provided that for such material distributed for use in a nuclear reactor licensed under section 104 of the Act these reduced base charges shall apply only in cases in which the AEC has determined that the use of such material will produce technical and economic data of sufficient interest in the AEC program and the lessee has agreed to extend to the AEC access to such data and appropriate patent rights.

2. Delete the word "consumption" in the fourth sentence of paragraph 5 of the notice and substitute therefor the word "base".

3. *Effective date.* This notice shall become effective upon publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 13th day of August 1968.

For the Atomic Energy Commission.

F. T. HOBBS,
Acting Secretary.

[F.R. Doc. 68-9822; Filed, Aug. 15, 1968; 8:46 a.m.]

[Docket No. 50-305]

WISCONSIN PUBLIC SERVICE CORP. ET AL.

Notice of Issuance of Provisional Construction Permit

Notice is hereby given that, pursuant to the Initial Decision of the Atomic Safety and Licensing Board, dated August 6, 1968, the Director of the Division of Reactor Licensing has issued Provisional Construction Permit No. CPPR-50 to Wisconsin Public Service Corp., Wisconsin Power and Light Co., and Madison Gas and Electric Co. for the construction of a pressurized water nuclear reactor, designated as the Kewaunee Nuclear Power Plant to be located on the licensees' site in the town of Carlton, Kewaunee County, Wis.

A copy of the Initial Decision is on file in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 6th day of August 1968.

For the Atomic Energy Commission.

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

[F.R. Doc. 68-9836; Filed, Aug. 15, 1968; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18936]

STANDBY YOUTH AND "YOUNG ADULT" FARES

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on September 10, 1968, at 10 a.m., e.d.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the undersigned examiner.

For information concerning the issues involved and other details of this proceeding, interested persons are referred to the various documents which are in the docket of this case on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., August 12, 1968.

[SEAL] ARTHUR S. PRESENT,
Hearing Examiner.

[F.R. Doc. 68-9841; Filed, Aug. 15, 1968; 8:47 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF LABOR

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Labor to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for Wage and Labor Standards.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
*Executive Assistant to
the Commissioners.*

[F.R. Doc. 68-9844; Filed, Aug. 15, 1968; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Transportation to fill by noncareer executive assignment in the

excepted service the position of Director, Office of Public Affairs, Federal Highway Administration.

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

[F.R. Doc. 68-9845; Filed, Aug. 15, 1968; 8:47 a.m.]

GENERAL EDUCATION AND TRAINING SERIES

Notice of Establishment of Prescribed Minimum Educational Requirements

In accordance with section 3308 of title 5, United States Code, the Civil Service Commission has decided that minimum educational requirements should be established for positions in the General Education and Training Series, GS-1701. Change in the coverage of this series now limits it to positions involving work of a professional nature. (Positions of non-professional nature which were formerly classified in GS-1701 are now classifiable in the Education and Training Technician Series, GS-1702.) The requirements, the duties of the positions, and the reasons for the Commission's decision that the requirements are necessary are set forth below.

GENERAL EDUCATION AND TRAINING SERIES, GS-1701 (ALL GRADES)

Minimum educational requirements. Candidates must have successfully completed a full 4-year course of study in an accredited college or university leading to a bachelor's or higher degree which included or was supplemented by major study in education or in a subject field appropriate to the work of the position.

Duties. The duties of these positions involve research or other professional work in the field of education and training when the work is of such generalized, or miscellaneous specialized nature that it is not more appropriately classifiable to any of the existing professional series. Such work may require professional knowledge of a specialized field for which no series has been established; or it may require knowledge of two or more academic disciplines with none predominant; or it may involve a combination of characteristics identifiable with more than one professional education series.

Reasons for requirements. The duties of these positions cannot be performed successfully on a professional level without, at the minimum, formalized training in an appropriate academic discipline which provided fundamental knowledges pertinent to the professional work of the positions covered by this series. The duties require the application of the basic knowledges, principles, methods and techniques of education or an appropriate subject field. This academic foundation can only be obtained through directed study in an accredited college or university which provided library and laboratory facilities and thoroughly

trained instructors who can give professionally competent training, guidance, and evaluation.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR. Doc. 68-9846; Filed, Aug. 15, 1968;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 400]

COMMON CARRIER SERVICES INFORMATION¹

Domestic Public Radio Services Appli- cations Accepted for Filing²

AUGUST 12, 1968.

Pursuant to §§ 1.277(b)(3) and 21.26(b) of the Commission's rules, an application, in order to be considered with any domestic public radio services application appearing on the list below, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cut-off dates are set forth in the alternative—applications will be entitled to consideration with those listed below if filed by the end of the 60 day period, only if the Commission has not acted upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's Rules for provisions governing the time or filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

¹ All applications listed below are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations and other requirements.

² The above alternative cut-off rules apply to those applications listed below as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio and Local Television Transmission Services (Part 21 of the rules).

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

- 577-C2-ML-69—Golden West Telephone Co.; (KMM635); Modification of license to change the base frequency 152.78 MHz. to 152.75 MHz. All other terms of the existing license to remain unchanged.
- 622-C2-P-69—General Telephone Co. of Missouri; (KDI204); C.P. to change the antenna system operating on 152.75 MHz. located at 2.5 miles southeast of Columbia, Mo.
- 753-C2-P-69—Radio Dispatch Co.; (New); C.P. for a new two-way radio station to be located on State Highway No. 123, 1.33 miles north of Backems Crossroads, Ala., to operate on base frequency 152.15 MHz.
- 754-C2XP-69—Intermountain Mobilfone, Inc.; (New); C.P. for a new two-way radio station to be located at location No. 1: 14 miles southeast of Idaho Falls, Idaho, to operate on base frequency 152.03 MHz. and repeater frequency 75.62 MHz. and at location No. 2: 2065 Turnbull Dr., Idaho Falls, Idaho, to operate on control frequency 72.38 MHz.
- 755-C2-P-69—Margaret Walsh; (KSJ762); C.P. to change the antenna system operating on 152.03 MHz. located at 103 West College Ave., Appleton, Wis.
- 757-C2-AL-(2)-69—Trinity Dispatch Co.; Consent to assignment of license from Trinity Dispatch Co., assignor, to: Page A Fone Corp., assignee. Stations: KKG262, Fort Worth, Tex.; KKK712, Dallas, Tex.
- 758-C2-P-69—The Chesapeake & Potomac Telephone Co. of Virginia; (KIB529); C.P. to add a fourth channel on base frequency 152.75 MHz. and test frequency 158.01 MHz. and replace the existing test transmitter, station located at 703 East Grace St., Richmond, Va.
- 759-C2-P-69—Telephone & Radio Answering Service, Inc.; (KKE964); C.P. to relocate the two-way facilities operating on frequency 152.21 MHz. to 1010 Milam St., Houston, Tex.
- 760-C2-MP-69—Telephone Answering Service, Inc.; (KGA805); Modification of C.P. to change the antenna system located at 1715 Grandview Ave., Pittsburgh, Pa., operating on frequency 43.58 MHz.
- 761-C2-P-69—Page Boy, Inc.; (KAH661); C.P. to change the antenna system located at Second Ave. South, between Fifth and Sixth Sts., Minneapolis, Minn., operating on frequency 35.22 MHz. (one-way).
- 762-C2-P-69—Telephone Answering Service; (KGA805); C.P. to add a second channel on base frequency 43.22 MHz. at station located at 1715 Grandview Ave., Pittsburgh, Pa. (one-way).
- 763-C2-P-69—Instant Communications, Inc.; (KQD303); C.P. to change frequency to 158.70 MHz., replace the transmitter to operate on same and change the antenna system located at 424 Book Building, 1249 Washington Blvd., Detroit, Mich.
- 764-C2-P/ML-69—Fresno Mobile Radio, Inc.; (KMA830); C.P. to add a fourth base channel on frequency 454.025 MHz. and a voice channel on frequency 2128.4 MHz. at location No. 1: 30 miles northeast of Fresno, Calif., and add a voice channel on 2178.4 MHz. at location No. 3: 160 North Broadway, Fresno, Calif.
- 765-C2-MP-69—Answer Iowa, Inc.; (KCI307); Modification of C.P. to change the base transmitter operating on frequency 152.12 MHz. located at 3 miles north-northwest of Burlington, Iowa.
- 766-C2-P-69—Mobile Radio Communications, Inc.; (New); C.P. for a new (one-way) station to be located at 901-923 Main St., Kansas City, Mo., to operate on frequency 152.24 MHz.
- 767-C2-P-69—Mobile Radio Communications, Inc.; (New); C.P. for a new (one-way) station to be located at 922 Linwood St., Kansas City, Mo., to operate on frequency 158.70 MHz.
- 802-C2-P-69—General Communications Service, Inc.; (KOE254); C.P. to relocate control station facilities at location No. 5 to: 605 North Ninth Ave., Showlow, Ariz., operating on 454.20 MHz.

Applications for renewal of Developmental radio (air-to-ground) ground stations licenses expiring September 10, 1968. Term: September 10, 1968, to September 10, 1969.

Indiana Bell Telephone Co.; KSJ612.
New England Telephone & Telegraph Co.; KCC793.

RURAL RADIO SERVICE

- 265-C1-P/L-69—The Mountain States Telephone and Telegraph Co.; (New); C.P. and license for a new rural subscriber station to be located at 6.8 miles east-northeast of Fort Hall, Idaho, to operate on frequency 158.01 MHz.
- 465-C1-P/L-69—Hawaiian Telephone Co.; (New); C.P. and license for new temporary-fixed facilities. (Five units.) In any temporary fixed location within the territory of the grantee to operate on frequency 157.83 MHz.
- 466-C1-P/L-69—Hawaiian Telephone Co.; (New); C.P. and license for new temporary-fixed facilities. (Five units.) In any temporary fixed location within the territory of the grantee to operate on frequency 157.92 MHz.
- 464-C1-P/L-69—Malheur Home Telephone Co.; (New); C.P. and license for a new rural subscriber station to be located 6 miles west of Westfall, Ore., to operate on frequency 157.89 MHz.
- 624-C1-P/L-69—Southern Bell Telephone & Telegraph Co.; (New); C.P. and license for a new rural subscriber fixed station to be located at 20.8 miles south-southwest of Belle Glade, Fla., to operate on frequencies 157.77 and 157.89 MHz.

POINT TO POINT MICROWAVE RADIO SERVICE: (TELEPHONE CARRIER)

- 569-C1-P-69—South Central Bell Telephone Co.; (KLU69); C.P. to add frequencies 6286.2 and 6404.8 MHz. toward Paradis, La., at station located at 3951 Erato St., New Orleans, La.
- 570-C1-P-69—South Central Bell Telephone Co.; (New); C.P. for a new fixed station to be located at 5 miles south of Paradis, La., to operate on frequencies 6034.2 and 6152.8 MHz. toward New Orleans and Thibodaux, La.
- 571-C1-P-69—South Central Bell Telephone Co.; (New); C.P. for a new fixed station to be located at 204 Back St., Thibodaux, La., to operate on frequencies 6286.2 and 6404.8 MHz. toward Paradis and Houma, La.

- 572-C1-P-69—South Central Bell Telephone Co.; (New); C.P. for a new fixed station to be located at 425 Rousell St., Houma, La., to operate on frequencies 6034.2 and 6152.8 MHz. toward Thibodaux, La.
- 625-C1-P-69—American Telephone & Telegraph Co.; (KGF61); C.P. to add 3870 MHz. toward Essex, Md., at station located at 320 St. Paul Pl., Baltimore, Md.
- 626-C1-P-69—American Telephone & Telegraph Co.; (KGO68); C.P. to add 3910 MHz. toward Fairlee and Baltimore, Md., at station located at 2.3 miles east-southeast of Essex, Md.
- 627-C1-P-69—American Telephone & Telegraph Co.; (KGH24); C.P. to add 3870 MHz. toward Essex, Md., and 3950 MHz. toward Marriott Hill, Md., at station located at 0.8 mile south of Fairlee, Md.
- 628-C1-P-69—American Telephone & Telegraph Co.; (KGH25); C.P. to add 3990 MHz. toward Waldorf, Md., at station located at Marriott Hill, 4 miles northwest of Galesville, Md.
- 637-C1-AL-69—The Mountain States Telephone & Telegraph Co.; (KYS60); Consent to assignment of license from The Mountain States Telephone & Telegraph Co., assignor, to: Pacific Power & Light Co., assignee.
- 768-C1-MP-69—General Telephone Co. of Kentucky; (KYC68); Modification of C.P. to change the antenna system and point of communication to azimuth 95°02'. All other terms of the existing C.P. to remain unchanged.
- 769-C1-P-69—California Interstate Telephone Co.; (New); C.P. for a new fixed station to be located at intersection of Kernville Road and Squire St., Isabella, Calif., to operate on frequencies 10715 and 11085 MHz.
- 770-C1-P-69—California Interstate Telephone Co.; (New); C.P. for a new fixed station to be located at approximately 2 miles east-southeast of Isabella at Cook Peak, Calif., to operate on frequencies 11285 and 11605 MHz. toward Horse Peak, Calif.; 11245 and 11565 MHz. toward Isabella, Calif., and 6049.0 and 6167.6 MHz. toward Kernville, Calif., via passive reflector.
- 771-C1-P-69—California Interstate Telephone Co.; (New); C.P. for a new fixed station to be located at 345 Scodie Ave., Kernville, Calif., to operate on frequencies 6271.3 and 6390.0 MHz. toward Cook Peak, Calif., via passive reflector.
- 772-C1-P-69—California Interstate Telephone Co.; (KVI37); C.P. to add frequencies 10755 and 11075 MHz. toward Cook Peak, Calif., at station located at Horse Peak, 10 miles east-southeast of Onyx, Calif.
- 778-C1-P-69—General Telephone Co. of Kentucky; (New); C.P. for a new fixed station to be located at 301 West Washington St., Glasgow, Ky., to operate on frequencies 11245 and 11485 MHz. toward Horse Cave, Ky.
- 805-C1-P-69—California Interstate Telephone Co.; (KSW39); C.P. to add frequencies 11245 and 11565 MHz. toward Topaz, Nev., via passive reflector at station located at intersection of County Rd. and Church St., Gardnerville, Nev.
- 806-C1-P-69—California Interstate Telephone Co.; (KYJ57); C.P. to add frequencies 10715 and 11035 MHz. toward Gardnerville, Nev., via passive reflector at station located at Topaz, 18.1 miles south-southeast of Gardnerville, Nev.
- 803-C1-P/L-69—The Mountain States Telephone & Telegraph Co.; (New); C.P. and license for a new fixed station to be located at 1630 Maple Grove Rd., Boise, Idaho, to operate on frequency 2118.2 MHz.
- 804-C1-P/L-69—The Mountain States Telephone & Telegraph Co.; (New); C.P. and license for a new fixed station to be located at 5 miles west of Sweet, Idaho, to operate on frequency 2168.2 MHz. toward Boise, Idaho.
- 5075-C1-R-69—Indiana Bell Telephone Co.; (KYS50); Renewal of license for a Developmental fixed station expiring Sept. 12, 1968. Term: Sept. 12, 1968 to Sept. 12, 1969.
- MAJOR AMENDMENT
- 229-C1-P-69—Illinois Bell Telephone Co.; (KS095); Change frequency 6078.6 MHz. to 6019.3 MHz. toward Weldon, Ill., station location; 2.1 miles east-southeast of Lake Park, Ill. All other particulars same as reported in public notice dated July 22, 1968.
- POINT-TO-POINT MICROWAVE RADIO SERVICE: (NONTELEPHONE)
- 365-C1-MI-69—Mesa Microwave, Inc.; (KLS33); Modification of license to add audio service to Paris, Tex. All other terms of the existing license to remain the same. (Informative); Applicant proposes to provide the FM signal of station KFUZ-FM, Fort Worth, Tex., to KPLI (AM) and KPLI-FM in Paris, Tex.)
- 739-C1-P-69—Alabama Microwave, Inc.; (KRE71); C.P. to relocate station from Decatur, Ala., to 1000 Monte Leno Dr., Huntsville, Ala. Lat. 34°44'16" N., long. 86°32'02" W. operating on frequency 6197.2 MHz. toward Rogersville, Ala., on azimuth 279°39'. (Informative); Applicant proposes to move pickup point for NBC Network programming from Decatur to Huntsville, Ala.)
- 741-C1-MP-69—Upper Peninsula Microwave, Inc.; (KYO48); Modification of C.P. to correct coordinates of station to lat. 43°09'37" N., long. 84°39'11" W. All other terms of existing C.P. to remain the same.
- 742-C1-P-69—Mountain Microwave Corp.; (New); C.P. for a new CATV station to be located at 1044 Lincoln St., Denver, Colo. Lat. 39°43'58" N., long. 104°59'07" W., to operate on frequency 5974.8 MHz. toward Colorado, Colo., on azimuth 269°39'.
- 743-C1-P-69—Mountain Microwave Corp.; (New); C.P. for a new CATV station to be located at 2 miles southwest of Golden, Colo., lat. 39°43'54" N., long. 105°14'58" W., to operate on frequency 6226.9 MHz. toward Almagre, Colo., on azimuth 168°11'.
- 744-C1-P-69—Mountain Microwave Corp.; (KBI22); C.P. to add frequency 5974.8 MHz. toward Monarch Pass, Colo., on azimuth 255°24' and change frequency 5995.0 MHz. to 6004.5 MHz. azimuth 255°24', 248°02' and 102°33'. Station location: Almagre Mountain, 8 miles west of Broadmoor, Colo.
- 745-C1-P-69—Mountain Microwave Corp.; (KBT67); C.P. to add frequency 6226.9 MHz. toward Waterdog Peak, Colo., on azimuth 264°35' and change frequency 6245.0 to 6256.5 MHz. on azimuth 264°35'.
- 746-C1-P-69—Mountain Microwave Corp.; (KBT68); C.P. to add frequency 5974.8 MHz. toward Grand Junction, Colo., on azimuth 313°08' and change frequency 5995.0 MHz. to 6004.5 MHz. on azimuths 313°08', 320°19', 300°59', 112°23' and 178°17'. Location: Waterdog Peak, 13 miles southeast of Montrose, Colo.
- 747-C1-P-69—Mountain Microwave Corp.; (KVD95); C.P. to add frequency 6184.2 MHz. toward Grand Junction, Colo., and Roan Cliff, Utah, on azimuths 43°48' and 310°29'. Station location: Grand Junction, 2.5 miles southwest of Grand Junction, Colo.
- 748-C1-P-69—Mountain Microwave Corp.; (New); C.P. for a new CATV station to be located at 29 miles northwest of Fruita, Colo. Lat. 39°26'10" N., long. 109°10'12" W. to operate on frequency 5960.6 MHz. toward Bruin Point, Utah, on azimuth 282°52'.
- 749-C1-P-69—Mountain Microwave Corp.; (New); C.P. for a new CATV station to be located at Bruin Point, 7 miles north-northeast of Dragerton, Utah. Lat. 39°38'40" N., long. 110°20'50" W., to operate on frequency 6182.4 MHz. toward Colton, Utah, on azimuth 285°57'.
- 750-C1-P-69—Mountain Microwave Corp.; (New); C.P. for a new CATV station to be located at Colton, 15 miles northwest of Helper, Utah, to operate on frequency 5960.0 MHz. toward Nelson Peak, Utah, on azimuth 314°28'.
- 751-C1-P-69—Mountain Microwave Corp.; (New); C.P. for a new CATV station to be located at Nelson Peak, 18 miles southwest of Salt Lake City, Utah. Lat. 40°38'30.5" N., long. 112°09'34" W. to operate on frequency 6182.4 MHz. toward Salt Lake City, Utah, on azimuth 52°35'.
- 574-C1-MP-69—Mountain Microwave Corp.; (KCM81); Modification of C.P. to change frequency from 6171.5 MHz. to 6255.0 MHz. toward Manchester, Nebr., on azimuth 354°28'.
- 575-C1-MP-69—Mountain Microwave Corp.; (KZA62); Modification of C.P. to change azimuth from 77°01' to 79°23'.
- 576-C1-MP-69—Mountain Microwave Corp.; (KZA63); Modification of C.P. to change station location from lat. 42°47'05" N., long. 102°12'41" W. to lat. 42°45'33" N., long. 102°11'31" W., 1.7 miles south of Gordon, Nebr., azimuth 52°46'.
- 807-C1-P-69—Eastern Microwave, Inc.; (New); C.P. for a new CATV station to be located at 2 miles southeast of Walton, N.Y. Lat. 42°08'10" N., long. 75°05'47" W., to operate on frequency 11265 MHz. toward Delhi, N.Y., on azimuth 45°56'. (Informative); Applicant proposes to provide the TV signal of station WPIX-TV, New York, N.Y., to Delhd Video, Inc., in Delhi, N.Y.)
- 808-C1-P-69—TelePrompeter Transmission of Kansas, Inc.; (KAK39); C.P. to add a new point of communication toward Hugoton, Kans., on frequencies 6212.5, 6312.5, and 6412.5 MHz. via power split on azimuth 294°50'. (Informative); Applicant proposes to provide the TV signals of stations KVII(TV), KFDA-TV and KGNC-TV of Amarillo, Tex., to Inter-City TV Corp., in Hugoton, Kans.)

[F.R. Doc. 68-9799; Filed Aug. 15, 1968; 8:45 a.m.]

160—FRIDAY, AUGUST 16, 1968

FEDERAL REGISTER, VOL. 33, NO.

FEDERAL POWER COMMISSION

[Docket No. G-4684, etc.]

SUN OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions to Amend Certificates¹

AUGUST 13, 1968.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10), on or before August 30, 1968.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56, Part 2, Statement of General Policy and Interpretations, Chapter I of Title 18 of the Code of Federal Regulations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing of protests or petitions to intervene the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

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

GORDON M. GRANT,
Secretary.

¹This notice does not provide for consolidation for hearing of the several matters covered herein.

| Docket No. and date filed | Applicant | Purchaser, field, and location | Price per Mcf | Pressure base |
|---|--|--|----------------------|---------------|
| G-4684 E 7-10-68 | Sun Oil Co. (Southwest Division) (successor to The Hefner Production Co.), 1608 Walnut St., Philadelphia, Pa. 19103. | Colorado Interstate Gas Co., Keyes Field, Cimarron County, Okla. | 11.88 | 14.65 |
| G-5902 E 6-21-68 | W. H. Doran, Jr. (successor to Continental Oil Co.), Post Office Box 648, Alice, Tex. 78332. | Transcontinental Gas Pipe Line Corp., Kittie et al., Fields, Live Oak County, Tex. | 11.0 12.0 13.0 | 14.65 |
| G-8743 E 6-28-68 | Glasscock Oil Co. (successor to C. G. Glasscock, Jr.), Suite 1213, 2016 Main St., Houston, Tex. 77002. | Tennessee Gas Pipeline Co., a division of Tenneco Inc., Captain Lucy (Bentonville) and North Alice Fields, Nueces and Jim Wells Counties, Tex. | 14.38069 | 14.65 |
| G-14907 D 7-10-68 ¹ | Mobil Oil Corp. (Operator) et al., Post Office Box 2444, Houston, Tex. 77001 (partial abandonment). | Hassie Hunt Trust, Lisbon Field, Claiborne Parish, La. | Assigned | |
| G-15392 E 7-3-68 | Lewis B. Howard (successor to Gordon Street, Inc.), Post Office Box 13204, Houston, Tex. 77019. | Tennessee Gas Pipeline Co., a division of Tenneco Inc., Lick Branch Field, San Jacinto and Liberty Counties, Tex. | 14.6 | 14.65 |
| G-16546 C 7-8-68 ^{1a} | Skelly Oil Co. (Operator) et al., Post Office Box 1650, Tulsa, Okla. 74102. | El Paso Natural Gas Co., Bisti Field, San Juan County, N. Mex. | 14.0678 | 15.025 |
| G-16354 E 6-21-68 | H. F. Boester (successor to Hawn Brothers, Operator), 409 Santa Monica, Corpus Christi, Tex. 78411. | Banquete Gas Co., a division of Crestmont Oil & Gas Co., Plymouth and East Taft Fields, San Patricio County, Tex. | 10.0 | 14.65 |
| G-17548 C 7-8-68 | Skelly Oil Co. | El Paso Natural Gas Co., acreage in San Juan County, N. Mex. | 12.0495 | 15.025 |
| G-18933 C 7-12-68 | Apache Corp., Attn: George J. McLernone, Jr., 823 South Detroit, Tulsa, Okla. 74120. | Michigan Wisconsin Pipe Line Co., Laverne Field, Beaver County, Okla. | 17.0 | 14.65 |
| G-20565 C 7-8-68 | Hamilton Brothers, Ltd., 1517 Denver Club Bldg., Denver, Colo. 80202. | Northern Natural Gas Co., acreage in Texas County, Okla. | 15.0 17.0 | 14.65 |
| CI61-691 D 7-9-68 | Continental Oil Co. (Operator) et al., Post Office Box 2197, Houston, Tex. 77001 (partial abandonment). | Panhandle Eastern Pipe Line Co., acreage in Dewey County, Okla. | (16) | |
| CI61-396 C 7-15-68 | Midwest Oil Corp., 1700 Broadway, Denver, Colo. 80202. | Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla. | 19.5 | 14.65 |
| CI62-1337 E 7-15-68 | Amarillo Natural Gas Co. (Operator) et al. (successor to W. J. Fellers (Operator) et al.), 305 Bank of the Southwest Bldg., Amarillo, Tex. 79109. | Panhandle Eastern Pipe Line Co., Atwell Gas Unit, Seward County, Kans. | 16.0 | 14.65 |
| CI63-234 C 7-10-68 | Mobil Oil Corp. (Operator) et al. | Arkansas Louisiana Gas Co., Red Oak Area, Le Flore and Sequoyah Counties, Okla. | 15.0 | 14.65 |
| CI63-1299 D 7-10-68 ¹¹ | Mobil Oil Corp. | Natural Gas Pipeline Co. of America, South Lundell Field, Duval County, Tex. | Assigned | |
| CI64-175 C 7-15-68 | Pan American Petroleum Corp. (Operator) et al., Post Office Box 591, Tulsa, Okla. 74102. | El Paso Natural Gas Co., Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex. | 13.0 | 15.025 |
| CI65-2 C 7-12-68 | Arka Exploration Co. et al., Post Office Box 1734, Shreveport, La. 71102. | Arkansas Louisiana Gas Co., acreage in Pittsburg County, Okla. | 15.0 | 14.65 |
| CI65-989 E 7-10-68 | Sun Oil Co. (Southwest Division) (successor to the Hefner Production Co. (Operator) et al.). | Northern Natural Gas Co., Beaver Area, Beaver County, Okla. | 17.0 | 14.65 |
| CI65-1016 ¹² E 6-20-68 as amended 7-15-68 | George Mitchell & Associates, Inc., agent for Mitchell & Mitchell Properties, Inc. (successor to Loughorn Production Co. et al.), 12th Floor, Houston Club Bldg., Houston, Tex. 77002. | Natural Gas Pipeline Co. of America, acreage in Wise County, Tex. | 14.25 | 14.65 |
| CI65-1159 C 7-17-68 | Tenneco Oil Co. et al., Post Office Box 2511, Houston, Tex. 77001. | El Paso Natural Gas Co., San Juan Basin, San Juan and Rio Arriba Counties, N. Mex. | 13.0 | 15.025 |
| CI66-116 E 7-12-68 | Amarillo Natural Gas Co. (Operator) et al. (successor to W. J. Fellers (Operator) et al.). | Northern Natural Gas Co., North Lemon and Victory Fields, Haskell County, Kans. | 14.0 | 14.65 |
| CI66-942 C 7-11-68 | Pan American Petroleum Corp. (Operator), et al. | Northern Natural Gas Co., West Sharon Field, Woodward County, Okla. | 19.55 | 14.65 |
| CI66-1120 E 7-12-68 | Amarillo Natural Gas Co. (Operator) et al. (successor to W. J. Fellers (Operator) et al.). | Northern Natural Gas Co., North Lemon and Victory Fields, Haskell County, Kans. | 14.0 | 14.65 |
| CI66-1156 E 7-12-68 | do. | Cities Service Gas Co., North Nye Field, Beaver County, Okla. | 17.0 | 14.65 |
| CI66-1234 C 7-12-68 | Sinclair Oil & Gas Co., Post Office Box 521, Tulsa, Okla. 74102. | Panhandle Eastern Pipe Line Co., South Peak Field, Ellis and Roger Mills Counties, Okla. | 18.156 15.0 | 14.65 |
| CI67-224 C 7-10-68 | Midwest Oil Corp. | Panhandle Eastern Pipe Line Co., South Peak Field, Ellis County, Okla. | 18.0 | 14.65 |
| CI67-617 D 4-19-68 | Burk Royalty Co. (Operator) et al., 800 Oil & Gas Bldg., Wichita Falls, Tex. 76301 (partial abandonment). | Panhandle Eastern Pipe Line Co., acreage in Hemphill County, Tex. | (18) | |

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end to table.

NOTICES

| Docket No. and date filed | Applicant | Purchaser, field, and location | Price per Mcf | Pres-sure base |
|---------------------------|---|---|---------------|----------------|
| CI69-37 A 7-11-68 | Bernard I. Schleider et al., 1107 South Peet St., Denver, Colo. 80210 | Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va. | 25.0 | 15.325 |
| CI69-38 A 7-11-68 | Kavanaugh Oil Co., Post Office Box 2238, Tulsa, Okla. 74101 | Consolidated Gas Supply Corp., Sherman District, Calhoun County, W. Va. | 25.0 | 15.325 |
| CI69-39 A 7-11-68 | Stanley N. Brown, Rockland, Route 2, Leesburg, Va. 22075 | Consolidated Gas Supply Corp., Troy District, Gilmer County, W. Va. | 25.0 | 15.325 |
| CI69-40 A 7-3-68 | Mrs. Naomi Taylor, Spencer, W. Va. 25276 | Harry C. Boggs Natural Gas Co., Spencer District, Roane County, W. Va. | 20.0 | 15.325 |
| CI69-41 A 7-5-68 | Floyd E. Sagely, 508 First Federal Bldg., Fort Smith, Ark. 72901 | Arkansas Louisiana Gas Co., Mansfield Field, Scott County, Ark. | 15.0 | 14.65 |
| CI69-42 A 7-12-68 | Rip C. Underwood (Operator) et al., Post Office Box 2588, Amarillo, Tex. 79105 | Phillips Petroleum Co., West Panhandle Field, Hutchinson County, Tex. | 13.0 | 14.65 |
| CI69-43 A 7-12-68 | L. W. Roche, Box 350, Spencer, W. Va. 25276 | United Fuel Gas Co., acreage in Kanawha County, W. Va. | 28.0 | 15.325 |
| CI69-44 A 7-15-68 | Gearty Oil Co., Post Office Box 1404, Houston, Tex. 77001 | Kanawha Gas Pipeline Co., a division of Tenneco, Inc., East Cameron Blocks 71, 72, and 83 and West Cameron Block 183, Onshore Cameron Parish, La. | 21.25 | 15.025 |
| CI69-45 A 7-15-68 | Bowers Drilling Co., Inc., 1434 Wichita Plaza, Wichita, Kans. 67202 | Cities Service Gas Co., Little Bear Creek, Barber County, Kans. | 14.0 | 14.65 |
| CI69-46 A 7-15-68 | H. & S. Oil & Gas Co. et al., c/o Maurice K. Jewell, partner, 408 46th St., Vienna, W. Va. 26101 | Consolidated Gas Supply Corp., Williams District, Wood County, W. Va. | 25.0 | 15.325 |
| CI69-47 A 7-15-68 | Resorts Development Corp., 401 27th St., Vienna, W. Va. 25704 | Consolidated Gas Supply Corp., Laback District, Wood County, W. Va. | 25.0 | 15.325 |
| CI69-48 A 7-15-68 | Forest Oil Corp. (Operator) et al. | United Fuel Gas Co., Northeast Bourq Area, Lafourche and Terrebonne Parishes, La. | 21.25 | 15.025 |
| CI69-49 F 7-10-68 | John C. Oxley et al. (successor to Amx Petroleum Corp.), 800-A Enterprise Bldg., Tulsa, Okla. 74103 | Arkansas Louisiana Gas Co., Kinta Field, Pittsburg County, Okla. | 15.0 | 14.65 |
| CI69-50 A 7-15-68 | Parker Petroleum Co. et al., c/o Joseph L. Bromberg, vice president, 69 West Washington St., Chicago, Ill. 60602 | Consolidated Gas Supply Corp., Williams District, Wood County, W. Va. | 25.0 | 15.325 |
| CI69-51 A 7-15-68 | G. & C. Gas Co., c/o A. E. Cavender, Post Office Box 1223, Charleston, W. Va. 25324 | Consolidated Gas Supply Corp., Center District, Calhoun County, W. Va. | 25.0 | 15.325 |
| CI69-52 A 7-15-68 | W. C. Wilson Oil & Gas Co., Spencer, W. Va. 25276 | Consolidated Gas Supply Corp., Murphy District, Ritchie County, W. Va. | 25.0 | 15.325 |
| CI69-53 A 7-15-68 | W. C. Wilson Oil & Gas Co. et al. | Clinton Oil Co., Jones Lease, Sumner County, Kans. | 6.2 | 14.65 |
| CI69-54 A 7-15-68 | Alpine Oil & Royalty Co., Inc., c/o Dwight J. Wilson, secretary-treasurer, 800 Biting Bldg., Wichita, Kans. 67202 | Consolidated Gas Supply Corp., Grant District, Ritchie County, W. Va. | 25.0 | 15.325 |
| CI69-55 A 7-15-68 | Westraus Petroleum, Inc., c/o Denzil L. Prather, engineer, 1814 7th St., Parkersburg, W. Va. 26101 | Consolidated Gas Supply Corp., Park District, Harrison County, W. Va. | 25.0 | 15.325 |
| CI69-56 A 7-15-68 | Rockey Drilling Co. et al., 16 Reger Ave., Buckhannon, W. Va. 26201 | Tennessee Gas Pipeline Co., a division of Tenneco Inc., East Cameron and West Cameron Areas, Offshore Louisiana | 21.25 | 15.025 |
| CI69-57 A 7-15-68 | Cities Service Oil Co., Cities Service Bldg., Bartlesville, Okla. 74008 | Natural Gas Pipeline Co. of America, Anadarko Basin Area, Gray County, Tex. | 17.0 | 14.65 |
| CI69-58 A 7-15-68 | Phillips Petroleum Co., Bartlesville, Okla. 74003 | Natural Gas Pipeline Co. of America, Anadarko Basin Area, Roger Mills County, Okla. | 17.0 | 14.65 |
| CI69-59 A 7-15-68 | do. | do. | do. | do. |
| CI69-60 A 7-15-68 | do. | do. | do. | do. |
| CI69-61 A 7-15-68 | do. | do. | do. | do. |
| CI69-62 A 7-15-68 | do. | do. | do. | do. |
| CI69-63 A 7-15-68 | do. | do. | do. | do. |
| CI69-64 A 7-15-68 | do. | do. | do. | do. |
| CI69-65 A 7-15-68 | do. | do. | do. | do. |
| CI69-66 A 7-15-68 | do. | do. | do. | do. |
| CI69-67 A 7-15-68 | do. | do. | do. | do. |
| CI69-68 A 7-15-68 | do. | do. | do. | do. |
| CI69-69 A 7-15-68 | do. | do. | do. | do. |
| CI69-70 A 7-15-68 | do. | do. | do. | do. |
| CI69-71 A 7-15-68 | do. | do. | do. | do. |
| CI69-72 A 7-15-68 | do. | do. | do. | do. |
| CI69-73 A 7-15-68 | do. | do. | do. | do. |
| CI69-74 A 7-15-68 | do. | do. | do. | do. |
| CI69-75 A 7-15-68 | do. | do. | do. | do. |
| CI69-76 A 7-15-68 | do. | do. | do. | do. |
| CI69-77 A 7-15-68 | do. | do. | do. | do. |
| CI69-78 A 7-15-68 | do. | do. | do. | do. |
| CI69-79 A 7-15-68 | do. | do. | do. | do. |
| CI69-80 A 7-15-68 | do. | do. | do. | do. |
| CI69-81 A 7-15-68 | do. | do. | do. | do. |
| CI69-82 A 7-15-68 | do. | do. | do. | do. |
| CI69-83 A 7-15-68 | do. | do. | do. | do. |
| CI69-84 A 7-15-68 | do. | do. | do. | do. |
| CI69-85 A 7-15-68 | do. | do. | do. | do. |
| CI69-86 A 7-15-68 | do. | do. | do. | do. |
| CI69-87 A 7-15-68 | do. | do. | do. | do. |
| CI69-88 A 7-15-68 | do. | do. | do. | do. |
| CI69-89 A 7-15-68 | do. | do. | do. | do. |
| CI69-90 A 7-15-68 | do. | do. | do. | do. |
| CI69-91 A 7-15-68 | do. | do. | do. | do. |
| CI69-92 A 7-15-68 | do. | do. | do. | do. |
| CI69-93 A 7-15-68 | do. | do. | do. | do. |
| CI69-94 A 7-15-68 | do. | do. | do. | do. |
| CI69-95 A 7-15-68 | do. | do. | do. | do. |
| CI69-96 A 7-15-68 | do. | do. | do. | do. |
| CI69-97 A 7-15-68 | do. | do. | do. | do. |
| CI69-98 A 7-15-68 | do. | do. | do. | do. |
| CI69-99 A 7-15-68 | do. | do. | do. | do. |
| CI69-100 A 7-15-68 | do. | do. | do. | do. |

See footnotes at end of table.

Buyer's compressors

³ For gas compressed by purchaser if seller elects to take over operation and maintenance of buyer's compressors for the balance of the term of the contract.
⁴ Minimum net test in 15 cubic feet.
⁵ Deletable acreage, less 0.21831 acre.
⁶ Includes 0.21831 acre dehydration charge.
⁷ Application erroneously filed in Docket No. G-15403.
⁸ For gas produced from formations deeper than the base of the Wolfcamp Series of the Permian System and above the top of the Morrow Series of the Pennsylvanian System.
⁹ For gas produced from formations below the top of the Morrow Series of the Pennsylvanian System.
¹⁰ Well is incapable of meeting the delivery pressure requirements of the contract.
¹¹ Deletable acreage assigned to Humble Oil & Refining Co.
¹² No permanent certificate issued. Temporary certificate issued to Longhorn Production Co., June 3, 1965.
¹³ Subject to upward B.t.u. adjustment.
¹⁴ Includes 2.56 acres upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.
¹⁵ Includes 3 cents per Mcf service charge for gathering, dehydrating, compressing and delivering.
¹⁶ Includes 1.99 cents upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.
¹⁷ Applicant has its willingness to accept certificate at 15 cents per Mcf, plus B.t.u. adjustment, for production from Rogers Mills County, downward B.t.u. adjustment.
¹⁸ Subject to upward and downward B.t.u. adjustment.
¹⁹ Deletable 160-acre tract. Certificate included in leases (160 and 480 acre tracts). Because of the terms of the lease, the 160-acre tract could not be pooled for production from an oil well, which the well on the 480-acre tract was determined to be.
²⁰ Amendment to delete acreage which the parties did not intend to be included in the contract and to describe accurately the intended acreage.
²¹ Deletable certain acreage from which deliveries have never been made.
²² Amendment to pending application to delete certain acreage which is not in fact subject to the related gas sales contract.
²³ When sour gas is delivered 0.4466 cent per Mcf will be deducted from price.
²⁴ By letter filed July 25, 1965, Applicant agreed to accept permanent certificate conditioned as Opinion No. 469, as modified by Opinion No. 468-A.
²⁵ Includes 0.51 cent upward B.t.u. adjustment. Subject to upward and downward B.t.u. adjustment.
²⁶ Rate in effect subject to refund in Docket No. R168-100; includes .015 cent tax reimbursement.
²⁷ Condemned for highway improvements.
²⁸ Applicant states its willingness to accept permanent certificate on the same terms as specified by the Commission's order issued Mar. 30, 1964 in Docket Nos. G-19416 et al.
²⁹ Down to the Orondaga formation.
³⁰ Below the top of Orondaga.

[F.R. Doc. 68-9837; Filed, Aug. 15, 1968; 8:45 a.m.]

MONTANA-DAKOTA UTILITIES CO.
Notice of Application

[Docket No. CP69-18]
 AUGUST 8, 1968.

Take notice that on August 1, 1968, Montana-Dakota Utilities Co. (Applicant), 831 Second Avenue South, Minneapolis, Minn. 55402, filed in Docket No. CP69-18 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities which are to be located in the area between Carter County, Mont., and Campbell County, Wyo., all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes the construction and operation of the following facilities:

1. Construct approximately 42 miles of 8 1/2 inch O.D. and 2 miles of 6 inch O.D. natural gas transmission main from Carter County, Mont., to Recluse Field, Campbell County, Wyo.

| Docket No. and date filed | Applicant | Purchaser, field, and location | Price per Mcf | Pressure base |
|----------------------------------|--|---|---------------|---------------|
| CI69-60 A 7-15-68 | Rip C. Underwood (Operator) et al. | Phillips Petroleum Co., West Panhandle Field, Hutchinson County, Tex. | 13.0 | 14.65 |
| CI69-61 A 7-16-68 | Diamond Shamrock Corp. | Texas Gas Transmission Corp., North Maurice Field, Lafayette Parish, La. | 21.25 | 15.025 |
| CI69-62 A 7-16-68 | Continental Oil Co., Post Office Box 2197, Houston, Tex. | Tennessee Gas Pipeline Co., a division of Tenneco Inc., East Cameron Blocks 71, 72, and 83, West Cameron Block 165, Offshore Louisiana. | 21.25 | 15.025 |
| CI69-63 CI67-303 F 7-12-68 | Franks Petroleum Inc. (Operator) et al. (successor to Crestline Oil Co. (Operator), St. Louis, Mo.) Sireveport, La. 71102. Goff Bldg., Clarksburg, W. Va. 26330. | Arkansas Louisiana Gas Co., Panhandle Area, Bienville Parish, La. | 18.333 | 15.025 |
| CI69-64 A 7-16-68 | J. S. Michael Co. et al. | Consolidated Gas Supply Corp., Tenmile District, Harrison County, W. Va. | (?) | ----- |
| CI69-65 B 7-16-68 | Art Machin & Associates, Inc., Post Office Box 1089, Longview, Tex. 75901. | Trunkline Gas Co., Northeast Hutchinson Field, Galveston County, Tex. | Depleted | ----- |
| CI69-66 A 7-17-68 | H. H. Champlin, * c/o Joe N. Champlin, 700 First National Bank Bldg., Enid, Okla. | United Gas Pipe Line Co., Willow Springs, Bodineham, Transition Field, Gregg County, Tex. | 15.0 | 14.65 |
| CI69-68 A 7-17-68 | Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221. | Tennessee Gas Pipeline Co., a division of Tenneco, Inc., East Cameron Block 71 Field and West Cameron Block 162 Field, Offshore Cameron Parish, La. | 21.25 | 15.025 |
| CI69-69 A 7-18-68 | Buehrer Oil & Gas, Inc., c/o M. J. See, Box 30, Louisville, Ky. 41230. | United Fuel Gas Co., acreage in Lawrence County, Ky. | 26.0 | 15.325 |
| CI69-70 A 7-18-68 | Eugene P. Mathias, 12027 Venice Blvd., Los Angeles, Calif. 90066. | El Paso Natural Gas Co., Dakota Formation, San Juan County, N. Mex. | 13.0 | 15.025 |
| CI69-71 A 7-18-68 | H. H. Champlin, * c/o Joe N. Champlin, 700 First National Bank Bldg., Enid, Okla. | Panhandle Eastern Pipe Line Co., North Hopeton Field, Woods County, Okla. | 15.0 | 14.65 |
| CI69-72 A 7-18-68 | H. N. Burnett (Operator) et al., First National Bank Bldg., Amarillo, Tex. 79101. | Phillips Petroleum Co., West Panhandle Field, Carson County, Tex. | 13.0 | 14.65 |
| CI69-73 A 7-18-68 | King Resources Co., 100 Park Avenue Bldg., Oklahoma City, Okla. 73102. | West Selling Field, Dewey County, Okla. | 13.0 | 14.65 |
| CI69-74 A 7-18-68 | Amarillo Natural Gas Co. (successor to Shelly Oil Co.), 305 Bank of the Southwest Bldg., Amarillo, Tex. 79109. | Cities Service Gas Co., Hugoton Field, Texas County, Okla. | 15.0 | 14.65 |
| CI69-75 F 7-18-68 | Stelbar Oil Corp., Inc. 310 Petroleum Bldg., Wichita, Kans. 67202. | Clifton Oil Co., Jones Lease, Cowley County, Kans. | 12.0 | 14.65 |
| CI69-76 A 7-19-68 | Cumberland Gas Co., c/o G. H. Hall, vice president and general manager, Post Office Box 2386, Charleston, W. Va. 25328. | United Fuel Gas Co., acreage in Kanawha County, W. Va. | 6.2 | 14.65 |
| CI69-77 A 7-19-68 | Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017. | Phillips Petroleum Co., Hugoton Field, Panhandle Area, Hutchinson County, Tex. | 28.0 | 15.325 |
| CI69-79 A 7-19-68 | Union Drilling, Inc., Post Office Box 281, Washington, Pa. 15401. | Equitable Gas Co., Salt Lick District and Holly District, Braxton County, W. Va. | 14.0 | 14.65 |
| CI69-81 A 7-22-68 | General American Oil Co. of Tex., Meadows Bldg., Dallas, Tex. 75206. | United Fuel Gas Co., Ellis Field, Acaedia Parish, La. | 25.0 27.5 | 15.325 |
| CI69-82 A 7-17-68 | Wron Owens, 1206 Perry Brooks Bldg., Austin, Tex. 78701. | El Paso Natural Gas Co., San Juan Basin, San Juan County, N. Mex. | Depleted | ----- |
| CI69-83 A 7-17-68 | Wron Owens, 1206 Perry Brooks Bldg., Austin, Tex. 78701. | El Paso Natural Gas Co., San Juan Basin, San Juan County, N. Mex. | 10.0 | 15.025 |

¹ Base price of 15 cents per Mcf less 3.12 cents B.t.u. adjustment.
² For gas which does not require compression.

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

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

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-9839; Filed, Aug. 15, 1968;
8:47 a.m.]

[Docket Nos. G-1308, CP67-168]

SOUTHERN NATURAL GAS CO.

Notice of Petition To Amend

AUGUST 8, 1968.

Take notice that on July 31, 1968, Southern Natural Gas Co. (Petitioner), Post Office Box 2563, Birmingham, Ala. 35202, filed in Docket Nos. G-1308 and CP67-168 a petition to amend the orders of the Commission issued in said dockets on May 19, 1950 and August 31, 1967, respectively, which orders authorized Petitioner to construct and operate facilities for the transportation and delivery of natural gas to Graniteville Co. (Graniteville) Graniteville, S.C., on an interruptible basis and to sell and deliver to Phenix City, Ala. (Phenix City) a Contract Demand of 6,600 Mcf per day; all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

By the instant filing, Petitioner seeks amendment of said orders by requesting authorization to sell and deliver to Graniteville up to 2,100 Mcf of gas per day on a firm basis and to sell and deliver to Phenix City up to 7,000 Mcf per day.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 5, 1968.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-9840; Filed, Aug. 15, 1968;
8:47 a.m.]

[Docket No. RP69-3]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Proposed Changes in Rates and Charges

AUGUST 14, 1968.

Notice is hereby given that Panhandle Eastern Pipe Line Co. on August 7, 1968,

tendered for filing proposed changes in its FPC Gas Tariff, Original Volume No. 1, to become effective on September 7, 1968. The proposed changes would increase rates and charges (over those being collected subject to refund under Docket No. RP68-15) by approximately \$5.1 million per year based upon sales for the year ended October 31, 1967, as adjusted. The proposed increases would be applicable to Panhandle's Rate Schedules G-1, G-2, G-3; SG-1, SG-2, SG-3; LS-1, LS-2; S-1; SS-1; CS-1; I-1, I-2, and I-3.

Panhandle states that the rate increase filing is made solely to reflect an increase in Panhandle's cost of purchased gas which would result from proposed increased rates tendered for filing by its affiliated supplier, Trunkline Gas Co. in Docket No. RP69-4, also proposed to become effective on September 7, 1968.

Protests, petitions to intervene, or notices of intervention may be filed with the Federal Power Commission, Washington, D.C. 20426, pursuant to the Commission's rules of practice and procedure on or before August 27, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9883; Filed, Aug. 15, 1968;
8:48 a.m.]

[Docket No. RP69-4]

TRUNKLINE GAS CO.

Notice of Proposed Changes in Rates and Charges

AUGUST 14, 1968.

Notice is hereby given that Trunkline Gas Co. on August 7, 1968, filed proposed changes in its FPC Gas Tariff Original Volume No. 1, to become effective on September 7, 1968. The proposed changes would increase rates and charges by \$13.5 million per year, based upon sales for the year ended May 31, 1968, as adjusted. The proposed increases would be applicable to Trunkline's Rate Schedules P-1, R-1, G-1, SG-1, P-2, R-2, SG-2, and G-2.

Trunkline states that the principal reasons for the rate increase filing are: (1) Increased cost of labor, supplies, and expenses; (2) increased cost of gas supply and facilities associated therewith; (3) the need for a 7.39 percent rate of return; and (4) increased State, local, and Federal income taxes, including the temporary 10 percent surcharge thereon.

Protests, petitions to intervene, or notices of intervention may be filed with the Federal Power Commission, Washington, D.C. 20426, pursuant to the Commission's rules of practice and procedure on or before August 27, 1968.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-9884; Filed, Aug. 15, 1968;
8:48 a.m.]

FEDERAL MARITIME COMMISSION

INDEPENDENT OCEAN FREIGHT FORWARDER LICENSES

Applicants

Notice is hereby given that the following applicant(s) have filed with the Federal Maritime Commission applications for licenses as independent ocean freight forwarders, pursuant to section 44(a) of the Shipping Act, 1916 (75 Stat. 522 and 46 U.S.C. 841(b)).

Persons knowing of any reason why any of the following applicant(s) should not receive a license are requested to communicate with the Director, Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C. 20573.

Air Marine Forwarding Co., 2378 Northwest Seventh Street, Miami, Fla. 33125.

Corrigan Moving & Storage Co., 5755 Schaefer Road, Dearborn, Mich. 48126.

Gerald P. Donahue, Fifth and Chestnut Streets, Lafayette Building, Philadelphia, Pa.

M & H Brokerage, Inc., 5439 Northwest 36th Street, Miami Springs, Fla. 33166.

Enrique Vicente Del Riego Rodriguez, d.b.a. Fast Shipping Co., 3150 Northwest Seventh Street, Miami, Fla.

Gaylor International Corp., 80 Wall Street, New York, N.Y. 10005.

Global Van Lines, Inc., No. 1 Global Way, Anaheim, Calif. 92803.

Mercal Air Cargo, Inc., 13A East 40th Street, New York, N.Y. 10016.

Dated: August 12, 1968.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-9807; Filed, Aug. 15, 1968;
8:45 a.m.]

SAN FRANCISCO PORT AUTHORITY

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:

Miss Miriam E. Wolf, Deputy Attorney General, Office of the Attorney General, Department of Justice, State Building, San Francisco, Calif. 94102.

Agreement No. T-2198 between the San Francisco Port Authority (Authority) and States Steamship Co. (States) is a 10-year lease of certain property and improvements thereon, comprising a portion of the Army Street Ter-

minal. Rental will be a fixed annual sum of \$310,000, which shall be in lieu of tariff charges. States will retain tolls assessed in accordance with Authority's tariff applicable to the leased premises. The premises are to be used exclusively as a marine terminal and are limited to vessels owned or operated by States and for vessels for which States will act as agent or as terminal operator. Authority

has secondary use privileges and will assess and retain tolls for such use.

Dated: August 12, 1968.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-9808; Filed, Aug. 15, 1968; 8:45 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—AUGUST

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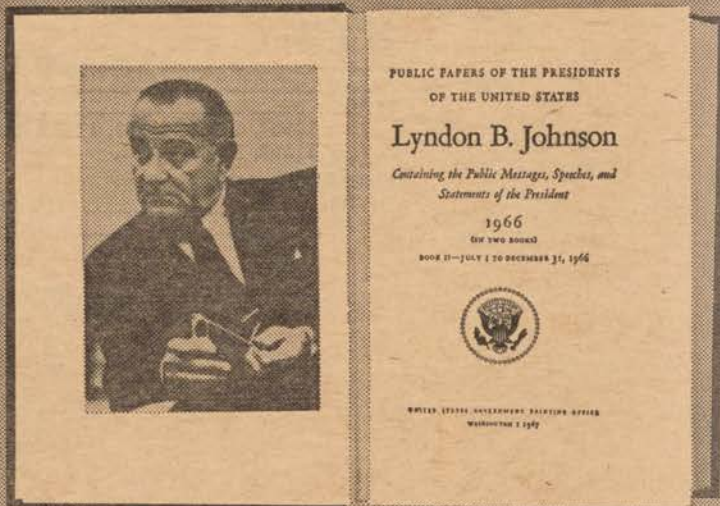


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