

FEDERAL REGISTER

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Pages 17169-17226

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Agricultural Research Service
Agricultural Stabilization and
Conservation Service
Coast Guard
Commerce Department
Consumer and Marketing Service
Emergency Preparedness Office
Farmers Home Administration
Federal Communications Commission
Federal Highway Administration
Federal Maritime Commission
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Hazardous Materials Regulations
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Interstate Commerce Commission
Land Management Bureau
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Title 7—AGRICULTURE

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

PART 61—COTTONSEED SOLD OR OFFERED FOR SALE FOR CRUSHING PURPOSES (INSPECTION, SAMPLING AND CERTIFICATION)

Subpart B—Standards for Grades of Cottonseed Sold or Offered for Sale for Crushing Purposes Within the United States

LINTERS FACTOR; RESCISSION OF AMENDMENT

The amendment of § 61.102(b) of the Standards for Grades of Cottonseed Sold or Offered for Sale for Crushing Purposes Within the United States (7 CFR Part 61) that was published in the FEDERAL REGISTER of November 2, 1968 (33 F.R. 16114) to be effective November 15, 1968, is hereby rescinded in its entirety. The amendment would have changed the linters factor from 1.0 to 1.5.

A number of cottonseed oil mills requested that the amendment not be made effective in the middle of the current marketing season for cottonseed. This resulted in a decision to rescind the amendment and to postpone further consideration of this matter until the close of the season.

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

Effective date. This document shall be effective upon execution.

Dated: November 14, 1968.

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

[F.R. Doc. 68-13924; Filed, Nov. 19, 1968; 8:47 a.m.]

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

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Expenses and Rate of Assessment

On October 29, 1968, notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 15912) regarding the proposed expenses and the proposed rate of assessment for the period November 1, 1968, through October 31, 1969, pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in the

States of California and Arizona. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Lemon Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 910.207 Expenses and rate of assessment.

(a) **Expenses.** Expenses that are reasonable and necessary to be incurred by the Lemon Administrative Committee during the period November 1, 1968, through October 31, 1969, will amount to \$218,178.

(b) **Rate of assessment.** The rate of assessment for said period, payable by each handler in accordance with § 910.41, is fixed at \$0.017 per carton of lemons.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) shipments of the current crop of lemons grown in the designated production area are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable lemons handled during the aforesaid period, and (3) such period began on November 1, 1968, and said rate of assessment will automatically apply to all such lemons beginning with such date.

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

Dated: November 14, 1968.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Consumer and Mar-
keting Service.

[F.R. Doc. 68-13925; Filed, Nov. 19, 1968; 8:47 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release Nos. 34-8438, IC-5531]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

PART 274—FORMS PRESCRIBED UNDER THE INVESTMENT COMPANY ACT OF 1940

Unit Investment Trusts Currently Issuing Securities

The Securities and Exchange Commission today announced the adoption of

revisions to Form N-30A-2 (17 CFR 274.102), Annual Report of Unit Investment Trusts Which Are Currently Issuing Securities, under the Investment Company Act of 1940 ("Act").

Form N-30A-2 (17 CFR 274.102) was adopted on May 8, 1943 (Investment Company Act Release No. 490, 8 F.R. 6079). The form has not been amended since that date.

Certain technical and mechanical revisions have been made in the amended form in order to update and correct it. The only additional information required of persons who file the form is the Internal Revenue Service Employer Identification number of the trust, depositor and trustee. In addition, the requirements in Items 24 and 25 that the Trust supply information on the remuneration of persons who receive in the aggregate more than \$5,000 from the depositor have been relaxed by raising that figure to \$10,000. Accordingly, the Commission finds, pursuant to section 4(a) of the Administrative Procedure Act, as codified, 5 U.S.C. 553(b)(B), that notice of a public rule-making proceeding is unnecessary.

Statutory basis. The Commission, acting pursuant to the provisions of sections 30, 31, 38, and 45(a) of the Act and sections 13, 15(d), and 23(a) of the Securities Exchange Act of 1934, deeming it necessary to exercise the powers conferred upon it, and necessary and appropriate in the public interest and for the protection of investors, hereby amends Form N-30A-2 (17 CFR 274.102) to read as set forth in copies thereof marked "As Revised 11/1/68" (17 CFR 274.102).¹ The Commission further finds, pursuant to section 4(c) of the Administrative Procedure Act, as codified, 5 U.S.C. 533(d)(3), that since the revisions in the form involve only technical and mechanical changes and relaxation of a reporting requirement, the amended form shall be effective upon publication in the FEDERAL REGISTER.

§ 249.442 Form N-30A-2, for unit investment trusts currently issuing securities.

[No change.]

§ 274.102 Form N-30A-2, annual report of unit investment trusts which are currently issuing securities.

[No change.]

(Secs. 13, 15(d), 23, 48 Stat. 894, 895, 901, as amended, 15 U.S.C. 78m, 78o(d), 78w; secs. 30, 31, 38, 45(a), 54 Stat. 836, 838, 841, 845, 15 U.S.C. 80a-29, 80a-30, 80a-37, 80a-44(a))

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

NOVEMBER 1, 1968.

[F.R. Doc. 68-13950; Filed, Nov. 19, 1968; 8:49 a.m.]

¹Form filed as part of the original document.

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

[Docket No. R-351, Order 373]

PART 1—RULES OF PRACTICE AND PROCEDURE

Prehearing Conference Procedures; Appeals to the Commission

NOVEMBER 12, 1968.

Since the adoption of conference procedures in 1959, the Commission practice of holding prehearing conferences on the record with a reporter present has become well-established. Contrary to initial expectations that such conferences would be conducted off the record, all agreements reached, all rulings of the presiding examiners and all questions and objections of the parties made during the conference are immediately and fully recorded. As a result of this divergence between anticipated and actual practice, those portions of § 1.18(d) of the Commission's rules of practice and procedure which require presiding examiners to issue orders specifying conference results, provide that participants to a conference shall have an opportunity to comment on advance drafts of such orders, and require that such orders shall be spread on the record of the hearing session next following issuance, are now obsolete and should be deleted.

Also to be deleted as anachronistic and inconsistent with present hearing practice is the provision in § 1.18(d) permitting an immediate interlocutory appeal as a matter of right from a presiding examiner's ruling in a prehearing conference. The Commission has long adhered to the policy of according its examiners authority to rule on all matters coming before them regardless of objections and regardless of whether the matter arose during a conference or during the hearing itself. Pursuant to this policy § 1.28(a) of the Commission's rules prohibits appeals from rulings of presiding examiners at a hearing except in extraordinary circumstances where prompt decision by the Commission is necessary to prevent detriment to the public interest. Since the presiding examiner's role at a prehearing conference is substantially the same as his role during a hearing, it is both logical and appropriate that § 1.28(a) be amended to apply to conferences and that the inconsistent appeals provision of § 1.18(d) be deleted.

Experience has demonstrated that the conference technique is most effective when the participants are fully prepared to discuss all the problems in a proceeding and are fully authorized to make commitments with respect to those problems. We are therefore amending § 1.18(c) to make clear that we expect conference participants to be fully prepared.

The Commission finds:

(1) The amendments of §§ 1.18 (c) and (d) and 1.28(a) herein ordered involve matters of agency procedure and practice; therefore compliance with the notice, public procedure and effective date provisions of 5 U.S.C. 553 is unnecessary.

(2) These amendments are necessary and appropriate for the administration of the Federal Power and Natural Gas Acts.

The Commission, acting pursuant to the Federal Power Act, as amended, particularly sections 308 and 309 thereof (49 Stat. 858; 16 U.S.C. 825g, 825h), and the Natural Gas Act, as amended, particularly sections 15 and 16 thereof (52 Stat. 829, 830; 15 U.S.C. 717n, 717o), orders:

A. Paragraph (c) of § 1.18, Subchapter A, Chapter I, Title 18 of the Code of Federal Regulations is amended by inserting two new sentences immediately before the final sentence thereof and paragraph (d) is revised so that § 1.18(c) as amended and (d) as revised read as follows:

§ 1.18 Conferences; offers of settlement.

(c) *Initiation of conferences.* The Commission or officer designated to preside, with or without motion, and after consideration of the probability of beneficial results to be derived therefrom, may direct that a conference be held, and direct the parties to the proceeding, their attorneys, the Commission's staff and staff counsel to appear thereat to consider any or all of the matters enumerated in paragraph (b) of this section. Due notice of the time and place of such conference will be given to all parties to the proceeding, their attorneys, the Commission's staff, and staff counsel. All parties will be expected to come to the conference fully prepared for a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto. Such preparation should include, among other things, advance study of all relevant material, and advance informal communication between the parties, including requests for additional data and information, to the extent it appears feasible and desirable. Failure of a party to attend such conference, after being served with due notice of the time and place thereof, shall constitute a waiver of all objections to the agreements reached, if any, and any order or ruling with respect thereto.

(d) *Presiding examiner's authority at conference.* The presiding examiner at such conference may dispose of by ruling, irrespective of the consent of the parties, any procedural matters which he is authorized to rule upon during the course of the proceeding, and which it appears may appropriately and usefully be disposed of at that stage. In addition, where it appears that the proceeding would be substantially expedited by distribution of proposed exhibits and written prepared testimony reasonably in ad-

vance of the hearing session, the presiding examiner at his discretion and with due regard for the convenience and necessity of the parties or their attorneys, the Commission's staff or staff counsel, may direct such advance distribution by a prescribed date. The presiding examiner's rulings made at such conference shall control the subsequent course of the hearing, unless modified for good cause shown.

B. Paragraph (a) of § 1.28, Subchapter A, Chapter I, Title 18 of the Code of Federal Regulations is amended by changing the heading to read: "During hearing or conference".

Paragraph (a) of § 1.28 is further amended by inserting in the first sentence immediately following the word "hearings" the words "or conferences". As so amended paragraph (a) reads as follows:

§ 1.28 Appeals to Commission from rulings of presiding officers.

(a) *During hearing or conference.* Rulings of presiding officers may not be appealed from during the course of hearings or conferences except in extraordinary circumstances where prompt decision by the Commission is necessary to prevent detriment to the public interest. In such instance the matter shall be referred forthwith by the presiding officer to the Commission for determination.

C. The foregoing amendments shall become effective upon the issuance of this order.

D. The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-13898; Filed, Nov. 19, 1968; 8:45 a.m.]

Title 22—FOREIGN RELATIONS

Chapter II—Agency for International Development, Department of State

[A.I.D. Reg. 1]

PART 201—RULES AND PROCEDURES APPLICABLE TO COMMODITY TRANSACTIONS FINANCED BY A.I.D.

Application of Special Restrictions on Commissions and Service Payments on Shipments to Certain Countries

In Part 201 of Chapter II, Title 22 (A.I.D. Regulation 1), paragraph (a) of § 201.65 is revised to read as follows:

§ 201.65 Commissions, service payments, and discounts.

(a) *General.* This section describes the circumstances under which commissions and service payments are eligible for A.I.D. financing. Discounts are disallowed entirely as items eligible for A.I.D.

financing. The rules in paragraphs (b), (c), and (d) of this section restrict the eligibility of commissions and service payments for A.I.D. financing, but apply, however, only with respect to shipments to the following countries: Afghanistan, Ceylon, Republic of China, Congo (Kinshasa), Ghana, India, Indonesia, Israel, Korea, Laos, Morocco, Pakistan, Philippines, Ruanda, Thailand, Tunisia, Turkey, and Vietnam. A supplier unable to make a dollar commission or service payment under paragraph (b), (c), or (d) of this section may effect a local-currency commission or service payment using the two-invoice procedure described in paragraph (e) of this section (or, with respect to shipments to Vietnam, using the special bank-draft procedure described in paragraph (f) of this section). The limitations in paragraph (h) of this section shall apply in any case in which a dollar commission or service payment is otherwise eligible for A.I.D. financing. A supplier shipping under letter-of-credit payment terms should be aware that the limitations in paragraphs (b), (c), and (d) of this section apply to his sale whenever the Certificate Concerning Commissions is specified in his credit as a document which must be submitted to the paying bank as a requirement for payment.

Effective date. The foregoing amendments shall enter into effect upon filing with the FEDERAL REGISTER.

Dated: October 25, 1968.

Attest:

WILLIAM S. GAUD,
Administrator.

[F.R. Doc. 68-13917; Filed, Nov. 19, 1968; 8:47 a.m.]

Title 23—HIGHWAYS AND VEHICLES

Chapter II—Vehicle and Highway Safety

PART 255—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

Motor Vehicle Safety Standard No. 109, New Pneumatic Tires; Passenger Cars, and No. 110, Tire Selection and Rims; Passenger Cars

Correction

In F.R. Doc. 68-11975 appearing at page 14964 in the issue of Saturday, October 5, 1968, the following corrections should be made.

1. In the "Tire size designation" column of Table I-C, the sixth line from the bottom now reading "295-15" should read "195-15".

2. In the "Tire size designation" column of Table I-D, the 10th and 11th entries now reading "75-13" and "85-13" should be changed to read "175-13" and "185-13".

3. In "Motor Vehicle Safety Standard 110—Tire Selection and Rims—Passenger

Cars" in item 2—preceding Appendix A, the reference to "Table I" should read "Table II".

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter V—Smithsonian Institution

PART 501—NATIONAL ZOOLOGICAL PARK REGULATIONS

Part 501 of this title concerning the National Zoological Park is hereby revoked. Rules and regulations governing the buildings and grounds of the National Zoological Park are now found in a new Part 520 of this title, published in the FEDERAL REGISTER this date.

Dated: November 8, 1968.

S. DILLON RIPLEY,
Secretary.

[F.R. Doc. 68-13962; Filed, Nov. 19, 1968; 8:50 a.m.]

PART 520—RULES AND REGULATIONS GOVERNING THE BUILDINGS AND GROUNDS OF THE NATIONAL ZOOLOGICAL PARK OF THE SMITHSONIAN INSTITUTION

Sec.	
520.1	General.
520.2	Recording presence.
520.3	Preservation of property.
520.4	Protection of zoo animals.
520.5	Conformity with signs and emergency directions.
520.6	Nuisances.
520.7	Gambling.
520.8	Intoxicating beverages and narcotics.
520.9	Soliciting, vending, debt collection, and distribution of handbills.
520.10	Placards, signs, banners, and flags.
520.11	Dogs and other animals.
520.12	Photographs for news, advertising, or commercial purposes.
520.13	Items to be checked.
520.14	Vehicular and pedestrian traffic.
520.15	Weapons and explosives.
520.16	Nondiscrimination.
520.17	Lost and found.
520.18	Penalties.

AUTHORITY: The provisions of this Part 520 issued under secs. 1-9, 65 Stat. 634, as amended, secs. 1-4, 78 Stat. 365; 40 U.S.C. 193n-193w.

§ 520.1 General.

The rules and regulations in this part apply to all buildings and grounds of the National Zoological Park of the Smithsonian Institution, as defined in sec. 3, 78 Stat. 366; 40 U.S.C. 193v(1)(B), and to all persons entering in or on such buildings and grounds, hereinafter referred to as the premises.

§ 520.2 Recording presence.

Except as otherwise ordered, National Zoological Park buildings and grounds shall be closed to the public after posted visiting hours. Such buildings and grounds, or portions thereof, shall be also closed to the public in emergency situations and at such other times as may be necessary for the orderly conduct of busi-

ness. Whenever the buildings and grounds or portions thereof are closed to the public for any reason, visitors will immediately leave the premises upon being requested by a police officer or other authorized individual. Admission to such premises during periods when closed to the public will be limited to authorized individuals who will be required to register and identify themselves when requested by police officers or other authorized individuals.

§ 520.3 Preservation of property.

It is unlawful willfully to destroy, damage, or remove property or any part thereof. Any parcels, portfolios, bags, or containers of any kind may be required to be opened and the contents identified prior to removal from the premises. In order to remove any property from the premises, a properly completed property pass signed by an authorized official of the National Zoological Park may be required prior to removal.

§ 520.4 Protection of zoo animals.

Except for official purposes, no person shall:

- (a) Kill, injure, or disturb any exhibit or research animal by any means except to secure personal safety;
- (b) Pet, attempt to pet, handle, move, or remove exhibit or research animals;
- (c) Feed exhibit or research animals, except in strict accordance with authorized signs;
- (d) Catch, attempt to catch, trap, remove, or kill any free roaming animals inhabiting the premises;
- (e) Go over, under, between, or otherwise cross any guardrail, fence, moat, wall, or any other safety barrier; or to seat, stand, or hold children over any of the above-mentioned barriers;
- (f) Throw or toss rocks, or any other missiles into, from, or while on premises;
- (g) Bring strollers, baby carriages, or other conveyances, except wheel chairs, into exhibit buildings and public restrooms;
- (h) Engage in ball games, or any athletic activity, except in places as may be officially designated for such purposes;
- (i) Smoke or carry lighted cigarettes, cigars, or pipes into exhibit buildings, or to have a fire of any kind on the premises; or
- (j) Damage, deface, pick, or remove any herb, shrub, bush, tree, or turf, or portion thereof, on the premises.

§ 520.5 Conformity with signs and emergency directions.

Persons in or on the premises shall comply with official signs of a prohibitory or directory nature and with the directions of authorized individuals.

§ 520.6 Nuisances.

The use of loud, abusive, or otherwise improper language; unwarranted loitering, sleeping or assembly; the creation of any hazard to persons or things; improper disposal of rubbish; spitting; prurient prying; the commission of any obscene or indecent act, or any other unseemly or disorderly conduct on the premises; throwing articles of any kind

on the premises, or climbing upon any part of the building is prohibited.

§ 520.7 Gambling.

Participating in games for money or other personal property or the operation of gambling devices, the conduct of a lottery or pool, or the selling or purchasing of numbers tickets in or on the premises is prohibited.

§ 520.8 Intoxicating beverages and narcotics.

Entering the premises or the operating of a motor vehicle thereon by a person under the influence of any intoxicating beverage or narcotic drug or the use of such drug in or on the premises is prohibited. Consumption of intoxicating beverages on the premises is prohibited, unless officially authorized.

§ 520.9 Soliciting, vending, debt collection, and distribution of handbills.

The soliciting of alms and contributions, commercial soliciting and vending of all kinds, the display or distribution of commercial advertising or the collecting of private debts, in or on the premises is prohibited. This rule does not apply to national or local drives for funds for welfare, health, and other purposes sponsored or approved by the National Zoological Park, concessions, or personal notices posted by employees on authorized bulletin boards. Distribution of material such as pamphlets, handbills, and flyers is prohibited without prior approval of authorized individuals.

§ 520.10 Placards, signs, banners, and flags.

The displaying or carrying of placards, signs, banners, or flags is prohibited unless officially authorized.

§ 520.11 Dogs and other animals.

Dogs and other animals, except seeing-eye dogs, shall not be brought upon the premises for other than official purposes, unless confined to automobiles.

§ 520.12 Photographs for news, advertising, or commercial purposes.

No photographs for advertising or any other commercial purpose may be taken on the premises unless officially authorized.

§ 520.13 Items to be checked.

Umbrellas, canes (not needed to assist in walking), or other objects capable of inflicting damage to property or exhibits may be required to be checked at the police station where checking facilities are provided.

§ 520.14 Vehicular and pedestrian traffic.

(a) Drivers of all vehicles in or on the premises shall drive in a careful and safe manner at all times and shall comply with the signals and directions of the police and all posted traffic signs.

(b) The blocking of entrances, driveways, walks, loading platforms, or fire hydrants in or on property is prohibited. Parking without authority, or parking in unauthorized locations or in locations

reserved for other persons or contrary to the direction of posted signs, is prohibited. This paragraph may be supplemented from time to time by the issuance and posting of such additional traffic and parking directives as may be required, and such directives shall have the same force and effect as if made a part thereof.

§ 520.15 Weapons and explosives.

No person while on the premises shall carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, except for official purposes, nor shall any person discharge or set off any firework or explosive of any nature on the premises.

§ 520.16 Nondiscrimination.

There shall be no discrimination by segregation or otherwise against any person or persons because of race, religion, color, or national origin in furnishing or by refusing to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided thereby on the premises.

§ 520.17 Lost and found.

(a) Lost articles or money which are found in areas covered by this part shall be immediately referred to the police station. Proper records shall be kept at Police Headquarters of the receipt and disposition of such articles. If an article or money found on park areas and referred to Zoo Police Headquarters is not claimed by the owner within a period of 60 days, it shall be returned to the finder and appropriate receipt obtained; except that in the case of National Zoological Park employees, articles or money turned in which are not claimed by the owner within 60 days shall be considered as abandoned to the Smithsonian Institution. Such articles or money shall be transferred to the Treasurer of the Smithsonian Institution, who shall make suitable disposition of articles and remit all proceeds of such disposition and all unclaimed money into the unrestricted funds of the Smithsonian Institution.

(b) The abandonment of any personal property in any of the park areas is prohibited.

§ 520.18 Penalties.

Section 6 of the Smithsonian Institution Special Policing Statute, Act of October 24, 1951, 65 Stat. 635, 40 U.S.C. 193 (s) states that:

Whoever violates any provision of sections 193a-193q of this title, or any regulation prescribed under section 193r of this title, shall be fined not more than \$100 or imprisoned not more than 60 days, or both, prosecution for such offenses to be had in the District of Columbia Court of General Sessions, upon information by the United States attorney or any of his assistants: *Provided*, That in any case where, in the commission of such offense, property is damaged in an amount exceeding \$100, the amount of the fine for the offense may be not more than \$5,000, the period of imprisonment for the offense may be not more than 5 years and prosecution shall be had in the U.S. District Court for the District of Columbia by in-

dictment, or if the defendant, after he has been advised of the nature of the charge and of his rights, waives in open court prosecution by indictment, by information by the U.S. attorney or any of his assistants.

Dated: November 8, 1968.

S. DILLON RIPLEY,
Secretary.

[F.R. Doc. 68-13963; Filed, Nov. 19, 1968; 8:50 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER G—PREVENTION, CONTROL AND ABATEMENT OF AIR POLLUTION

PART 81—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

New Jersey-New York-Connecticut

On August 30, 1968, notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 12260) to amend Part 81 by designating the New Jersey-New York-Connecticut Interstate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments, and a consultation with appropriate State and local authorities pursuant to section 107(a) of the Clean Air Act (42 U.S.C. 1857c-2(a)) was held on September 30, 1968. Due consideration has been given to all relevant material presented.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 81.13, as set forth below, designating the New Jersey-New York-Connecticut Interstate Air Quality Control Region, is adopted effective on publication.

§ 81.13 New Jersey-New York-Connecticut Interstate Air Quality Control Region.

The New Jersey-New York-Connecticut Interstate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Connecticut:	
Greenwich Township.	Westport Township.
Stamford Township.	Fairfield Township.
Darien Township.	Easton Township.
New Cannan Township.	Bridgeport Township.
Norwalk Township.	Stratford Township.
Wilton Township.	Trumbull Township.
Weston Township.	Monroe Township.
	Ridgefield Township.

Redding Township. Brookfield Township.
 Newton Township. New Fairfield Town-
 Bethel Township. ship.
 Danbury Township.
 In the State of New York:
 Kings County. Queens County.
 Bronx County. Richmond County.
 Nassau County. Westchester County.
 New York County. Rockland County.
 In the State of New Jersey:
 Bergen County. Morris County.
 Essex County. Passaic County.
 Hudson County. Somerset County.
 Middlesex County. Union County.
 Monmouth County.

(Secs. 107(a), 301(a) 81 Stat. 490, 504; 42 U.S.C. 1875c-2(a), 1875g(a))

Dated: November 14, 1968.

WILBUR J. COHEN,
 Secretary.

[F.R. Doc. 68-13933; Filed, Nov. 19, 1968;
 8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Manage- ment, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4548]

[Utah 4454]

UTAH

Addition to National Forest

By virtue of the authority vested in the President by section 24 of the act of March 3, 1891 (26 Stat. 1103; 16 U.S.C. 471), and section 1 of the act of June 4, 1897 (30 Stat. 34; 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the boundaries of the Uintah National Forest are hereby extended to include the following described lands:

SALT LAKE MERIDIAN PUBLIC LANDS

T. 5 S., R. 3 E.,
 Sec. 13, lot 1, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$.
 T. 5 S., R. 4 E.,
 Sec. 7, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$,
 NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 19, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, SE $\frac{1}{4}$;
 Sec. 21, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$, those parts of NW $\frac{1}{4}$,
 NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ not
 heretofore part of the national forest;
 Sec. 28, those parts of the N $\frac{1}{2}$ and
 W $\frac{1}{2}$ SW $\frac{1}{4}$ not heretofore part of the national forest;
 Sec. 29, those parts of SW $\frac{1}{4}$ NE $\frac{1}{4}$ and
 S $\frac{1}{2}$ NW $\frac{1}{4}$ not heretofore part of the national forest;
 Sec. 30, that part of lot 2 not heretofore
 part of the national forest;
 Sec. 35, those parts of lots 1 and 2, NE $\frac{1}{4}$,
 N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$ not
 heretofore part of the national forest.

FOREST SERVICE ACQUIRED LANDS

T. 5 S., R. 4 E.,
 Sec. 28, that part of SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ not
 heretofore within the national forest.
 T. 6 S., R. 4 E.,
 Sec. 2, that part of lots 1, 2, 3, 6, 7, 8, 9,
 10, and E $\frac{1}{2}$ SE $\frac{1}{4}$ not heretofore within
 the national forest.

PRIVATELY OWNED LANDS

T. 4 S., R. 3 E.,
 Secs. 25 and 36.
 T. 5 S., R. 3 E.,
 Sec. 1;
 Secs. 2, 3, and 11, that part not heretofore
 within the national forest;
 Sec. 12, including special sec. 37;
 Sec. 13, lots 2, 3, 4, and 5, W $\frac{1}{2}$ SE $\frac{1}{4}$ and that
 part of W $\frac{1}{2}$ W $\frac{1}{2}$ not heretofore within
 the national forest;
 Sec. 14, that part of NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ not
 heretofore within the national forest;
 Sec. 24, that part of lots 1, 2, and 3,
 W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ not heretofore
 within the national forest.
 T. 5 S., R. 4 E.,
 Sec. 8, E $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 17, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
 W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 18, lots 1, 2, 3, and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$,
 SE $\frac{1}{4}$;
 Sec. 19, lot 1, that part of lots 2, 3, and 4
 not heretofore within the national forest.
 NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, N $\frac{1}{2}$, SW $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
 SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$,
 SW $\frac{1}{4}$ NW $\frac{1}{4}$, that part of SW $\frac{1}{4}$ not heretofore
 within national forest, SE $\frac{1}{4}$;
 Sec. 27, that part of W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ not heretofore within national
 forest;
 Sec. 29, N $\frac{1}{2}$ N $\frac{1}{2}$, that part of SE $\frac{1}{4}$ NE $\frac{1}{4}$ not
 heretofore within national forest;
 Sec. 30, that part of lot 1, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$
 not heretofore within national forest.

The areas described, including public, acquired, and privately owned lands aggregate approximately 11,000 acres in Utah and Wasatch Counties, of which approximately 2,640 acres are public domain lands.

2. The public lands above described, and the acquired lands, so far as the latter do not now have national forest status, are hereby added to and made a part of the Uintah National Forest and hereafter shall be subject to all laws and regulations applicable to said national forest.

3. The privately owned lands described in this order shall become a part of the Uintah National Forest and subject to all laws and regulations applicable thereto upon acquisition of title to said lands or interest therein by the United States under applicable law.

HARRY R. ANDERSON,
 Assistant Secretary of the Interior.

NOVEMBER 14, 1968.

[F.R. Doc. 68-13907; Filed, Nov. 19, 1968;
 8:46 a.m.]

[Public Land Order 4549]

[Idaho 2355]

IDAHO

Revocation of National Forest Administrative Site Withdrawals

By virtue of the authority vested in the President and pursuant to Executive

Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1374 of December 20, 1956, withdrawing national forest lands for administrative sites, recreation sites, or for other public purposes, is hereby revoked so far as it affects the following described lands:

BOISE MERIDIAN

PAYETTE NATIONAL FOREST

Gold Springs Administrative Site

T. 21 N., R. 1 W.,
 Sec. 2, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Indian Springs Administrative Site

T. 21 N., R. 1 W.,
 Sec. 21, N $\frac{1}{2}$ NW $\frac{1}{4}$.

Paradise Administrative Site

T. 22 N., R. 1 W.,
 Sec. 30, lots 2 and 3.
 T. 22 N., R. 2 W.,
 Sec. 25, SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate approximately 260.56 acres.

2. At 10 a.m. on December 21, 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.

NOVEMBER 14, 1968.

[F.R. Doc. 68-13908; Filed, Nov. 19, 1968;
 8:46 a.m.]

[Public Land Order 4550]

[New Mexico 4557, 5093, 5243]

NEW MEXICO

Partial Revocation of Executive Orders No. 6276 and No. 6583

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Executive Orders No. 6276 of September 8, 1933, and No. 6583 of February 3, 1934, withdrawing lands in New Mexico to aid the State in making exchange selections, as provided by the act of June 15, 1926 (44 Stat. 746), are hereby revoked so far as they affect the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN

T. 11 S., R. 7 W.,
 Sec. 15, E $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 20, lots 7, 8, 9, and 12;
 Sec. 29, lot 2 and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 33, lot 3, NE $\frac{1}{4}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
 NE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 34, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
 Sec. 35, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$,
 and S $\frac{1}{2}$.
 T. 12 S., R. 7 W.,
 Sec. 9, lots 1, 2, 5, 6, and 9;
 Sec. 10, lots 1 to 10, inclusive.
 T. 13 S., R. 7 W.,
 Sec. 14, lot 3.
 T. 15 S., R. 7 W.,
 Sec. 13, S $\frac{1}{2}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 14, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 24, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, and
 N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

- T. 22 S., R. 7 W.,
 Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
 and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 24, lots 3, 4, 5, 6, 11, 12, 13, 14, NW $\frac{1}{4}$,
 N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 25, lots 3, 4, 5, 6, 11, 12, 13, and 14.
- T. 19 S., R. 11 W.,
 Sec. 3, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 5, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 6, lots 4, 5, and 6;
 Sec. 10, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 15, E $\frac{1}{2}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 18, lots 1 and 2, and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and
 SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 27, S $\frac{1}{2}$ N $\frac{1}{2}$.
- T. 19 S., R. 12 W.,
 Sec. 1, lots 1 and 2;
 Sec. 10, lots 6, 7, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 11, lot 4;
 Sec. 13, NE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 14, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 23 S., R. 18 W.,
 Sec. 23, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 24, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
- T. 33 S., R. 18 W.,
 Sec. 11, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 6,252.05 acres in Grant, Hidalgo, Luna and Sierra Counties.

2. At 10 a.m. on December 21, 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 December 21, 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 for nonmetalliferous minerals at 10 a.m. on December 21, 1968. They have been open to applications and offers under the mineral leasing laws and to location for metalliferous minerals.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Santa Fe, N. Mex.

HARRY R. ANDERSON,
 Assistant Secretary of the Interior.

NOVEMBER 14, 1968.

[F.R. Doc. 68-13909; Filed, Nov. 19, 1968;
 8:46 a.m.]

[Public Land Order 4551]

[Wyoming 0322157]

WYOMING

Revocation of Air Navigation Site Withdrawal No. 150

By virtue of the authority contained in section 4 of the act of May 24, 1928 (45 Stat. 728; 49 U.S.C. 214), it is ordered as follows:

The departmental order of December 30, 1940, withdrawing lands as Air Navigation Site No. 150, is hereby revoked so far as it affects the following described lands:

SIXTH PRINCIPAL MERIDIAN

- T. 17 N., R. 112 W.,
 Sec. 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Containing 10 acres in Uinta County.
 The land remains withdrawn by Executive Order No. 5327 of April 15, 1930, for oil shale.

HARRY R. ANDERSON,
 Assistant Secretary of the Interior.

NOVEMBER 14, 1968.

[F.R. Doc. 68-13910; Filed, Nov. 19, 1968;
 8:46 a.m.]

[Public Land Order 4552]

[Idaho 1960]

IDAHO

Withdrawal for National Forest Recreation Areas and an Administrative Site

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

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

PAYETTE NATIONAL FOREST

BOISE MERIDIAN

Evergreen Campground

- T. 18 N., R. 1 E.,
 Sec. 18, E $\frac{1}{2}$ SW $\frac{1}{4}$ of lot 4 and E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$
 of lot 4.

Warren Landing Field

- T. 22 N., R. 6 E.,
 Sec. 2, portion of N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ more particularly described
 as:

Beginning at a point on the north side of Warren Townsite which is 206.75 feet east of the quarter corner between secs. 2 and 11; thence N. 48°17' W., 2,778.4 feet; thence N. 41°43' E., 300 feet; thence S. 48°17' E., 3,114.8 feet to the north side of Warren Townsite; thence N. 90° W., 450.8 feet to the place of beginning.

SALMON NATIONAL FOREST

BOISE MERIDIAN

Salzer Bar Recreation Area

- T. 26 N., R. 20 E., unsurveyed,
 probable location in accordance with
 Idaho Protraction Diagram No. 30,
 Sec. 35, E $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 36, W $\frac{1}{2}$ W $\frac{1}{2}$.

More particularly described as beginning at corner No. 1, which is identical to corner No. 1 Boulder and corner No. 2 Gambler claims MS 3467, a schist outcrop 18 inches above ground with an "x" chisled on top and 26 3467 chisled on the south face, from which U.S. Land Monument No. 3467 bears S. 44°18'10" E., 6,566.91 feet; thence from corner No. 1 by metes and bounds:

- S. 43°00'00" E., 544.22 feet to corner No. 2;
 N. 23°25'55" W., 1,619.93 feet to corner No. 3;
 N. 05°34'04" E., 1,847.96 feet to corner No. 4;
 S. 67°36'52" E., 312.59 feet to corner No. 5;
 S. 02°48'04" E., 1,563.83 feet to corner No. 6;
 S. 21°04'01" E., 1,328.01 feet to corner No. 1,
 the place of beginning.

The areas described aggregate 84.61 acres in Adams, Idaho, and Lemhi Counties.

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

HARRY R. ANDERSON,
 Assistant Secretary of the Interior.

NOVEMBER 14, 1968.

[F.R. Doc. 68-13911; Filed, Nov. 19, 1968;
 8:46 a.m.]

[Public Land Order 4553]

[Oregon 3739]

OREGON

Elimination of Lands From Rogue River National Forest

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 11, 36; 16 U.S.C. 473), and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

The following described lands are hereby eliminated from the Rogue River National Forest and the boundaries of the said forest are adjusted accordingly:

WILLAMETTE MERIDIAN

- T. 38 S., R. 3 E.,
 Sec. 24, E $\frac{1}{2}$ E $\frac{1}{2}$.
 T. 38 S., R. 4 E.,
 Sec. 32, NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 39 S., R. 4 E.,
 Sec. 6, E $\frac{1}{2}$ NE $\frac{1}{4}$.

The areas described aggregate 520.24 acres in Jackson County.

The lands remain withdrawn for reclamation purposes for the Howard Prairie Reservoir, Rogue River Project.

HARRY R. ANDERSON,
 Assistant Secretary of the Interior.

NOVEMBER 14, 1968.

[F.R. Doc. 68-13912; Filed, Nov. 19, 1968;
 8:46 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[S.O. 1009, Amdt. 1]

PART 1033—CAR SERVICE

Railroad Operating Regulations for Freight Car Movement

At a session of the Interstate Commerce Commission, Railroad Service Board, held in Washington, D.C., on the 13th day of November 1968.

Upon further consideration of Service Order No. 1009 (33 F.R. 15120), and good cause appearing therefor:

It is ordered, That:

Section 1033.1009 Service Order No. 1009 (railroad operating regulations for freight car movement), be, and it is

hereby amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p.m., December 31, 1968, unless otherwise modified, changed, or suspended by order of this Commission.

Effective date. This amendment shall become effective at 11:59 p.m., November 16, 1968.

(Secs. 1, 12, 15, 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17(2). Interpretations or applies secs. 1(10-17), 15(4), 17(2), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), 17(2))

It is further ordered. That copies of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13942; Filed, Nov. 19, 1968; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

De Soto National Wildlife Refuge, Nebr.

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

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

NEBRASKA

DE SOTO NATIONAL WILDLIFE REFUGE

Public hunting of deer on the De Soto National Wildlife Refuge, Nebr., is per-

mitted on December 21 and 22, 1968, but only on the area designated as open to hunting. This open area, comprising 3,350 acres is delineated on a map available at refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State and Federal regulations governing the hunting of deer. The taking of coyotes as legal game shall also be permitted.

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 22, 1968.

KERMIT D. DYBSETTER,
Refuge Manager, De Soto National Wildlife Refuge, Missouri Valley, Iowa.

NOVEMBER 12, 1968.

[F.R. Doc. 68-13913; Filed, Nov. 19, 1968; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Part 76]

HOG CHOLERA AND OTHER COMMUNICABLE SWINE DISEASES

Notice of Proposed Rule Making

Notice is hereby given in accordance with the administrative procedure provisions in 5 U.S.C. 553, that the Department of Agriculture is considering the amendment of the regulations relating to hog cholera and other communicable swine diseases (9 CFR Part 76) pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, the Act of March 3, 1905, as amended, the Act of September 6, 1961, and the Act of July 2, 1962, (21 U.S.C. 111-113, 114g, 115, 117, 120, 121, 123-126, 134-134h) in the following respects:

1. In § 76.1, paragraph (e) would be amended, and a proviso would be added at the end of paragraph (x), to read, respectively, as follows:

§ 76.1 Definitions.

(e) *Exposed swine.* Swine that have been in contact with animals known to be or suspected of being affected with hog cholera; and any swine which have been inoculated with modified live virus vaccine not approved under § 76.16(c) or other virulent hog cholera virus at any time or with any other live hog cholera virus vaccine after September 1, 1969, or any swine which have been in contact with such vaccinates.

(x) * * * : *Provided,* That any swine so vaccinated on or after March 1, 1969, shall not be deemed to be an official vaccinee after August 31, 1969.

2. The heading and paragraph (b) of § 76.2 would be revised to read, respectively, as follows:

§ 76.2 Notices relating to existence of hog cholera; prohibition of movement of any hog cholera virus, exceptions; spread of disease through raw garbage; regulations; quarantines; eradication States; and free States.

(b) Notice is hereby given that the Administrator has determined that the prohibition of the interstate movement of any hog cholera virus, with the exceptions as specified in § 76.4, is necessary in order to effectuate the eradication of hog cholera.

3. The center heading preceding § 76.4 would be amended to read: "Movement

of Hog Cholera Virus and Swine Treated With Such Virus."

4. The heading, introductory paragraph and paragraphs (a) and (b) of § 76.4 would be amended and a new paragraph (c) would be added to read, respectively, as follows:

§ 76.4 Interstate movement of hog cholera virus prohibited, except as provided.

Virulent hog cholera virus shall not be moved interstate, at any time, and any other hog cholera virus shall not be moved interstate on or after March 1, 1969, except that:

(a) In specific cases and under such conditions as he may impose, the Director of Division may authorize the interstate movement of stated quantities of virulent hog cholera virus and modified live hog cholera virus for particular purposes, if he determines that such movement will not endanger swine or impair the hog cholera eradication program. Such movements shall be accompanied by a permit from the appropriate official of the State of destination and a certificate issued by the Animal Health Division specifying any such conditions imposed regarding the specific shipment.

(b) In specific cases and under such conditions as he may impose, the Director of the Veterinary Biologics Division may authorize the interstate movement of stated quantities of virulent hog cholera virus or modified live hog cholera virus for export, research, or biologics production, if he determines that such movement will not endanger swine or impair the hog cholera eradication program. Such interstate movement for purposes other than export shall be accompanied by a permit from the appropriate official of the State of destination and all such movements shall be accompanied by a certificate issued by the Veterinary Biologics Division specifying any such conditions imposed regarding the specific shipment.

(c) Killed or inactivated hog cholera virus vaccine may be moved interstate into States which provide for such movement if such States are not cooperating in the eradication of hog cholera by the complete and prompt depopulation of all swine on infected premises.

5. In § 76.5 the heading, introductory paragraph, and paragraphs (a) and (b) would be amended; and new paragraphs (c), (d), (e), and (f) would be added, to read, respectively, as follows:

§ 76.5 Interstate movement of swine treated with nonapproved modified live virus vaccine or other virulent hog cholera virus or any other hog cholera virus prohibited, except as provided.

Swine treated with any hog cholera virus shall not be moved interstate except that:

(a) Swine treated with a nonapproved modified live virus vaccine, not of porcine origin, prior to July 25, 1967, or treated with other virulent hog cholera virus prior to April 1, 1966, and not known to be affected with or otherwise exposed to hog cholera may be moved interstate if:

(1) Such swine are consigned for immediate slaughter; or

(2) Such swine are accompanied by a permit from the appropriate official of the State of destination; are moved directly to a farm destination without contact with other swine during movement; are moved under such other conditions as may be imposed for the specific movement by the Director of Division in order to prevent such swine from endangering other swine or impairing the hog cholera eradication program; and are accompanied by a certificate issued by a Division inspector specifying any such conditions.

(b) Swine treated with virulent hog cholera virus or treated with any other hog cholera virus and not known to be affected with or otherwise exposed to hog cholera, may be moved interstate for research or biologic production if such swine:

(1) Are moved directly to a point of destination approved by an inspector of the Veterinary Biologics Division, without contact with other swine during movement;

(2) Are accompanied by a permit from the appropriate official of the State of destination;

(3) Are moved under such other conditions as may be imposed for the specific movement by the Director of the Veterinary Biologics Division in order to prevent such swine from endangering other swine or impairing the hog cholera eradication program; and

(4) Are accompanied by a certificate issued by an inspector of the Veterinary Biologics Division specifying any such conditions.

(c) Swine that are officially vaccinated prior to March 1, 1969, with a modified live virus vaccine that was approved under § 76.16(c) and that are not known to be affected with or otherwise exposed to hog cholera may be moved interstate at any time in accordance with § 76.7, § 76.9, or § 76.10.

(d) Swine that are officially vaccinated on or after March 1, 1969, with any modified live virus vaccine that was approved under § 76.16(c) prior to March 1, 1969, and that are not known to be affected with or otherwise exposed to hog cholera may be moved interstate:

(1) For feeding, breeding, or exhibition purposes in accordance with § 76.7(c), § 76.9, or § 76.10 only until September 1, 1969; or

(2) For slaughter in accordance with § 76.7, § 76.9, or § 76.10 if vaccinated prior to September 1, 1969.

(3) For slaughter in accordance with § 76.6(c) or § 76.13 if vaccinated on or after September 1, 1969.

(e) Swine that are officially vaccinated prior to September 1, 1969, with a killed or inactivated hog cholera virus vaccine and that are not known to be affected with or otherwise exposed to hog cholera may be moved interstate in accordance with § 76.7, § 76.9(a), or § 76.10.

(f) Swine that are officially vaccinated on or after September 1, 1969, with a killed or inactivated hog cholera virus vaccine and that are not known to be affected with or otherwise exposed to hog cholera may be moved interstate: (1) In accordance with § 76.7, § 76.9, or § 76.10 from a State not cooperating in the eradication of hog cholera by the complete and prompt depopulation of all swine on infected premises, into any State the laws, rules or regulations of which provide for such treatment, or (2) in accordance with § 76.6 or § 76.13 from and to any State for slaughter.

6. Section 76.7 would be amended by changing the introductory paragraph and paragraph (c) (7) and adding a new paragraph (d) to read, respectively:

§ 76.7 Movement to recognized slaughtering centers, licensed establishments, approved feed lots, public stockyards or approved stockyards or livestock markets.

Swine not known to be affected with or exposed to hog cholera (including swine subject to § 76.5 (c) or (e)) and swine subject to § 76.5 (d) or (f) may be moved interstate as provided in this section and shall not be diverted for any other purposes:

* * * * *

(7) From any point not listed in subparagraphs (1) through (6) of this paragraph (c), in a State not cooperating in the eradication of hog cholera by the complete and prompt depopulation of all swine in infected herds, to a public stockyard or approved stockyard or livestock market in any other State if such swine have been officially vaccinated either at least 21 days prior to the date of shipment by methods specified in § 76.10 (a) (1) or (b) (2) or at least 14 days prior to date of shipment by methods specified in § 76.10 (a) (2).

(d) Swine subject to § 76.5 (c), (d), (e), or (f) must comply with all the requirements of that section as well as this section.

7. Section 76.8 would be amended to read:

§ 76.8 Interstate movement of swine for feeding, breeding, or exhibition purposes prohibited, except as provided.

No swine shall be moved interstate for feeding, breeding, or exhibition purposes, except as provided in §§ 76.5, 76.7, 76.9, and 76.10.

8. Section 76.9 would be amended to read as follows:

§ 76.9 Movements from public stockyards or approved stockyards or livestock markets.

(a) Swine not known to be affected with or exposed to hog cholera (including swine subject to § 76.5 (c) or (e)) and swine subject to § 76.5 (d) or (f) may be moved interstate for feeding or breeding purposes from public stockyards or approved stockyards or livestock markets to States the laws, rules, or regulations of which provide for the segregation or quarantine of imported swine for a period of not less than 21 days^{1 2} if:

(1) The swine are inspected by a Division inspector or an accredited veterinarian at such yard or market; and

(2) The swine upon such inspection are found to be free from symptoms of hog cholera and in a healthy condition and are treated in accordance with paragraph (b) (1) of this section prior to September 1, 1969, or are treated in accordance with paragraph (b) (2) of this section in a public stockyard by a veterinarian under Division supervision, or in an approved stockyard or livestock market by an accredited veterinarian, in a portion of the stockyard or market set aside for that purpose: *Provided*, That

(i) Swine officially vaccinated prior to inspection, in accordance with § 76.10 (a) or (b) (2) or swine which have received serum prophylaxis in accordance with paragraph (b) (2) of this section, are not required to be so treated but are subject to the other provisions of this paragraph (a); and

(ii) Swine which originate in, and are moved interstate from public stockyards or approved stockyards or livestock markets located in, States designated in § 76.2 (f) or (g) are not required to be so treated if moved interstate without contact prior to or during movement with swine from States not so designated and if the interstate movement of such swine is continuous and is accomplished in the same vehicle in which movement of such swine commenced, but such swine are subject to the other provisions of this paragraph (a); and

(iii) Official serum prophylaxis will qualify swine for interstate movement under this paragraph (a) only to States the laws, rules, or regulations of which provide for such prophylaxis; and

(3) The swine required to be so treated are permanently identified as follows:

(i) Official vaccinates shall be identified by individual eartag (other than orange in color), ear notch, tattoo, or similar individual identification; and

(ii) Swine receiving official serum prophylaxis shall be identified by individual orange eartag, ear notch, tattoo, or similar individual identification; and

¹ In each instance the regulations of the State of destination should be consulted before shipments are made.

² In order to minimize possible stress associated with shipping, feeder and breeder swine should be in transit as short a time as possible, with not more than 72 hours between shipment and arrival at destination.

(4) The swine are accompanied by a health certificate issued by a Division inspector at the public stockyard, or by an accredited veterinarian at an approved stockyard or livestock market, showing place and date of issuance, destination of shipment, record of official vaccination or official serum prophylaxis when applicable, the permanent identification of the swine, and that the swine are apparently free from hog cholera and other contagious, infectious or communicable diseases; and a copy of such certificate is forwarded to the appropriate livestock sanitary official of the State of destination; and

(5) The swine are transported in a cleaned and disinfected vehicle: *Provided, however*, That if the vehicle is not regularly used to transport livestock, disinfection is not required.

(b) Inoculation methods: Swine required under this section to be officially vaccinated or to receive official serum prophylaxis shall be inoculated by one of the following methods as appropriate:

(1) *Official vaccinates.* Swine required under this section to be officially vaccinated shall be given prior to September 1, 1969, simultaneous inoculation with anti-hog-cholera serum or hog cholera antibody concentrate and modified live virus vaccine prepared under license from the Secretary. Such vaccine must also be approved by the Director of Division pursuant to the provisions of § 76.16(c), prior to March 1, 1969. The dosage of serum or antibody concentrate and modified live virus vaccine shall be as follows:

(i) *Dosage of anti-hog-cholera serum or hog cholera antibody concentrate.* Except for swine under 20 pounds in weight, the dosage of serum should not exceed 1 cc. per pound body weight, or ½-cc. per pound body weight if antibody concentrate is used.

Weight of swine (pounds)	Minimum dose of serum (cubic centimeters)	Minimum dose of antibody concentrate (cubic centimeters)
Under 60.....	20	10
60-120.....	30	15
Over 120.....	40	20

(ii) *Dosage of modified virus vaccine.* The dosage of modified live virus vaccine shall be that recommended on the product label by the licensed manufacturer for use with the amounts of anti-hog-cholera serum or hog cholera antibody concentrate given in subdivision (i) of this paragraph.

(2) *Official serum prophylaxis.* Swine required under this section to receive official serum prophylaxis shall be inoculated with anti-hog-cholera serum or hog cholera antibody concentrate prepared under license from the Secretary, as provided below:

(i) *Dosage of anti-hog-cholera serum or hog cholera antibody concentrate:* Such swine shall be given the dosage of anti-hog-cholera serum or antibody concentrate provided in subparagraph (1) (i) of this paragraph; and

(ii) Such dosage shall be given within 5 days (120 hours) prior to interstate movement; *Provided, however*, That such swine shall receive at least one additional official serum prophylaxis inoculation in the amount provided in subparagraph (1) (i) of this paragraph during each additional 5-day (120 hour) period, or portion thereof, that expires after the first official serum prophylaxis inoculation until such interstate movement ends.

(c) Swine vaccinated in such stockyards or livestock markets or elsewhere which are subject to § 76.5 (c), (d), (e), or (f) must comply with all the requirements of that section as well as this section.

9. The introductory paragraph, paragraph (a), paragraph (b) (1) and (2) and paragraph (c) of § 76.10 would be amended to read, respectively, as follows:

§ 76.10 Other movements for feeding, breeding, or exhibition purposes or for sale for such purposes.

Swine which are not known to be affected with or exposed to hog cholera or any other contagious, infectious, or communicable disease may be moved interstate to any destination for feeding, breeding, or exhibition purposes or for sale for such purposes in accordance with this section. Swine subject to § 76.5 (c), (d), (e), or (f) may be moved interstate in accordance with this section and § 76.5 (c), (d), (e), or (f), respectively.

(a) *Movement from any point of origin.* Swine, which otherwise qualify for interstate movement under the provisions of this section, may be moved interstate to any destination for feeding, breeding, or exhibition purposes, or for sale for such purposes, if such swine have been officially vaccinated prior to March 1, 1969, with:

(1) Modified live virus hog cholera vaccine prepared under a license issued by the Secretary, approved prior to March 1, 1969, under § 76.16(c), and administered in accordance with the recommendations on the vaccine label not less than 21 days nor more than 2 years prior to date of shipment; *Provided, however*, That swine so treated on or after March 1, 1969, with vaccine approved prior to March 1, 1969, in accordance with § 76.16 (c), may be moved interstate until September 1, 1969, but shall not be so moved thereafter; or

(2) Killed or inactivated hog cholera vaccine prepared under a license issued by the Secretary and administered in accordance with the recommendations on the vaccine label: *Provided, however*, That swine so officially vaccinated shall receive at least two doses of such vaccine in the amounts recommended on the vaccine label at least 30 days but not more than 6 months apart: *And provided further*, That such official vaccination procedure shall be completed not less than 14 days nor more than one year prior to date of shipment: *And provided further*, That swine so officially vaccinated on or after March 1, 1969, may be moved interstate until September 1, 1969, but such swine shall not be so

moved thereafter, except that swine which are located in States not cooperating in the eradication of hog cholera by the complete and prompt depopulation of all swine in infected herds, may be moved interstate on or after September 1, 1969, in accordance with § 76.5(f) when such swine have been vaccinated with at least two doses of killed or inactivated vaccine prior to such movement, as specified in this paragraph (a) (2).

(b) *Movement from farm of origin in any State.* Notwithstanding paragraph (a) of this section, swine which otherwise qualify for interstate movement under the provisions of this section, may be moved interstate directly from the farm of origin in any State to any destination for feeding, breeding, or exhibition purposes, or for sale for such purposes, if interstate movement is continuous and is accomplished in the same vehicle in which movement of such swine commenced; and

(1) Such swine have been officially vaccinated as provided in paragraph (a) of this section: *Provided, however*, That swine officially vaccinated as provided in paragraph (a) (1) of this section on or after March 1, 1969, may be moved interstate until September 1, 1969, but such swine may not be so moved thereafter; and swine officially vaccinated as provided in paragraph (a) (2) of this section on or after September 1, 1969, may be moved interstate only as provided in § 76.5 (f); or

(2) Such swine have been officially vaccinated within 21 days prior to movement with the simultaneous inoculation of modified live virus hog cholera vaccine prepared under license issued by the Secretary, approved prior to March 1, 1969, under § 76.16(c), and administered in accordance with the dosage recommendations on the vaccine label with a minimum of 15 cc. of anti-hog-cholera serum or a minimum of 7.5 cc. of hog cholera antibody concentrate, also prepared under such license: *Provided, however*, That swine so officially vaccinated on or after March 1, 1969, may be moved interstate until September 1, 1969, but such swine may not be so moved thereafter; or,

(c) *Movement from a farm of origin located in a State designated in § 76.2 (f) or (g).* Notwithstanding paragraphs (a) and (b) of this section, swine which otherwise qualify for interstate movement under this section may be moved directly from the farm of origin in a State identified in § 76.2 (f) or (g) to any destination for feeding, breeding, or exhibition purposes or for sale for such purposes if the interstate movement is continuous and is accomplished in the same vehicle in which movement of such swine commenced; and if

(1) Such swine are officially vaccinated prior to interstate movement as provided in paragraph (a) or (b) of this section: *Provided, however*, That swine officially vaccinated on or after March 1, 1969, may be moved interstate until September 1, 1969, but such swine may not

be so moved thereafter except as provided in paragraph (a) (2) of this section; or

(2) Such swine have received official serum prophylaxis prior to interstate movement as provided in § 76.9(b) (2); or

(3) Such swine have not been officially vaccinated or have not received official serum prophylaxis prior to interstate movement, and are moved interstate in such a manner that they do not come into contact prior to or during such movement with swine from a State not designated in § 76.2 (f) or (g).

10. In § 76.16, a new sentence is added at the end of paragraph (b) and paragraph (c) is amended to read, respectively, as follows:

§ 76.16 Approval of stockyards and livestock markets; approval of modified live virus vaccines.

(b) * * * No approval will be granted or continued for any stockyard or livestock market if swine are inoculated therein with virulent virus at any time or with other modified live hog cholera virus on or after September 1, 1969.

(c) The Director of Division is authorized to approve modified live virus hog cholera vaccines, not of porcine origin, for the purposes of the regulations in this part when he determines that the interstate movement of such vaccines or swine treated therewith, will not constitute a threat to the hog cholera eradication program, and he is authorized to withdraw approval of any such vaccine when he determines that such action is necessary to effectuate the hog cholera eradication program: *Provided*, That the authority to approve any such vaccines shall not be effective after February 28, 1969. A list of modified live virus vaccines approved for the purposes of the regulations in this part will be published in the FEDERAL REGISTER and will appear in this part.

The foregoing proposed amendments would affect the interstate movement of approved modified live virus hog cholera vaccines and the interstate movement of swine vaccinated with such vaccines in the following ways:

1. Such vaccines could not be moved interstate on or after March 1, 1969, except for export, research purposes or biologics production, or in other special cases.

2. Swine officially vaccinated with such vaccines prior to March 1, 1969, could be moved interstate indefinitely under stated conditions.

3. Swine officially vaccinated with such vaccines on or after March 1, 1969, and before September 1, 1969, could be moved interstate for slaughter purposes in accordance with this part indefinitely; however, such officially vaccinated swine could be moved interstate for feeding, breeding or exhibition purposes until September 1, 1969, but not thereafter.

4. Swine vaccinated with such vaccines on or after September 1, 1969, could be moved interstate as swine exposed to

hog cholera in accordance with this part for slaughter.

The foregoing proposed amendments would also affect the interstate movement of killed or inactivated vaccines and the interstate movement of swine vaccinated with such vaccines in the following ways:

1. On or after March 1, 1969, such vaccines could not be moved interstate into States which have reached the level of the cooperative hog cholera eradication program which requires prompt and complete depopulation of swine on hog cholera infected premises.

2. Such vaccines could move interstate indefinitely into States which have not reached the level of the cooperative hog cholera eradication program which requires prompt and complete depopulation of hog cholera infected premises.

3. Swine officially vaccinated with such vaccines prior to September 1, 1969, could move interstate indefinitely under stated conditions from any State for any purpose.

4. Swine officially vaccinated with such vaccine on or after September 1, 1969, could move interstate under stated conditions for slaughter indefinitely; however, such swine could move interstate for feeding, breeding, or exhibition purposes only from States which have not reached the level of the cooperative hog cholera eradication program which requires prompt and complete depopulation of hog cholera infected premises and into States with laws which provide for such treatment.

The proposed regulations would allow the interstate movement of killed or inactivated vaccines into States which have not reached the cooperative hog cholera eradication level which requires complete and prompt depopulation of infected herds and official vaccination of swine in such States. It is expected that eventually complete elimination of all hog cholera vaccines will become necessary to effectuate the hog cholera eradication program. It is further expected that such action may become necessary not later than January 1, 1970. Therefore, it is important that States not presently at the program level requiring complete and prompt depopulation of infected herds bear this in mind.

Less than 30 percent of the Nation's swine are vaccinated against hog cholera as evidenced by only 22 million doses of vaccine sold in 1967. The use of vaccines is known to interfere with the eradication of hog cholera since 31 percent of all outbreaks in 1967 were associated with vaccination. It is evident that as long as the use of vaccines is continued eradication on efforts will be adversely affected.

The purpose of the proposed amendments is to facilitate the eradication of hog cholera by eliminating a major source of outbreaks.

Any person who wishes to submit written data, views or arguments concerning the proposed amendments may do so by filing them with the Director, Animal Health Division, Agricultural Research Service, U.S. Department of Agriculture,

Federal Center Building, Hyattsville, Md. 20782, within 60 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 November 1968.

R. J. ANDERSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 68-13922; Filed, Nov. 19, 1968; 8:47 a.m.]

Consumer and Marketing Service

[7 CFR Part 1002]

MILK IN NEW YORK-NEW JERSEY MARKETING AREA

Notice of Public Meeting for Consideration of Proposed Amendment to Cooperative Payments Rules and Regulations

Pursuant to the provisions of § 1002.89(i) of the order, as amended (7 CFR Part 1002), regulating the handling of milk in the New York-New Jersey marketing area, and of the Administrative Procedure Act (5 U.S.C. 1001 et seq.), notice is hereby given of a public meeting to be held on November 25, 1968, at 10 a.m., e.s.t., at the office of the Market Administrator, 205 East 42d Street, New York, N.Y. 10017, for consideration of proposed amendment to the cooperative payments rules and regulations heretofore issued (7 CFR 1002.400 et seq.) pursuant to said order. Interested persons will be afforded an opportunity to participate in the meeting through the submission of written data, views, or arguments, or to present the same orally. Copies of said rules and regulations as heretofore issued and of the proposed amendments to be considered at this public meeting may be procured from the Market Administrator, 205 East 42d Street, New York, N.Y. 10017.

The public meeting is for the purpose of receiving evidence with respect to the formulation of cooperative payments rules and regulations to accommodate the amendments to the order (7 CFR Part 1002) as stated in the decision of the Secretary, dated July 26, 1968.

The proposed amendments to the cooperative payments rules and regulations heretofore issued (7 CFR 1002.400 et seq.) are the proposals of the office of the market administrator except, where otherwise noted herein, but have not received the approval of the market administrator.

1. Revoke the cooperative payments rules and regulations heretofore issued by the market administrator (7 CFR 1002.400 et seq.) and substitute therefor the cooperative payments rules and regulations which follow:

APPLICATION

§ 1002.400 Form of application.

Each applicant for cooperative payments pursuant to § 1002.89 shall submit an application to the market administrator, on forms and in the manner prescribed by the market administrator. Such application shall contain the following information:

- The name and address of the applicant.
- The type of payments applied for:
 - Cooperative or federation.
 - Operation of marketing and processing facilities.
- Such additional information as required by § 1002.401 through 1002.409.

§ 1002.401 Legal organization of applicant.

Each applicant shall submit the following information with respect to its organization:

- When, where, and under what laws it is incorporated.
- A copy of charter and bylaws, including all amendments thereto to date of application.
- The names and addresses of directors and officers.

§ 1002.402 Data for applicant cooperative.

An applicant cooperative shall submit the following information:

- A specimen copy of contract or other document denoting producer membership.
- The percentage of business with nonmembers during the most recent 12-month period.
- The number of members and, if there be more than one class of membership, the number of members in each class at the end of the preceding month.
- The names of pool plants and pool bulk tank units to which the members are delivering milk.
- The amount per hundredweight of milk received from members and method of collection.
- The amount per hundredweight of milk received from any member who is not a producer as defined in § 1002.6.
- The name and business address of each of its affiliated cooperatives.
- The information required by § 1002.404 for each of its affiliated cooperatives.
- The name and address of each affiliated organization which is not an affiliated cooperative, as defined in § 1002.89(a)(4) and the nature of the affiliation, together with the method of reimbursement for services by either association to the other.

§ 1002.403 Data for applicant federation.

An applicant federation shall submit the following information:

- The name and business address of each of its federated cooperatives.
- The information as required by § 1002.404 for each of its federated cooperatives.
- The names and addresses of any affiliated organization which is not a

federated cooperative, as defined in § 1002.89(a) (3), and the nature of such affiliation, together with the method of reimbursement for services by either association to the other.

§ 1002.404 Data for each affiliated or federated cooperative.

(a) When, where, and under what laws the cooperative is incorporated.

(b) The names and addresses of directors and officers of the cooperative.

(c) Copies of the charter, bylaws and all amendments thereto to date of application, and a specimen of documents denoting producer membership in the cooperative.

(d) A copy of the contract(s) defining the relationship between the cooperative and the applicant.

(e) The amount per hundredweight of milk the cooperative receives from its members and method of collection.

(f) The percentage of business that the cooperative did with nonmembers during the most recent 12-month period.

(g) The number of members of the cooperative and, if there be more than one class of membership, the number of members in each class at the end of the preceding month.

(h) The names and locations of the pool plants and bulk tank units to which the members of the cooperative are delivering milk.

(i) The amount per hundredweight received by applicant from the cooperative and the collection method used.

(j) The nature of any marketwide services to be performed by the cooperative on behalf of the applicant, the nature of control by applicant over such performance and the method of payment, if any, by the applicant for the performance of such services.

§ 1002.405 Operating facilities.

Any cooperative or federation which applies for payments on the basis of operating facilities shall report the following:

(a) The names and locations of pool plants and pool bulk tank units operated by applicant or its affiliated or federated cooperatives.

(b) The name and location of each of the processing facilities controlled by applicant or its affiliated or federated cooperatives, the nature of the control exerted and the daily processing capacity of each.

(c) The percentage of total milk deliveries of member producers represented by plants and bulk tank units listed in paragraph (a) of this section and facilities listed in paragraph (b) of this section for the most recent twelve-month period.

(d) The details of the arrangement whereby it stands willing to accept non-member milk on a temporary basis.

§ 1002.406 Program of marketwide services.

Each applicant shall specify its program, including its projected budget, for the performance with respect to:

(a) The marketwide services referred to in § 1002.89(e) (1) through (6).

(b) Any other marketwide services directly or indirectly related to the order.

(c) Performing services for dairy farmers who are not member producers, as defined in § 1002.89(a) (5), and the nature and expense of such services.

§ 1002.407 Personnel.

With respect to its ability to perform the marketwide services, each cooperative or federation shall supply the following information concerning personnel:

(a) The numbers of hired personnel assigned to the direct performance of marketwide services listed according to the type of jobs performed and showing for each whether employment is full time or part time.

(b) Contemplated changes in personnel.

(c) List the names of supervisory personnel specified in § 1002.415(a) (1) through (4) and set forth the training and experience of each that will indicate the basis for their qualification to perform their duties.

§ 1002.408 Control of utilization.

(a) Each applicant shall state how it is assured that it is in no way precluded, or how its affiliated or federated cooperatives are assured that they are not precluded, from arranging for the utilization of milk under their respective control so as to yield the highest available net return to all producers without displacing an equivalent quantity of producer milk in the preferred classifications.

(b) In the event that the applicant, or an affiliated or federated cooperative, has a contract with a handler for the disposition of milk, the applicant shall submit a copy of each such contract, or the pertinent parts of the contract, for the purpose of showing that applicant is able to comply with paragraph (b) (4) of § 1002.89.

§ 1002.409 Additional information.

(a) The market administrator may request of any applicant additional information if that contained in the application is insufficient to determine whether the applicant is qualified to receive payments.

(b) Prior to the issuance of a designation by the market administrator, an applicant may submit additional information which may be pertinent either because of the issuance of rules with respect to designation, or because of a change in the program of the applicant.

(c) In the event that an application has been filed under rules and regulations that have been superseded by these provisions, applicant will be required to submit any additional material specified in these provisions before application will be considered complete.

DESIGNATION

§ 1002.410 Procedure.

(a) Each application shall be subject to investigation and verification prior to any determination as to the eligibility of the applicant to receive payments pursuant to § 1002.89.

(b) Notice of the designation of a cooperative or federation to receive payments shall indicate the applicable rate of payment and list the name of each association included in the designation as an affiliated or federated cooperative.

(c) Any revision in the applicable rate of payment or in the list of affiliated or federated cooperatives shall be based upon a determination by the market administrator, except as provided in paragraph (d) of this section.

(d) Official notice from a designated cooperative or federation that its affiliation contract with an affiliated or federated cooperative has been terminated shall result in automatic removal of such association from the list of affiliated or federated cooperatives included in the designation as of the effective date of contract termination.

(e) Before any negative determination on a request for designation is issued, the market administrator, or his representative, shall be available to meet with directors of the applicant association to discuss the material which would indicate the negative determination.

§ 1002.411 Determination as to whether an association is a cooperative.

The determination as to whether an association meets the definition of a cooperative shall be made by the market administrator. An association shall be deemed qualified under the Capper-Volstead Act only if the Secretary has issued a determination indicating that the association is eligible to vote its membership en bloc in producer referenda relative to amending the order.

§ 1002.412 Determination as to whether an applicant is a federation of cooperatives.

An applicant to be considered a federation of cooperatives must have a membership consisting of organizations incorporated under the cooperative corporations law of a state, and at least 90 percent of the member associations must meet the full definition of a cooperative contained in § 1002.89(a) (1). The activities of the applicant must be under the control of its member associations; 75 percent of the voting power must be controlled by federated cooperatives or by federated cooperatives and other cooperatives qualified individually to receive payments under § 1002.89, and a negative vote by two-thirds of the federated cooperatives voting must be sufficient to veto any proposed action.

§ 1002.413 Producer membership in cooperatives.

(a) The claim of a cooperative that a producer is a member shall be supported by a document signed by the producer, or his authorized agent, except:

(1) Where the bylaws of the cooperative provide for membership for any producer without signature where such producer refuses to sign on the basis of religious scruples; or

(2) Where the bylaws of an applicant cooperative provide for extension of membership under a single contract to all members of another association that

has such membership documents: *Provided*, That such arrangement does not subordinate the rights of any portion of the membership of applicant association with respect to representation in the formulation of policy regarding performance of marketwide services for which payments are being made or applied for: *Provided further*, That bylaws of the second association expressly permit a contractual arrangement including extension of membership.

(b) A member producer must conform to all applicable requirements of the bylaws of applicant association as well as, where relevant, the affiliated or federated cooperative of which he is a member and the affiliated or federated cooperative of which he is a member must conform to all applicable requirements of the bylaws of the applicant association: *Provided*, That the failure of a cooperative to receive at least the requisite one cent per hundredweight amount from a claimed member producer shall be taken as evidence of nonconformance to bylaws.

(1) A member claimed by an undesignated cooperative must conform to all applicable requirements of the bylaws of the undesignated association if such membership is to be considered valid for purposes of the waiting period described in § 1002.89(a) (5) (iii): *Provided*, That the failure of an undesignated cooperative to receive dues from a claimed member shall be taken as evidence of nonconformance to bylaws.

(c) The determination as to whether two or more farms operated by an individual are to be considered farms operated by more than one producer shall depend upon determination of the market administrator as to whether such farms are one or more than one business unit.

(d) The market administrator shall consider the claim by an association that a dairy farmer is a member to have been invalidated for cooperative payments purposes if such dairy farmer ceases, for a 3-month period, to be a producer, as defined in § 1002.6. The market administrator shall notify the applicable association of such claim invalidation so that the cooperative may renew its membership claim if such renewal is appropriate.

Proposed by Eastern Milk Producers Cooperative Association, Inc.:

(e) Each qualified cooperative which derives any part of its qualified membership from affiliated cooperatives should be fully responsible for the verification to the market administrator of the membership contracts of the members of the affiliated cooperative (or in the case that an affiliated cooperative is a federation, the qualified cooperative should be responsible for verification of the membership contracts of the members of a cooperative which forms one of the members of the federation). This should include verification, not more frequently than monthly, of additions to, or withdrawals from, membership.

(f) Each qualified federation or qualified cooperative which claims membership in whole or in part from affiliated or federated cooperatives should provide the

market administrator with the names and addresses of the secretary of each cooperative on whose membership the federation or cooperative derives cooperative payments, and the administrator shall make such information available upon request.

(g) A cooperative or a federation shall not be denied cooperative payments with respect to any member merely because of the failure of the secretary of another cooperative to acknowledge receipt of a notice of resignation of such member as of the effective date of prescribed withdrawal.

(h) A cooperative shall not "lose" a member for the purpose of calculating the amount of cooperative payments payable to any cooperative if before the prescribed withdrawal date of membership in its cooperative he is resigned into such cooperative.

(i) In the case of an addition of a member or application for qualification of an affiliated or federated cooperative, the market administrator shall acknowledge receipt within 10 days, and within 30 days shall notify the cooperative or federation of approval or disapproval. The date of approval of the member addition or affiliated or federated cooperative shall be the effective date of membership as set forth in the cooperative's addition form or application for qualification form.

Proposed by Northeast Dairy Cooperative Federation, Inc.:

Paragraph (e) regarding producer membership in cooperatives should be amplified to provide:

(1) That § 1002.89(a) (5) (ii) requiring a producer to have been a producer "for at least a prior 12-month period" is not applied to producers qualified for payment immediately prior to November 1, 1968. In other words, it will apply only to producers for which a cooperative or federation seeks qualification after the amendment takes effect.

(2) That for producers for which a cooperative seeks qualification as members on and after November 1, 1968, "a prior 12-month period" in § 1002.89(a) (5) (ii) shall be considered to mean 12 consecutive months within a prior period of at least 18 consecutive months.

(3) That § 1002.89(a) (5) (iii) not be applied to producers qualified for payment immediately prior to November 1, 1968 (same as proposed above for § 1002.89(a) (5) (ii)).

(4) That in § 1002.89(a) (5) (iii), "a prior 12-month period" be considered to mean the immediately prior consecutive 12-month period.

In place of § 1002.413(d) in the old rules provide the following: In applying the "prior 12-month period" in § 1002.89(a) (5) (iii), in cases where the signed document or other evidence of membership of the producer specified in paragraph (a) herein with respect to one cooperative, constitutes an overlap in time with claimed membership in another cooperative (cooperative, federated cooperative, or affiliated cooperative designated for payments, as the case may

be), the market administrator shall recognize the document of earliest date. In cases where a cooperative has failed to give a release of membership of a producer member in writing to the market administrator within 10 days of the date of the claimed termination of such membership and the beginning of membership in another cooperative by such producer, if the other cooperative (or federation, of which the other cooperative is a member designated for payments) has applied for recognition of such producer as a member at the request of the other cooperative or its federation the market administrator shall, on a form prescribed by him, request a reply from the first cooperative within 10 days stating whether the producer is or is not a member of said cooperative. The 12-month waiting period specified in § 1002.89(a) (5) (iii) in the case of each producer to which it applies shall begin on a date determined by the market administrator, on the basis of applications made to him by the cooperative or federation claiming membership of such producers for payments; such determinations to be made not later than 30 days from receipt of such applications. This provision, however, shall not limit a producer's right to change his affiliation from one cooperative to another or to authorize the payment of cooperative dues through a deduction from his milk check.

Section 1002.414 *Operating marketing facilities*, is proposed to be amended as follows:

Proposed by Dairymen's League Cooperative Association, Inc.:

(a) Definitions:

(1) "Marketing facilities" shall include plants, pool bulk tank units, or other pool-designated facilities, at which milk is assembled, cooled, pasteurized, bottled or manufactured into milk products.

(2) "Processing facilities" means plants or other facilities at which milk is received and thereafter processed for bottling and distribution as fluid milk or cream or is otherwise manufactured into cream, ice cream mix, ice cream, powder, butter, cheese or other milk products.

Proposed by the Office of the Market Administrator:

(b) In determining the percentage of milk received from members at pool plants or pool bulk tank units operated by the applicant and its affiliated or federated cooperatives, such percentage shall be computed on the basis of the most recent 12-month period.

Proposed by Northeast Dairy Cooperative Federation, Inc.:

Add additional sentences to § 1002.414 (b) as follows:

In determining whether the cooperative and its affiliated cooperatives (if any) and the federation and its federated cooperatives control processing facilities capable of handling at least 10 percentum, by weight, of all milk marketed by its member producers:

(1) The divisor (all milk marketed by its member producers) shall be the milk of only those member producers for which the cooperative or federation is designated for payments specified in § 1002.89(f) (2).

(2) Control (of processing facilities) shall mean sufficient control through ownership, lease or rental that gives the cooperative or federation priority over any other use of such facilities for capacity for the processing of the minimum quantity specified in § 1002.89(b) (I) (iv) of its milk every day, even if it should displace the receiving or processing of any other milk.

(3) "Processing facilities" shall be considered to mean facilities for the manufacture of milk into such products as (but not limited to) evaporated milk, cream, condensed milk or skim milk, nonfat dry milk solids, butter or cheese. Such manufacturing facilities shall, if not used during at least 2 months during the preceding 12 months, be in good working order capable of being operated on no more than 1 week's notice at any time.

(4) Such processing facilities shall be located in the States of New York, New Jersey, or Pennsylvania.

(5) The term "at least 10 percentum" shall mean at least 10 percentum, by weight of the daily average of all milk marketed by its producer members during the preceding months of May and June.

(6) The term "capable of handling" when applied to the specified minimum quantities of 1 million pounds of milk daily (or 10 percentum, whichever is greater) shall be determined by the market administrator by converting manufacturers' rated capacity of finished product output for the various machines to their aggregate whole milk equivalent basis in accordance with conversion factors specified in §§ 1002.230 through 1002.233 of the market administrator's classification and accounting rules and regulations, effective July 1, 1968.

Proposed by the Office of the Market Administrator:

(c) The rate of payment relating to operation of marketing and processing facilities shall be based on the determination of the market administrator and any change in such rate shall be based only on a revised determination.

§ 1002.415 Personnel.

An applicant to be designated must employ at least the following personnel on a full time basis, except as provided below with respect to lawyer: *Provided*, That the market administrator may waive the requirements with respect to formal education if he finds on the basis of evidence presented by the cooperative or federation that the employee has demonstrated in his other training and experience that he is qualified to occupy the position.

(a) *Supervisory personnel*—(1) *Economist*. A person who has a college degree, with additional training at least equivalent to that required for a Master's degree with specialization in ag-

ricultural economics. The additional training may be either college training or experience acquired through working for a disinterested research agency, such as a governmental agency, or an endowed foundation. In addition, he must have at least three years of experience in the field of milk marketing.

(2) *Lawyer*. A lawyer who must be a member of the bar in good standing and who is employed by the applicant on a full time or on a retainer basis. If employed on the latter basis, his retainer shall require that he give priority attention to the affairs of the cooperative or federation.

(3) *Field supervisor*. A person with education or experience equivalent to that of a person with a Bachelor's degree with a major in agricultural marketing, dairy marketing or related subjects, and 5 years' experience in educational work among farmers, a part of which included the supervision of other persons engaged in this work.

(4) *Editor*. A person with education, training, or experience equivalent to that of a college degree in journalism or related subjects, and 5 years' experience in agricultural journalism.

(b) *Subordinate personnel*—(1) *Fieldman*. (i) A person with education equivalent to that of a person with a Bachelor's degree, with a major in agricultural marketing, dairy marketing or related subjects, and 2 years' experience in educational work among farmers. Sufficient fieldmen must be employed on a full time basis to meet the day-to-day problems of the cooperative or federation. Any additional fieldmen may be employed on a part time basis to supplement the work of full time fieldmen in carrying out the program of the cooperative with respect to producer education.

(ii) Persons with less education or experience than that required for fieldmen may be hired as assistant fieldmen and may qualify for fieldmen by participating in on-the-job training programs conducted by the cooperative or federation.

(2) *Other personnel*. A cooperative or federation must maintain a full-time staff of other employees sufficient to carry out the details of the program of marketwide services required by the order provisions.

§ 1002.416 Facilities.

The applicant must possess facilities which permit the personnel specified in § 1002.415 to operate efficiently.

§ 1002.417 Program for marketwide services.

(a) The program for marketwide services submitted by the applicant must be in sufficient detail to demonstrate that the program will result in the performance of the marketwide services required in the provisions of the order and the regulations with respect to performance.

(b) The proposed budget for financing the program must be presented in sufficient detail to permit evaluation as to whether fulfillment of the outlined services is feasible.

§ 1002.418 Publications.

(a) The applicant must issue an official publication containing milk marketing information for members and non-members.

(b) The issuance of a publication by an affiliated or federated cooperative shall be considered an activity of the cooperative or federation with which it is affiliated only to the extent that the material so published is prepared under the direction and supervision of the management of the cooperative or federation.

PERFORMANCE

Section 1002.420 *Reports of cooperatives or federations*, is proposed to be amended as follows:

Proposed by Northeast Dairy Cooperative Federation, Inc.

(a) *Public report*. The public report which each designated cooperative or federation must make pursuant to § 1002.89(j) (1) shall be for the fiscal year of the organization. It shall be filed with the market administrator not later than 90 days after the end of said fiscal year. It shall be published in the organization's publication required by § 1002.89(e) (5) not later than the second issue following certification by the market administrator. Data on expenditure of cooperative payment funds shall be listed as totals for each of the seven categories of services specified in § 1002.89(e). The description of marketwide services performed shall be a brief concise listing of services by the categories specified in § 1002.89(e).

Proposed by Dairymen's League Co-operative Association, Inc.:

(a) The public report required pursuant to § 1002.89(j) (1) shall specify for the reporting periods:

(1) In the case of a cooperative or federation entitled to receive payments of the amount set forth in § 1002.89(f) (2) the amount of money expended during the reporting period in performance of the following marketwide services:

(i) *Producer development of marketwide service program*. This account shall encompass the direct costs, i.e., fees, salaries, allowances, travel, and other expenses, incurred in meetings or conferences of members, directors, delegates, employees, and others, pursuant to which policies and programs of the cooperative or federation are developed relative to market order, informational, legislative, and industry matters.

(ii) *Market order programs affecting producers under the order*. This account shall encompass direct costs related to the research, drafting, petitioning, hearing, briefing, and referendum procedures under which federal or state milk market orders affecting Order No. 2 producers are promulgated or amended.

(iii) *Governmental activities, other than market orders, affecting producers under the order*. This shall take into account the direct costs incurred in the preparation, development and execution of legislative, administrative and other matters which affect such producers.

(iv) *Informational and educational programs.* Such account shall encompass direct costs incurred in public meetings, publications, field activities, news, and other public media engaged in by the cooperative or federation to inform producers under the order and others whose understanding, cooperation and leadership is desirable or necessary to assure the most effective marketing of milk under the order.

(2) In the case of a cooperative or federation entitled to receive additional payments, pursuant to § 1002.89(f) (3) or (4), such report shall also specify with respect to the following service:

(i) *Operation of marketing facilities and processing plants:* This account shall specify costs and expenses incurred in the maintenance of such facilities and plants, including but not limited to taxes, interest and depreciation.

(3) In addition to the direct costs incurred for the purposes designated in paragraphs (a) and (b) of this section, the cooperative or federation shall specify or prorate for each such account the following:

(i) *Administrative overhead:* This account shall encompass expenses incurred in maintaining offices, employees (including salaries, insurance and pension benefits), supplies, and other expenses necessary to enable the cooperative or federation to perform the designated marketwide services.

(4) In addition to the listing of accounts in the manner specified in paragraphs (a), (b), and (c) of this section, the cooperative or federation shall set forth in its public report an appropriate narrative description, in brief but informative terms, of its activities conducted in performance of the required marketwide services.

(5) Such report shall be published in the regularly issued publication of the cooperative or federation, or if there be none, then in a manner approved by the market administrator. Copies of such report shall be prepared and made available upon request of any producer or other person designated by the market administrator.

(6) Such report shall be published annually by the cooperative or federation not less than 8½ months after the close of its first fiscal year ending after December 31, 1969, and within such time after each fiscal year thereafter, and shall reflect the expenditures and the activities of the cooperative or federation during such fiscal year.

Proposed by Eastern Milk Producers Cooperative Association, Inc.:

(a) With respect to the requirement that a designated cooperative or federation shall make a "public report of its performance of marketwide services" as provided for by § 1002.89(j) (1) such requirement shall be satisfied by the cooperative or federation permitting the market administrator to show such report to any interested person upon request.

Proposed by Northeast Dairy Cooperative Federation, Inc.:

(b) *Annual report.* The annual report required in § 1002.89(j) (2) shall be for the organization's fiscal year and be filed with the market administrator not later than 90 days after the end of said fiscal year. Allocation of expenditures for performance of marketwide services shall include, in addition to the listing in the public report, supplementary schedules showing basis of determining such allocations from the total accounts of the organization. The required outline of proposed budget and performance for the coming year shall be for the organization's fiscal year and be according to the service categories specified in § 1002.89(e). The annual report shall describe any changes which have occurred with respect to the information required pursuant to §§ 1002.401 through 1002.408 since the previous annual report or application, whichever is later. It shall also outline the program being carried on by the field staff: *Provided*, That each cooperative or federation shall report not later than 100 days after the effective date of this provision any material not required when the qualified cooperative or federation made its original application.

(c) At such times and in such manner as the market administrator may request, the cooperative or federation shall file additional reports with the market administrator.

(d) A designated cooperative or a federated cooperative shall file notice of additions and withdrawals of members not later than the end of the month following the month of such addition or withdrawal. No producer shall be considered a member of a cooperative for purposes of cooperative payments prior to the first of the month preceding the month in which the required report of the addition of such producer as a member is received by the market administrator.

Proposed by Eastern Milk Producers Cooperative Association, Inc.:

(e) In connection with the reports or records required to be kept pursuant to § 1002.89(j) the report of cooperatives or federations receiving an additional cent by virtue of operation of marketing facilities should be made with greater specificity with respect to the operation of marketing facilities (including processing facilities), to the end that amounts expended for such facilities be clearly delineated and distinguished from amounts spent for other marketwide services.

(f) The market administrator shall make a monthly report to a cooperative or federation of the names of members claimed by such cooperative or federation on whose milk cooperative payments have been disallowed upon audit, together with the reason for such disallowance.

Proposed by the Office of the Market Administrator:

§ 1002.421 *Verification of reports and receipts of milk from members.*

(a) The reports required pursuant to § 1002.420 shall be subject to verification by the market administrator.

(b) Receipts of milk at pool plants from members of a qualified organization shall be subject to verification by the market administrator, and in the event that the volume of such receipts is different from that reported by the handler in its monthly report, the payment to the organization shall be adjusted accordingly by the market administrator by debiting or crediting the organization's account with the market administrator.

§ 1002.422 *Consultation on milk marketing problems.*

The association on reasonable notice shall make available its economist to consult with the market administrator, or his representative, with respect to milk marketing problems and their solutions, and the economist shall be prepared to discuss with the market administrator, or his representative, the progress being made by the association in carrying out research or analysis of marketing problems.

§ 1002.423 *Formulation of proposed amendments and participation in hearings and meetings.*

(a) Copies of all documents filed with respect to the items set forth below shall be filed with the market administrator at the same time as they are filed with the U.S. Department of Agriculture, the New York State Department of Agriculture and Markets, and the Office of Milk Industry of the New Jersey Department of Agriculture:

- (1) Petitions for amendments.
- (2) Briefs filed following hearings.
- (3) Exceptions filed to recommended decisions.

(4) Written data, views, or arguments with respect to any rule-making procedure affecting the marketing order.

(b) The records of amendment hearings and meetings with respect to rules and regulations shall be examined by the market administrator to determine the degree of participation by the cooperative or federation receiving cooperative payments.

§ 1002.424 *Referendum of producers.*

(a) The cooperative or federation shall collaborate with the referendum agent in any referendum conducted with respect to proposed amendments to the orders particularly in distribution of material required for the conducting of such referendum. The designated cooperative and its affiliated cooperatives, or the federated cooperatives of a designated federation must vote collectively on proposals, or else the designated cooperative or federation must conduct an intensive educational program for members and nonmembers for the guidance of the individual in voting.

(b) It shall be the responsibility of the designated cooperative or federation to distribute to and collect for forwarding to the referendum agent from its affiliated or federated cooperatives the official ballots for collective voting in referenda under the orders: *Provided*, That affiliated or federated cooperatives

should be afforded the privilege of sealed ballots, if desired.

(1) In the event that the designated cooperative or federation does not forward to the referendum agent the collective ballot of any of its affiliated or federated cooperatives it shall report to the market administrator in writing the reason for such failure.

§ 1002.425 Educational meetings.

(a) Each designated cooperative or federation shall hold a sufficient number of educational meetings open to both members and nonmembers so that at least one such meeting shall be held each year within 50 miles of each plant at which the milk of member producers of the cooperative or federation is delivered: *Provided*, That a meeting held jointly by more than one designated cooperative or federation may be considered by each as one of its own educational meetings only if each organization actively participates in the conduct of such meeting: *Provided further*, That the designated cooperative or federation may propose an alternative program of educational meetings that the market administrator may approve as a substitute means to insure that both members and nonmembers will be well informed for participation in the activities under the regulatory program.

(b) Notice of each such meeting shall be sent to the market administrator in sufficient time to permit the market administrator to have a representative present, if he so desires. The notice shall indicate the nature of participation by each designated participant in any joint meetings.

(c) The cooperative or federation shall report to the market administrator the means used by such cooperative or federation to notify nonmembers of such meetings.

§ 1002.426 Distribution of publications.

(a) The official publication of the cooperative or federation shall be issued at least once a month and distributed to all member producers of the cooperative or federated cooperatives and to nonmembers on the same subscription basis.

(b) One copy of the publication shall be filed with the market administrator.

§ 1002.427 Services performed by an affiliated or federated cooperative.

(a) A designated cooperative or federation may engage one or more of its affiliated or federated cooperatives to perform specific services: *Provided*, That the cooperative or federation shall exercise the same kind and degree of control over the performance of such services as it would if such services were being performed by its own personnel. The cooperative or federation may make payment to the affiliated or federated cooperative for the performance of such services, such payment to be either in the form of reimbursement for actual expenditures, or on the basis of a stipulated rate which shall be uniform with respect to all of its affiliated or federated cooperatives. The opportunity to perform such services for the designated organization and to receive payment therefor

shall be open to any of its affiliated or federated cooperatives which is equipped to perform the services. Performance of services by an affiliated or federated cooperative for the cooperative or federation on the basis herein described shall be considered as performance of the services by the cooperative or federation itself for the purpose of cooperative payments.

(b) With respect to those services for which cooperative payments are provided, activities of an affiliated or federated cooperative shall not be considered the activities of the cooperative or federation if the cooperative or federation does not exercise over them the same kind and degree of control as it would exercise over the activities of its own personnel and any payment by a cooperative or federation to an affiliated or federated cooperative with respect to such activities shall be considered contrary to the intent of the provisions of § 1002.89 of the order.

Proposed by Eastern Milk Producers Cooperative Association, Inc.:

The language of the present § 1002.427

(a) with respect to the requirement of a uniform rate of payment to all federated cooperatives of a federation in connection with services performed, shall not apply in the case of affiliated cooperatives.

Proposed by the Office of the Market Administrator:

§ 1002.428 Receipts of money from members.

Any cooperative which makes patronage payments to its members which result in a net receipt from members of less than one cent per hundredweight of milk shall cause the members receiving such payments to fail to meet the definition of "member producer" pursuant to § 1002.89(a)(5) of the order. A cooperative, however, may allocate or apportion reserves to its members: *Provided*, That no payments of such allocations or apportionment may be made prior to a lapse of 10 years from the period for which they are applicable.

PROCEDURES FOR CERTIFICATION OF PUBLIC REPORTS

§ 1002.430 Application for certification.

(a) The copy of the proposed public report that is to be submitted with the annual report by each designated cooperative or federation to the market administrator shall be deemed an application for certification by him.

(b) An application for certification by the market administrator shall be subject to investigation and verification prior to the issuance of any certification or refusal to certify.

§ 1002.431 Issuance of determination on certification.

(a) After determination by the market administrator that he is willing to certify that the public report as proposed for publication is, to the best of his knowledge, accurate and in accordance with his rules and regulations, he

shall mail a copy of his certification to the cooperative or federation.

(b) In the event that the market administrator determines that he cannot find a reasonable basis to certify that the public report as proposed is, to the best of his knowledge, accurate and in accordance with the rules and regulations issued by him, he shall set forth the basis for such determination, mail a copy of the negative determination to the cooperative or federation, and proceed forthwith to remove the designation of applicant association.

(1) Before a negative determination on certification is issued, the market administrator, or his representative, shall be available to meet with the directors of the designated association to discuss the materials which would indicate the negative determination.

(2) Twenty-one days prior to issuance of a negative determination on certification, the market administrator shall notify the designated association of his inability to certify, indicating the unacceptable portions of the report and specifying the tentative date for issuance of the negative determination in the event that a report acceptable for certification is not submitted in the interim.

HEARINGS ON PROPOSED REMOVAL OF DESIGNATION

§ 1002.440 Notice of hearing.

Not later than 10 days after receipt of a request for hearing on a proposed removal of designation, the market administrator shall issue a notice to the cooperative or federation of the time and place for such hearing.

§ 1002.441 Presiding officer.

The hearing shall be conducted by the market administrator, or at his discretion, by a hearing examiner of either the U.S. Department of Agriculture, the New York State Department of Agriculture and Markets, or the Office of Milk Industry of the New Jersey Department of Agriculture. If such hearing is conducted by a hearing examiner, his duties shall consist of conducting the hearing and certifying the record to the market administrator for decision.

§ 1002.442 Order of proceeding and burden of proof.

The cooperative or federation shall proceed first at the hearing and shall have the burden of proving its eligibility to receive payments.

§ 1002.443 Evidence.

(a) The cooperative or federation shall place into the record under oath or affirmation all of the evidence on which it will rely either before the market administrator or on an appeal.

(b) The market administrator shall be responsible for placing into the record under oath or affirmation any additional evidence on which he may wish to rely in making his final determination with respect to the qualification of the cooperative or federation to receive payments.

(c) Opportunity for cross-examination shall be given both to the cooperative or federation, and the market administrator.

§ 1002.444 Briefs.

A period of at least five days following the close of the hearing shall be permitted for the filing of a brief by the cooperative or federation.

Issued at New York, N.Y., this 7th day of November 1968.

A. J. POLLARD,
Market Administrator.

[F.R. Doc. 68-13964; Filed, Nov. 19, 1968; 8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service

[45 CFR Ch. II]

DETERMINATION OF ELIGIBILITY FOR PUBLIC ASSISTANCE PROGRAMS

Mandatory Use of Declaration Method

Notice is hereby given that the regulations set forth in tentative form below are proposed by the Administrator, Social and Rehabilitation Service, with the approval of the Secretary of Health, Education, and Welfare. The proposed regulations relate to mandatory use of the declaration method in determination of eligibility for financial and medical assistance under titles I, IV-A, X, XIV, XVI, and XIX of the Social Security Act.

Prior to the adoption of the proposed regulations, consideration will be given to any comments, suggestions, or objections thereto which are submitted in writing to the Administrator, Social and Rehabilitation Service, Department of Health, Education, and Welfare, 330 Independence Avenue SW., Washington, D.C. 20201, within a period of 30 days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed regulations are to be issued under the authority contained in section 1102 of the Social Security Act, 42 U.S.C. 1302.

Dated: November 8, 1968.

MARY E. SWITZER,
Administrator, Social and
Rehabilitation Service.

Approved: November 12, 1968.

WILBUR J. COHEN,
Secretary.

1. *Subject.* Methods for determination of eligibility.

2. *Purpose.* To make mandatory the use of the declaration method in determination of eligibility for financial and medical assistance.

3. *Regulation.*—A. *State plan requirements.* A State plan for OAA, AFDC, AB, APTD, AABD, or MA must provide that:

(1) The declaration method as defined below will be used in the determination of initial and continuing eligibility and extent of entitlement, effective no later than July 1, 1969.

(2) Pending full implementation of the declaration method, the State agency will take steps to simplify eligibility conditions, policies, and procedures that are not required by Federal law or policy.

Definition. The term "declaration method" means an organized system by which the agency accepts the statements of the applicant for or recipient of assistance, about facts that are within his knowledge and competence (all facts except those specified in the next paragraph) as a basis for decisions regarding his eligibility and extent of entitlement. The system includes use of a declaration form, a validation of the method at the time of its introduction, and a method of continuing review, on a sampling basis, of the accuracy of decisions on eligibility and extent of entitlement. When the statements of the applicant or recipient are incomplete, unclear, or inconsistent, or where other circumstances in the particular case would indicate to a prudent person that further inquiry should be made, and the individual cannot clarify the situation, additional substantiation or verification is to be sought. In such instances, verification is obtained from the individual or the agency's records or from public records, or, with the individual's knowledge and consent, from another source.

The "declaration method" does not apply to eligibility factors for which Federal law or policy requires procedures beyond obtaining a client's statement, such as the requirements for a professional examination to determine whether an individual is blind, for a professional determination regarding permanent and total disability, for a determination of whether training or employment was refused for "good cause."

[F.R. Doc. 68-13934; Filed, Nov. 19, 1968; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

[23 CFR Part 257]

[Docket No. 30; Notice 3]

MOTOR VEHICLE SAFETY

Certification Regulations; Notice of Extension of Time To File Comments

On October 19, 1968, the Federal Highway Administration published in the FEDERAL REGISTER (33 F.R. 15559) a notice of proposed rulemaking on certification regulations. It was requested that interested persons submit comments by the close of business on November 19, 1968.

Upon consideration of several petitions for an extension of time for filing comments, the time to file comments is ex-

tended to the close of business on November 26, 1968.

Issued on November 18, 1968.

LOWELL K. BRIDWELL,
Federal Highway Administrator.

[F.R. Doc. 68-14006; Filed, Nov. 19, 1968; 9:33 a.m.]

Hazardous Materials Regulations Board

[49 CFR Parts 172, 173, 177, 178]

[Docket No. HM-9; Notice No. 68-7]

TRANSPORTATION OF HAZARDOUS MATERIALS

Notice of Proposed Rule Making

The purpose of this notice is to request public comment on several miscellaneous amendments proposed by industry and Government agencies for the transportation of hazardous materials. Interested persons are invited to participate in the making of these proposed rules by submitting written data, views, or arguments as they may desire. Communications should identify the regulatory docket and notice number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, D.C. 20590.

Communications received before February 18, 1969, will be considered by the Board before taking final action on the notice. All comments will be available for examination by interested persons at the Office of the Secretary of the Board, both before and after the closing date for comments. The proposals contained in this notice may be changed in light of comments received.

Many of the proposed changes in this notice are required to provide for the use of two new containers covered by §§ 178.24a and 178.120; and to authorize the use of 4BW cylinders where 4BA cylinders are now permitted.

The proposed amendment to § 172.5 will update the descriptions and keep the commodity list current. The amendment to § 173.8 provides the current title for the former Board of Transport Commissioners for Canada. Section 173.24 would be amended to provide that the polyethylene used in packages be of a type compatible with and nonpermeable to the lading. The table in § 173.34 would be amended by adding DOT 4BW cylinders in all places where DOT 4BA cylinders are mentioned. Section 173.119 would be amended by canceling the note in paragraph (a)(16) and changing the text to permit use of certain DOT Specification 17E drums in L-C-L and L-T-L shipments; paragraph (m)(6) would be amended by providing a new DOT Specification 2E polyethylene bottle in place of the nonspecification polyethylene bottles now permitted. Section 173.123 would be amended to provide for the carriage of ethylchloride in DOT Specification 51 portable tanks, and to specify an outage of 7.5 percent or more at 70° F. for all

containers except tank cars and for an outage of 4.2 percent or more at 70° F. for tank cars. The amendment to § 173.124 would change paragraph (a) (2) to provide that eductor tubes must be installed in all containers over 5-gallon capacity used for ethylene oxide instead of the 1-gallon capacity now required. Section 173.128 would be amended by adding a new paragraph (a) (5) to authorize certain paints and related materials to be shipped in 17M steel drums. Section 173.139 would be amended by adding a new paragraph (a) (6) to permit DOT Specification 4BA240 cylinder for propylene imine inhibited only. The amendment to § 173.206 will authorize the use of DOT Specification 51 portable tanks having a minimum design pressure of 150 p.s.i. for the transportation of sodium metallic. The amendment to § 173.217 will provide for the use of certain DOT Specification 21C fiber drums with interior aluminum facings as containers for calcium hypochlorite compounds, dry. Section 173.221 would be amended by changing paragraph (a) (3) to provide for a new DOT Specification 2E polyethylene bottle in lieu of the nonspecification polyethylene bottle now provided; paragraph (a) (11) would be added to provide for a DOT Specification 16A wooden box with inside Specification 2U, 2S, or 2SL polyethylene containers not over 5-gallon capacity each; new paragraph (a) (12) will provide for a non-reusable DOT Specification 21P fiber drum overpack with inside Specifications 2U, 2S, and 2SL polyethylene containers of not over 15-gallon capacity. The proposed amendments to § 173.247 provide for shipment of vanadium tetrachloride and vanadium oxytrichloride under the packing requirements of a new paragraph (b); paragraph (a) (7) adds a DOT Specification 5 metal barrel as an authorized shipping container; and new paragraph (a) (17) would authorize Specifications 4BA240 and 4BW240 cylinders as containers for titanium tetrachloride. Section 173.264 for hydrochloric acid would be amended by changing paragraph (a) (2) and (4) to provide for a new DOT Specification 2E polyethylene bottle in place of the nonspecification polyethylene bottle now permitted; and paragraph (b) (6) adds an additional tank car Specification 110A500W. It is proposed to amend § 173.265 by providing a new Specification 2E inside polyethylene bottle and a Specification 34 polyethylene container for the shipment of hydrofluorsilicic acid.

Section 173.266 would be amended to provide for a new Specification 2E inside polyethylene bottle in lieu of the present nonspecification polyethylene bottle and to add the Specification 34 polyethylene container for shipments of hydrogen peroxide solution in water.

Proposed amendments to §§ 173.283, 173.284, and 173.285 add Specification 4BW240 cylinder as an authorized container for bromine trifluoride, bromine pentafluoride and chlorine trifluoride. The proposed amendment to § 173.287 provides for a new Specification 2E polyethylene bottle for the shipment of

chromic acid solution in lieu of a non-specification polyethylene inside container now provided.

Section 173.288 is proposed to be amended by adding a new paragraph to authorize the use of Specifications 6D and 37M nonreusable steel overpacks with inside Specification 2S, 2SL, or 2ST polyethylene containers for shipment of ethylchloroformate and methylchloroformate.

Section 173.299 would be amended to provide for Specification 2E inside polyethylene bottle in lieu of the nonspecification inside polyethylene bottle for the packaging of etching acid liquid, n.o.s.

Proposed amendments to §§ 173.302, 173.304, 173.329, 173.334, and 173.353 add DOT-4BW in all places where DOT-4BA appears. This DOT-4BW cylinder is comparable to the DOT-4BA cylinder. Section 173.348 would be changed by amending paragraph (a) (3) to provide for a new Specification 2E inside polyethylene bottle in lieu of the presently authorized nonspecification polyethylene bottle for arsenic acid. Paragraph (f) of § 173.404 is canceled because it is no longer applicable.

Section 177.817 would be amended by changing paragraph (b) to be consistent with § 173.427. Section 177.820 will be canceled because the color or kind of label applied to packages is no longer required to be shown on the shipping papers. The other information presently required in this section is covered in § 177.817.

Part 178 would be amended by adding a new § 178.24a to cover the specifications for a new DOT Specification 2E inside polyethylene bottle. A new § 178.120 would be added to cover the

non-reusable DOT Specification 17M steel drum.

These amendments are proposed under the authority of title 18, United States Code, sections 831-835, and section 9 of the Department of Transportation Act (49 USC 1657).

In consideration of the foregoing, it is proposed to amend Title 49 of the Code of Federal Regulations as hereinafter set forth.

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

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

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

SAM SCHNEIDER,
Board Member, For the
Federal Aviation Administration.

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

JOHN R. JAMIESON,
Deputy Administrator,
Federal Highway Administration.

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

A. SCHEFFER LANG,
Administrator,
Federal Railroad Administration.

I. Part 172 would be amended as follows:

§ 172.5 [Amended]

(A) By amending paragraph (a) *Commodity List* of § 172.5 *List of explosives and other dangerous articles* by making the following change and additions:

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
Change				
Hydrazine solution (containing 50 percent or less of water).	Cor. L.....	No exemption, 173.276.	White.....	5 pints.
Add				
Liquid caustic soda. See: Caustic soda, liquid.				
Vanadium oxytrichloride.....	Cor. L.....	173.244, 173.247(b).	White.....	25 pounds.
Vanadium tetrachloride.....	Cor. L.....	173.244, 173.247(b).	White.....	25 pounds.

II. Part 173 would be amended as follows:

(A) By amending the Table of Contents, § 173.247, to read as follows:

Sec.
173.247 Acetyl chloride, antimony pentachloride, benzoyl chloride, chromyl chloride, pyro sulfuryl chloride, silicon chloride, sulfur chloride (mono and di), sulfuryl chloride, thionyl chloride, tin tetrachloride (anhydrous), titanium tetrachloride, vanadium tetrachloride, and vanadium oxytrichloride.

(B) By amending paragraphs (a) and (b) of § 173.8; cancel paragraph (a) Note 1 as follows:

§ 173.8 Canadian shipments.

(a) Shipments of hazardous materials which conform to the regulations of the

Canadian Transport Commission (formerly the Board of Transport Commissioners for Canada), may be transported from the point of entry in the United States to their destination in the United States, or through the United States enroute to a point in Canada.

NOTE 1 [Canceled]

(b) Specification containers made and maintained in full compliance with the corresponding specifications prescribed by the Railway Transport Committee of the Canadian Transport Commission (formerly the Board of Transport Commissioners for Canada) in its regulations for the Transportation of Dangerous Commodities by Rail, and marked in accordance therewith (e.g., BTC, RTC, etc.) may be used for the shipment of

hazardous materials within the United States.

(C) By adding paragraph (c) (9) in § 173.24 to read as follows:

§ 173.24 Standard requirements for all packages.

(c) * * *
 (9) Polyethylene used shall be of a type compatible with and nonpermeable to the lading.

(D) By amending the table in paragraph (e); by amending paragraph (e) (9), (10) Table, and (14) of § 173.34 to read as follows:

§ 173.34 Qualification, maintenance, and use of cylinders.

(e) * * *

Specification under which cylinder was made	Minimum retest pressure (p.s.i.)	Retest period (years)
DOT-4B, 4BA, 4BW, 4B240ET.	2 times service pressure, except non-corrosive service (see § 173.34(e) (9) and (e) (10).	5.
...

(9) Cylinders made in compliance with specifications DOT-4B, DOT-4BA, DOT-4BW, and DOT-26-300¹ (§§ 178.

- Cylinders made in compliance with—*
- DOT-3A480, DOT-3AA480, DOT-3A480X, DOT-3B, DOT-4B, DOT-4BA, DOT-4BW, ICC-26-240,¹ or ICC-26-300.¹
 - DOT-4, DOT-3A480, DOT-3AA480, DOT-3A480X, DOT-4A480, or DOT-4AA480.
 - DOT-3A480, DOT-3AA480, DOT-3A480X, DOT-4B300, DOT-4BA300, or DOT-4BW300.
 - DOT-3A480, DOT-3AA480, DOT-3A480X, DOT-3B, DOT-4B, DOT-4BA, DOT-4BW, ICC-26-240,¹ or ICC-26-300.¹
 - DOT-3A480, DOT-3AA480, DOT-3A480X, DOT-3B, DOT-4B, DOT-4BA, DOT-4BW, ICC-26-240,¹ or ICC-26-300.¹

¹ Use of existing cylinders authorized, but new construction not authorized.

50, 178.51, 178.61 of this chapter) used exclusively for anhydrous dimethylamine, anhydrous monomethylamine, anhydrous trimethylamine, methyl chloride, liquefied petroleum gas, or dichlorodifluoromethane, difluoroethane difluoromonochloroethane, monochlorodifluoromethane, monochlorotetrafluoroethane, monochlorotrifluoroethylene or mixtures thereof or mixtures of one or more with trichloromonofluoromethane, commercially free from corroding components, and protected externally by suitable corrosion resisting coatings (such as galvanizing, painting, etc.) may be retested decennially (see Note 2) instead of quinquennially, or, such cylinders may be subjected to an internal hydrostatic pressure equal to at least two times the marked service pressure without determination of expansions (see Note 1), but this type of test must be repeated quinquennially after expiration of the first 10-year period (see Note 2). When subjected to this latter test cylinders must be carefully examined under the test pressure and removed from service if leaks or other harmful defects exist. All tests must be supplemented by a very careful examination of the cylinder at each filling, and must be rejected if evidence is found of bad dents, corroded areas, a leak or other conditions that indicate possible weakness which would render the cylinder unfit for service.

(No change in Notes 1 and 2.)
 (10) * * *

- Used exclusively for—*
- Liquefied petroleum gas which is commercially free from corroding components.
 - Anhydrous ammonia of at least 99.95 percent purity.
 - Fluorinated hydrocarbons and mixtures thereof which are commercially free from corroding components.
 - Butadiene, inhibited, which is commercially free from corroding components.
 - Liquefied hydrocarbon gas which is commercially free from corroding components.

ing lining (galvanized, etc.) may be tested decennially instead of quinquennially. All tests must be supplemented by a visual internal and external examination of the cylinder quinquennially. Examination shall be as required by the Compressed Gas Association's "Standard for Visual Inspection of Compressed Gas Cylinders." (CGA Pamphlet C-6-1968, available from the Compressed Gas Association, Inc., 500 Fifth Avenue, New York, N.Y. 10036.) All tests must be supplemented by a very careful examination of the cylinder at each filling, and the cylinder must be rejected if evidence is found of bad dents, corroded areas, a leak or other conditions that indicate possible weakness which would render the cylinder unfit for service.

(E) By amending paragraphs (a) (16) and (m) (6); cancel Note 1 following paragraph (a) (16) in § 173.119 as follows:

§ 173.119 Flammable liquids not specifically provided for.

(a) * * *
 (16) Spec. 17E (§ 178.116 of this chapter). Metal drums (single-trip), not over 55-gallon capacity, not less than full 19-gauge body and head sheets for not over 30-gallon drums, and not less than full 18-gauge body and head sheets for not over 55-gallon drums, with openings not exceeding 2.3 inches in diameter. Shipments not authorized by rail express.

NOTE 1 [Canceled]

(m) * * *
 (6) Spec. 12B (§ 178.205 of this chapter). Fiberboard boxes with inside specification 2E (§ 178.24a of this chapter) polyethylene bottles not over 1-gallon capacity each. Not more than four 1-gallon polyethylene bottles shall be packed in one outside fiberboard box. Authorized only for material which will not react dangerously with or cause decomposition of polyethylene.

(F) By adding paragraph (a) (7) and amending paragraph (b) of § 173.123 to read as follows:

§ 173.123 Ethyl chloride.

(a) * * *
 (7) Spec. 51 (§ 178.245 of this chapter) portable tanks.
 (b) Outage for all containers except tank cars must be 7.5 percent or more at 70° F. Outage for tank cars must be 4.2 percent or more at 70° F.

(G) By amending paragraph (a) (2) of § 173.124 to read as follows:

§ 173.124 Ethylene oxide.

(a) * * *
 (2) Cylinders as prescribed for any compressed gas, except acetylene, not exceeding 30 gallons water capacity nominal, which meet the following requirements. All cylinders shall be seamless or steel welded. Cylinders shall be equipped with safety devices of the fusible plug type with threaded straight bore orifice, with yield temperature of 157° to 170° F. having a minimum vent area of 0.0055 square inch per pound of water capacity of the container for containers not over 1-gallon capacity and 0.0012 square inch per pound of water capacity of the container for all containers over 1-gallon capacity. Each cylinder must be tested for leakage at a pressure of at least 15 p.s.i. gauge with an inert gas before each refilling. Filling shall be such that the container will not be liquid full at 185° F. Pressurizing valves must be provided for all containers over 1-gallon capacity. Eductor tubes must be provided for all containers over 5-gallon capacity. Cylinders having a water capacity in excess of 1 gallon shall be insulated with three

coats of heat-retardant paint, of a type approved by the Bureau of Explosives, applied over suitable primer and finished with suitable waterproof paint; or with other equally efficient insulation approved by the Bureau of Explosives.

(H) By adding paragraph (a) (5) in § 173.128 to read as follows:

§ 173.128 Paints and related materials.

(a) * * *

(5) Spec. 17M (§ 178.120 of this chapter) non-reusable steel drums authorized only for materials not exceeding 10 pounds per gallon and having a flash point above 20° F.

(I) By adding paragraph (a) (6) in § 173.139 to read as follows:

§ 173.139 Ethylene imine, inhibited, and propylene imine, inhibited.

(a) * * *

(6) Spec. 4BA240 or 4BW240 (§§ 178.51, 178.61 of this chapter). Cylinder, all-welded construction, for propylene imine, inhibited, only.

(J) By adding paragraph (c) (4) in § 173.206 to read as follows:

§ 173.206 Sodium or potassium, metallic, sodium amide, sodium potassium alloys, sodium aluminum hydride, lithium metal, lithium silicon, lithium ferro silicon, lithium hydride, and lithium aluminum hydride.

(c) * * *

(4) Spec. 51 (§ 178.245 of this chapter). Portable tanks having a minimum design pressure of 150 p.s.i. Tanks must be equipped with safety valves having a start-to-discharge pressure of 150 p.s.i. Black paint is authorized for tanks not provided with exterior heating coils welded to the tank shell and stress relieved. The material must be in molten condition when loaded and the tank must be held for sufficient time to allow the material to be completely solidified before being offered for transportation. Outage must be 5 percent or more at a sodium fusion temperature of 208° F.

(K) By adding paragraph (a) (5) in § 173.217 to read as follows:

§ 173.217 Calcium hypochlorite compounds, dry, lithium hypochlorite compounds, dry, dichloroisocyanuric acid, dry, potassium dichloroisocyanurate, dry, sodium dichloroisocyanurate, dry, and trichloroisocyanuric acid, dry.

(a) * * *

(5) Spec. 21C (§ 178.224 of this chapter). Fiber drums with integral inner body ply having 0.010-inch minimum aluminum facing and bottom interior with 0.001-inch minimum aluminum facing. Cover of drum shall be gasketed. Authorized net weight not over 400 pounds. Authorized for calcium hypochlorite compounds, dry only.

(L) By amending the introductory text of paragraph (a); by amending paragraph (a) (3); by adding paragraph (a) (11) and (12) in § 173.221 to read as follows:

§ 173.221 Liquid organic peroxides, n.o.s., and liquid organic peroxide solutions, n.o.s., other than acetyl peroxide solution, acetyl benzoyl peroxide solution, cumene hydroperoxide, dicumyl peroxide, hydrogen peroxide, peracetic acid, and tertiary butylisopropyl benzene hydroperoxide.

(a) Commodities cited in the heading of this section must, except as indicated, be packed in specification containers as follows:

(3) Spec. 12B (§ 178.205 of this chapter). Fiberboard box with spec. 2E (§ 178.24a of this chapter) inside polyethylene bottles, or with glass or metal inside receptacles, not over one gallon each. Not more than six 1-gallon polyethylene bottles; or not more than one 1-gallon glass or metal inside container, which must be cushioned with noncombustible packing material in sufficient quantity to absorb the contents of the inner container, shall be packed in one outside fiberboard box. Metal and polyethylene inside containers authorized only for material which will not react dangerously with or be decomposed by contact with metal or polyethylene.

(11) Spec. 16A (§ 178.185 of this chapter). Wooden boxes with inside spec. 2U, 2S, or 2SL (§§ 178.24, 178.35, 178.35a of this chapter) polyethylene containers, not over 5-gallon capacity each. Spec. 2U container must have a minimum wall thickness of 0.015 inch. The polyethylene container must be separated from the wooden box by a complete corrugated fiberboard liner, top pad, and bottom pad. Authorized only for materials which will not react dangerously with or cause decomposition of polyethylene.

(12) Spec. 21P (§ 178.225 of this chapter). Fiber drum overpack with inside spec. 2U, 2S or 2SL (§§ 178.24, 178.35, 178.35a of this chapter) polyethylene container, not over 15-gallon capacity. Each fiber drum must be plainly marked "Nonreusable Container". Authorized only for materials which will not react dangerously with or cause decomposition of polyethylene.

(M) By amending the heading and the introductory text of paragraph (a); by amending paragraph (a) (7); by adding paragraphs (a) (17) and (b) in § 173.247 to read as follows:

§ 173.247 Acetyl chloride, antimony pentachloride, benzoyl chloride, chromyl chloride, pyro sulfuric chloride, silicon chloride, sulfur chloride (mono and di), sulfuric chloride, thionyl chloride, tin tetrachloride (anhydrous), titanium tetrachloride, vanadium tetrachloride, and vanadium oxytrichloride.

(a) Commodities cited in the heading of this section, except vanadium tetra-

chloride and vanadium oxytrichloride, must be packed in specification containers as follows:

(7) Spec. 5, 5A, 5B, or 17C (single-trip) (§§ 178.80, 178.81, 178.82, 178.115 of this chapter). Metal barrels or drums with openings not exceeding 2.3 inches in diameter.

(17) Spec. 4BA240 or 4BW240 (§§ 178.5, 178.61 of this chapter) cylinders authorized for titanium tetrachloride, only.

(b) Vanadium tetrachloride and vanadium oxytrichloride must be packed in specification containers only as follows:

(1) Specs. 4B240, 4BA240 and 4BW240 (§§ 178.50, 178.51, 178.61 of this chapter).

(2) Spec. 51 (§ 178.245 of this chapter) portable tanks.

By amending paragraphs (a) (2) and (4) and (b) (6) of § 173.264 to read as follows:

§ 173.264 Hydrofluoric acid.

(a) * * *

(2) Spec. 12B (§ 178.205 of this chapter). Fiberboard boxes with spec. 2E (§ 178.24a of this chapter) inside polyethylene bottles or inside receptacles of natural rubber or lead, of not over 1-pound capacity each. These containers are authorized only for strengths of acid for which they are adequate, but in not case shall the strength of acid exceed 70 percent.

(4) Spec. 12A or 12B (§§ 178.210, 178.205 of this chapter). Fiberboard boxes with not more than four spec. 2E (§ 178.24a of this chapter) inside polyethylene bottles, having minimum thickness of 0.030-inch thickness of any part, not over 1-gallon nominal capacity each. Bottle closures must be made secure by sealing with pressure-sensitive plastic tape or other equally efficient means. Authorized for acid not over 70 percent strength. Shipper must have established that spec. 12A completed package meets test requirements prescribed by § 178.210-10 of this chapter. Authorized gross weight for spec. 12B fiberboard boxes not over 65 pounds; spec. 12A not over 80 pounds.

(b) * * *

(6) Spec. 106A500,¹ 106A500X, or 110A500W (§§ 179.300 and 179.301 of this chapter). Tank cars. Tanks shall not be equipped with safety devices of any type and valves shall be protected by metal caps. Tanks shall be filled to a density not exceeding 85 percent of the water-weight capacity of the tank.

(No change in Note 1.)

(O) By amending paragraph (d) (1); by adding paragraph (d) (6) in § 173.265 to read as follows:

§ 173.265 Hydrofluosilicic acid.

(d) * * *

(1) Spec. 12B (§ 178.205 of this chapter). Fiberboard boxes with spec. 2E (§ 178.24a of this chapter) inside polyethylene bottles not over 1-quart capacity each, suitably cushioned to prevent movement within the box. Gross weight of complete package must not exceed 65 pounds.

(6) Spec. 34 (§ 178.19 of this chapter). Polyethylene container without overpack, not over 30-gallon capacity.

(P) By amending paragraph (b) (5); by adding paragraph (b) (8) in § 173.266 to read as follows:

§ 173.266 Hydrogen peroxide solution in water.

(b) * * *

(5) Spec. 12B (§ 178.205 of this chapter). Fiberboard boxes with spec. 2E (§ 178.24a of this chapter) inside polyethylene bottles having vented screw-cap closures not over 16-ounce capacity each. Each bottle must be completely contained in a securely closed polyethylene bag or tube constructed of material having minimum film thickness of 0.004 inch. Enclosed bottles must be separated from each other by use of fiberboard partitions or other suitable cushioning material and not more than 12 bottles shall be packaged in one box.

(8) Spec. 34 (§ 178.19 of this chapter). Polyethylene container without overpack, not over 30-gallon, capacity. A closure of each container must be vented to prevent accumulation of internal pressure and the head with the closure must be marked "Keep This End Up."

(Q) by amending paragraph (a) (1) of § 173.283 to read as follows:

§ 173.283 Bromine trifluoride.

(a) * * *

(1) Spec. 3A150, 3AA150, 3B240, 4B240, 4BA240, 4BW240, or 3E1800 cylinders (§§ 178.36, 178.37, 178.38, 178.50, 178.51, 178.61, 178.42 of this chapter). Outlets of valves must be capped or plugged and cylinders must be equipped with valve protection caps, except that spec. 3E1800 cylinders must be packed in strong wooden boxes.

(R) By amending paragraph (a) (1) of § 173.284 to read as follows:

§ 173.284 Bromine pentafluoride.

(a) * * *

(1) Spec. 3A150, 3AA150, 3B240, 4B240, 4BA240, 4BW240, or 3E1800 cylinders (§§ 178.36, 178.37, 178.38, 178.50, 178.51, 178.61, 178.42 of this chapter). Outlets of valves must be capped or plugged and cylinders must be equipped with valve protection caps, except that spec. 3E1800 cylinders must be packed in strong wooden boxes.

(S) By amending paragraph (a) (1) of § 173.285 to read as follows:

§ 173.285 Chlorine trifluoride.

(a) * * *

(1) Spec. 3A150, 3AA150, 3B240, 4B240, 4BA240, 4BW240, or 3E1800 cylinders (§§ 178.36, § 178.37, § 178.38, § 178.50, § 178.51, § 178.61 or § 178.42 of this chapter). Outlets of valves must be capped or plugged and cylinders must be equipped with valve protection caps, except that spec. 3E1800 cylinders must be packed in strong wooden boxes.

(T) By amending paragraph (a) (5) in § 173.287 to read as follows:

§ 173.287 Chromic acid solution.

(a) * * *

(5) Spec. 12B (§ 178.205 of this chapter). Fiberboard boxes with spec. 2E (§ 178.24a of this chapter) inside polyethylene bottles having a minimum wall thickness of 0.015 inch and so designed as to maintain their configuration when standing empty and open (see § 178.205-34 of this chapter). Not more than one inside container shall be packed in one outside box.

(U) By adding paragraph (d) in § 173.288 to read as follows:

§ 173.288 Allyl chloroformate, benzyl chloroformate, ethyl chloroformate, and methyl chloroformate.

(d) Spec. 6D or 37M (§§ 178.102, 178-134 of this chapter). Nonreusable cylindrical steel overpacks with inside spec. 2S, 2SL, or 2T (§§ 178.35, 178.35a, 178.21 of this chapter) polyethylene container. Authorized for ethyl chloroformate and methyl chloroformate only.

(V) By amending paragraph (a) (1) of § 173.299 to read as follows:

§ 173.299 Etching acid liquid, n.o.s.

(a) * * *

(1) Spec. 12A (§ 178.210 of this chapter). Fiberboard boxes with spec. 2E (§ 178.24a of this chapter) inside polyethylene bottles having a minimum wall thickness of 0.030 inch and screw-cap closures. Net weight in inside containers shall not be over 10 pounds each and net weight in outside containers shall not be more than 40 pounds.

§ 173.301 [Amended]

(W) By amending the table in paragraph (h) in § 173.301 by adding "DOT-4BW" in the second column of table as the 10th entry.

(X) By amending paragraph (a) (1) of § 173.302 to read as follows:

§ 173.302 Charging of cylinders with non-liquefied compressed gases.

(a) * * *

(1) Spec. 3, 3A, 3AA, 3B, 3C, 3D, 3E, 4, 4A, 4B, 4BA, 4BW, 4C, 7, 25, 26, 33, or 38¹ (§§ 178.36, 178.37, 178.38, 178.40, 178.41, 178.42, 178.48, 178.49, 178.50, 178.51, 178.61, 178.52 of this chapter). (See §§ 173.34 and 173.301(e).)

(Note 1 remains unchanged.)

(Y) In § 173.304 by amending the table in paragraph (a) (2), third column, by

adding "DOT-4BW" following each entry of "ICC-4BA" and using the same service pressure indicated for ICC-4BA entry. Also in § 173.304 by amending paragraph (a) (1) to read as follows:

§ 173.304 Charging of cylinders with liquefied compressed gas.

(a) * * *

(1) Spec. 3, 3A, 3AA, 3B, 3BN, 3D, 3E, 4, 4A, 4B, 4BA, 4E-ET, 4BW, 9, 25, 26, 38, 40 or 41 (§§ 178.36, 178.37, 178.38, 178.39, 178.41, 178.42, 178.48, 178.49, 178-50, 178.51, 178.55, 178.61, 178.63, 178.66, 178.67 of this chapter), except that specs. 9, 40, and 41 containers must not be charged and shipped with mixtures containing pyroforic liquids, n.o.s., carbon bisulfide (disulfide), ethyl chloride, ethylene oxide, nickel carbonyl, spirits of nitroglycerin, or poisonous materials, class A, B, or C, as defined by these regulations, unless specifically prescribed in this part. (See §§ 173.34 and 173.301(e).)

(Z) By amending paragraphs (b) (1) and (c) (1) of § 173.329 to read as follows:

§ 173.329 Bromoacetone; chlorpicrin and methyl chloride mixtures; chlorpicrin and nonflammable, nonliquefied compressed gas mixtures.

(b) * * *

(1) Spec. 3A, 3AA, 3B, 3C, 3E, 4A, 4B, 4BA, 4BW, or 4C (§ 178.36, § 178.37, § 178.38, § 178.40, § 178.42, § 178.49, § 178.50, § 178.51, § 178.61 or § 178.52 of this chapter) not over 250 pounds water capacity (nominal). Valves or other closing devices must be protected, to prevent injury in transit, by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders having a wall thickness of less than 0.10 inch must be packed in boxes or crates (see 173.25).

(c) * * *

(1) Spec. 3A, 3AA, 3B, 3C, 3E, 4A, 4B, 4BA, 4BW, or 4C (§ 178.36, § 178.37, § 178.38, § 178.40, § 178.42, § 178.49, § 178.50, § 178.51, § 178.61, or § 178.52 of this chapter) not over 250-pound water capacity (nominal). Valves or other closing devices must be protected, to prevent injury in transit, by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders having a wall thickness of less than 0.10 inch must be packed in boxes or crates (see § 173.25).

(AA) By amending paragraph (a) (1) of § 173.334 to read as follows:

§ 173.334 Hexaethyl tetraphosphate, parathion, tetraethyl dithio pyrophosphate, tetraethyl pyrophosphate, or other class B poison organic phosphate mixtures, n.o.s., mixed with compressed gas.

(a) * * *

(1) Spec. 3A300, 3AA300, 3B300, 4A300, 4B240, 4BA240, or 4BW240 (§ 178.36, § 178.37, § 178.38, § 178.49, § 178.50, § 178.51, or § 178.61 of this chapter). Metal cylinders, charged with not more than 10 pounds of the mixture and to a maximum filling density of 80 percent of the

water capacity. Cylinders must not be equipped with eduction tubes or fusible plugs. Valves must be of a type approved by the Bureau of Explosives.

(BB) By amending paragraph (a) (3) of § 173.348 to read as follows:

§ 173.348 Arsenic acid.

(a) * * *

(3) Spec. 12A or 12B (§§ 178.210, 178.-205 of this chapter). Fiberboard boxes with spec. 2E (§ 178.24a of this chapter) inside polyethylene bottles made of high-density (Type III) polyethylene having minimum wall thickness of 0.015 inch with screwcap closures, not over 1-gallon capacity each. Spec. 12A fiberboard boxes shall have not more than four inside polyethylene bottles which shall be packed to provide a snug fit. Spec. 12B fiberboard boxes shall contain not more than one inside polyethylene bottle and not more than four such boxes shall be overpacked in a strong outside fiberboard box under provisions of § 173.25.

(CC) By amending paragraph (a) (3) of § 173.353 to read as follows:

§ 173.353 Methyl bromide, liquid (bromomethane), mixtures of methyl bromide and ethylene dibromide, liquid, mixtures of methyl bromide and chlorpicrin, liquid, or methyl bromide and nonflammable, non-liquefied compressed gas mixtures, liquid.

(a) * * *

(3) Spec. 3A225, 3AA225, 3B225, 3E1800, 4A225, 4B225, 4BA225, or 4BW225 (§§ 178.36, 178.37, 178.38, 178.42, 178.49, 178.50, 178.51, 178.61 of this chapter). Metal cylinders. Valves or other closing devices must be protected to prevent injury in transit by screw-on metal caps or by packing the cylinders in strong boxes or crates. Cylinders having a wall thickness or less than 0.08 inch must be packed in boxes or crates (see § 173.25).

§ 173.404 [Amended]

(DD) By canceling paragraph (f) in § 173.404.

III. Part 177 would be amended as follows:

(A) By canceling § 177.820 in the Table of Contents which now reads as follows:

Sec.
177.820 Waybills, manifests, etc.

(B) By amending paragraph (b) of § 177.817 to read as follows:

§ 177.817 Shipping papers.

(b) Where the regulations (except §§ 173.402 and 177.815 of this chapter) exempt the packages from labeling the exemption must be indicated by the words "No Label Required" immediately following the description on the shipping paper.

§ 177.820 [Canceled]

(C) By canceling § 177.820 in its entirety.

IV. Part 178 would be amended as follows:

(A) By adding §§ 178.24a and 178.120 to the Table of Contents to read as follows:

Sec.
178.24a Specification 2E; inside polyethylene bottle.
178.120 Specification 17M; steel drum. Non-reusable container. Open-head not authorized.

(B) by adding § 178.24a to read as follows:

§ 178.24a Specification 2E; inside polyethylene bottle.

§ 178.24a-1 General requirements.

(a) Each bottle must meet the applicable requirements of § 173.24 of this chapter.

§ 178.24a-2 Rated capacity.

(a) Maximum capacity must be not more than 5 quarts (4.73 liters).

§ 178.24a-3 Materials of construction.

(a) Each bottle must be made of blow-molded polyethylene, constructed so that it will maintain its shape when standing empty and open.

(b) Minimum wall thickness must not be less than 0.008 inch (0.2 millimeters).

(c) Polyethylene must have the following properties:

Property	TABLE		
	Type I	Type II	Type III
Density, g/cc.	0.910-0.926	0.926-0.941	0.941-0.965
Melt index...	2.0 maximum	1.0 maximum	1.0 maximum
Tensile strength.	1,500 p.s.i. minimum	1,800 p.s.i.	3,000 p.s.i.
Elongation...	400% minimum	400%	75%

§ 178.24a-4 Closure.

(a) Closing devices must provide a tight seal. Vented closures are not authorized unless otherwise provided for in Part 173 of this chapter.

§ 178.24a-5 Tests.

(a) Each bottle must be capable of withstanding the prescribed tests without breaking or leaking.

(b) The test prescribed in paragraph (d) (1) of this section must be made on at least three random sample bottles for each 1,000 bottles produced by each blow-molding machine. The test must be performed at the start of initial production from each blow-molding machine and upon any change in type of polyethylene or process method.

(c) The test prescribed in paragraph (d) (2) of this section must be made at least once each month on a minimum of three random sample bottles produced and upon any change in type of polyethylene or process method.

(d) Prescribed tests:

(1) The bottle, filled to 98 percent of capacity with water, must be dropped from a height of 4 feet onto a solid unyielding surface so as to drop diagonally on the top edge or any other part which is weaker.

(2) The bottle, filled to 98 percent of capacity with a liquid which is compatible with polyethylene and which is liquid at 0° F., must be dropped from a height of 4 feet onto a solid unyielding surface, on any part of the bottle. Immediately prior to the test, the bottle and its contents must have been at a temperature of 0° F. or lower for at least 24 hours.

§ 178.24a-6 Marking.

(a) Marking must be as prescribed in § 173.24 of this chapter.

(b) Marking on the outside of each bottle must be in raised figures at least 1/4-inch high as follows: "DOT 2E"; the minimum thickness of the polyethylene in thousandths of inches (mils); and the year of manufacture (e.g., 20-69).

(C) By adding § 178.120 to read as follows:

§ 178.120 Specification 17M; steel drum. Nonreusable container. Open-head not authorized.

§ 178.120-1 General requirements.

(a) Each drum must meet the applicable requirements of § 173.24 of this chapter.

§ 178.120-2 Rated capacity.

(a) Rated capacity is 55 gallons, as marked (see § 178.120-6).

(b) Actual capacity must be the rated capacity plus not more than 5 percent or minus not more than 4 percent.

§ 178.120-3 General construction requirements.

(a) *Chime reinforcement.* The top and bottom chimes must be reinforced with a steel band that is an integral part of the double seam and which provides a chime cross section containing at least eight layers of steel. The reinforcing band must follow and support the knuckle radius of the head with the inside edge upturned so that the edge does not contact the adjacent portions of the head.

(b) *Seams.* The body side seam must be welded.

(c) *Sidewall construction.* A continuous series of parallel, geometrically similar circumferential beads must be expanded in the drum sidewall so that the surface length of the steel in the axial direction does not change more than 1 percent during forming.

(d) *Steel thickness.* (1) The thickness of the body and heads of the finished drum must be at least 24-gauge.

(2) The chime reinforcement must be made of at least 18-gauge steel.

(e) *Heads.* Heads must be flat. Open-head drums are not authorized.

§ 178.120-4 Closure.

(a) The closing part (plug, cap, plate, etc.) must be of steel at least 24-gauge thickness, or other material of equivalent strength. Gaskets are required. Cap seals may be placed over the closure.

FEDERAL POWER COMMISSION

[18 CFR Part 260]

[Docket No. R-308]

NATURAL GAS PIPELINE COMPANIES

Annual Report of Total Gas Supply

NOVEMBER 13, 1968.

1. Notice is given under section 4 of the Administrative Procedure Act (5 U.S.C. 553) that the Commission proposes to revise Form 15, Annual Report of Gas Supply, required of certain natural gas companies by the Commission's regulations, 18 CFR 260.7 (Mar. 31, 1964, 31 FPC 750, 29 F.R. 4873).

2. The important changes proposed would require reports of estimated "Productive Capacity Mcf/D", and "Maximum Daily Quantity Mcf/D", for each source of gas supply (on Schedule No. 2), and specification of reserves by given independent producer rate schedules, for any independent producer rate schedule under which the respondent purchased one million Mcf or more during the report year (on Schedule No. 4). The due date of the Form 15 would be changed from May 1 to June 1.

3. The following minor changes in Form 15 also are proposed:

(a) Addition of a summary schedule of gas reserves, production, purchases by FPC production areas and States.

(b) Provision for reporting "Future Additions" (spot purchases) on Schedule No. 1 eliminating the current Schedule No. 1-A.

(c) A standardized method of footnote reference.

(d) All volumes reported at 14.73 p.s.i.a. and 60° F.

(e) Adoption of a standard geologic code eliminating the need for reporting geologic ages on Schedule No. 3 in the vernacular.

(f) Elimination of the map reference schedule by including the report year the map was originally filed on Schedule No. 3.

(g) Provision for codifying fields behind a plant on Schedule No. 3.

(h) Revision of reporting instructions to allow for the accurate reporting of revisions and additions to salable gas reserves.

(i) Reordering of the filing sequence of data pages and schedules to facilitate their use by automatic data processing.

(j) Addition of a Table of Contents. Various changes in format are also proposed.

4. These proposals are part of the general review of Form 15. It is hoped the proposed format will facilitate any future use of automatic data processing. Note that we propose using a definition of productive capacity which will make comparisons with AGA statistics more accurate.

5. Accordingly, we propose:

(a) To revise the present FPC Form No. 15, Natural Gas Companies Annual Report of Gas Supply, prescribed by § 260.7, part 260, Subchapter G, Chap-

ter I, Title 18 of the Code of Federal Regulations, and to prescribe the revised Form No. 15, attached hereto.¹

(b) To substitute "June 1" for the second "May 1" in the first sentence of § 260.7(b), so that the latter part of that sentence will read " * * * shall prepare and file with the Commission for the calendar year ending December 31, 1966, on or before May 1, 1967, and for subsequent years on or before each June 1, thereafter, an original and four copies of FPC Form No. 15."

6. These amendments to FPC Form 15 and the amendments to the Commission's regulations are proposed to be issued under the authority of the Natural Gas Act, as amended, particularly sections 7, 10(a), 14(a), and 16 thereof (52 Stat. 825, 826, 828, 830; 56 Stat. 83; 15 U.S.C. 717f, 717i(a), 717m(a), 717o).

7. Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, not later than December 30, 1968, data, views, and comments in writing concerning the proposed amendments. An original and 14 conformed copies should be filed with the Commission. In addition, interested persons wishing to have their comments considered in the clearance of the proposed amendments under provisions of the Federal Reports Act of 1942 may at the same time submit a conformed copy of their comments directly to the Clearance Officer, Office of Statistical Standards, Bureau of the Budget, Washington, D.C. 20503.

By direction of the Commission.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-13895; Filed, Nov. 19, 1968; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

[Release No. 34-8440]

REVIEW OF ADMINISTRATION OF AUTOMATED QUOTATION SYSTEM SPONSORED BY NATIONAL SECURITIES ASSOCIATION

Notice of Proposed Rule Making

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal to adopt Rule 15Aj-2 (17 CFR 240.15Aj-2) under the Securities Exchange Act of 1934 (the "Act"). Proposed Rule 15Aj-2 (17 CFR 240.15Aj-2) prescribes certain requirements applicable to a national association of securities dealers which establishes a system of quotations, including the requirement that the applicable rules of the association incorporate as guides to interpretation and application certain public interest standards set forth

¹ Revised FPC Form No. 15 filed as part of original document.

(b) For closures with threaded plug or cap, the seat (e.g., flange) for the plug or cap must have three or more threads. Two drainage holes of not over $\frac{3}{8}$ -inch diameter are authorized. The plug or cap must have a sufficient length of thread to engage at least three threads when securely tightened with the gasket in place.

(c) The maximum permitted closure opening is 2.7 inches in diameter.

§ 178.120-5 Defective drums.

(a) Defects or damage must be repaired by the method used in constructing the drum. Soldering is not authorized.

§ 178.120-6 Marking.

(a) Marking must be as prescribed in § 173.24 of this chapter.

(b) The marking on each drum must be by embossing on the bottom head with raised marks as follows: "DOT-17M NRC"; and the gauge of the metal of the drum in the thinnest part, the rated capacity of the drum in gallons, and the year of manufacture (e.g., 24-55-69). When the gauge of the metal in the drum wall differs from that in the head, both must be indicated with a slanting line between, and with the gauge of the body indicated first (e.g., 24/22-55-69).

(c) The minimum height of the letters and numerals shall be three-fourths inch.

§ 178.120-7 Tests.

(a) Each drum must be capable of withstanding the prescribed tests without leakage of contents.

(b) Samples which are taken at random and closed as for use must be tested as prescribed in subparagraphs (1) and (2) of this paragraph without leakage. Tests are to be made of each type and size by each manufacturer starting production and are to be repeated at least every 4 months thereafter. The samples last tested must be retained by the manufacturer until further tests are made or for 1 year, whichever period is shorter.

(1) *Drop test.* Test by dropping, filled with water to 98 percent capacity, from a height of 4 feet onto a solid unyielding surface (e.g., concrete or steel) so as to strike the surface diagonally on the chime. Additional similar drops must be made on any other parts of the drum which might be considered weaker than the chime. Closing devices and other parts projecting beyond the chime or sidewall beads must also be capable of withstanding this test.

(2) *Pressure test.* Hydrostatic pressure test of at least 15 pounds per square inch, sustained without pressure drop for at least 5 minutes.

(c) *Leakage test:* Each drum must be tested for leakage with seams under water, or covered with soapsuds or heavy oil, or equivalent material. Interior air pressure of at least 7 pounds per square inch must be applied, and the seams and chimes examined for evidence of leakage. Leaking drums must be rejected, or repaired (see § 178.120-5) and retested.

[F.R. Doc. 68-13918; Filed, Nov. 19, 1968; 8:45 a.m.]

in the Act, and also that such rules provide fair procedures for consideration of requests for or refusals of access to such system by customers, issuers, brokers and dealers. The proposed rule would also provide for Commission review of adverse action by the association with respect to such requests for or refusals of access.

Background—The NASDAQ System. While the proposed rule is applicable to action that may be taken by any securities association registered under section 15A of the Act, it has been formulated in the light of a specific proposal of the National Association of Securities Dealers, Inc. (the only existing national securities association), to provide an automated system of quotations for the over-the-counter market and to adopt rules of the Association governing the operation of and access to such a system.

In brief, the system to be sponsored by the NASD (which will be called the "NASDAQ System") envisions three levels of service. Level 1 service is designed to supply registered representatives of securities firms with immediate access to current representative bid and ask prices on over-the-counter securities authorized for inclusion in the system by the association. It will be available to the same types of organizations that currently have automated interrogation devices for last sale information on listed securities. Level 2 service is designed to supply trading departments with current quotations of over-the-counter market makers throughout the country for securities included in the system and thus facilitate appropriate execution of orders in these securities. It will be available to NASD member firms and other persons authorized by the Board of Governors when consistent with the purposes of the NASDAQ System and applicable legal requirements. Level 3 facilities are similar to those of Level 2 except that they will be available only to market makers registered with the NASD and will include input devices to enable market makers to insert their current quotations into the system. It is also contemplated that the NASDAQ System will compile price and volume data relating to these securities for publication in newspapers and for other purposes.

The NASD now has under consideration adoption of amendments to its bylaws authorizing the establishment of the system and its regulation by the Association's Board of Governors. The NASD intends to send the bylaw amendments, together with the presently contemplated rules of the Board to be adopted thereunder, to the members of the NASD for approval in the next several days. The texts of these proposals will also be made available upon request to other interested persons by the headquarters office of the National Association of Securities Dealers, Inc., 388 17th Street N.W., Washington, D.C. 20006. It is anticipated that the Board rules will, among other things, provide standards regarding who may obtain access to the various levels of quotation service and the applicable rates to be charged subscribers by the system

operator for the first two years of operations; standards for the inclusion or exclusion of securities from the system (at the outset it is intended that the system will include all securities now quoted on the NASD's National Daily List); standards for the firmness and accuracy of market makers' quotations; and procedures for the registration and suspension or termination of registration of market makers, and for deletion of securities from the list of authorized securities for failure to comply with applicable regulatory standards.

If the bylaw amendments are approved by the NASD membership and if these amendments and the above-described rules of the Board of Governors are filed with and not disapproved by the Commission pursuant to section 15A(j) of the Act, the NASD plans to enter into an agreement with Bunker-Ramo Corp. under which the latter will be the operator of the NASDAQ System. The present target date for the system to begin full operations is January 1, 1971.

The proposed rule and its statutory basis. Rule 15Aj-2 (17 CFR 240.15Aj-2) would be adopted pursuant to various provisions of the Act, including the power conferred by section 23(a) to adopt "such rules and regulations as may be necessary for the execution of the functions vested" in the Commission by the Act.¹ The rule relates specifically to the Commission's function to make sure that rules of a national association of securities dealers, among other things, are "designed to produce fair and informative quotations, both at the wholesale and retail level, to prevent fictitious or misleading quotations, and to promote orderly procedures for collecting and publishing quotations", and also that such rules "are designed to * * * remove impediments to and perfect the mechanism of a free and open market; and are not designed to permit unfair discrimination between customers or issuers, or brokers or dealers".

Discharge of this function in the context of reviewing rules of an association governing the operation of and access to a system of quotations, presents a novel problem in the administration of section 15A. Existing rules of the National Association of Securities Dealers, Inc. (other than those of an organizational or procedural character) relate primarily to conduct or to conditions of membership. Apart from the possibility that the Commission may disapprove rules of this type which are on their face unlawful and in violation of the standards of the Act, the

¹ Other pertinent provisions are in sections 15A and 15(c)(2). Section 15(c)(2) gives the Commission rule-making authority to "define, and prescribe means reasonably designed to prevent, such acts and practices as are fraudulent, deceptive, or manipulative and such quotations as are fictitious" and therefore involve unlawful activity on the part of participating brokers or dealers whether or not members of a national securities association. The present proposed rule of the Commission applies only to a system of quotations set up under rules of a national securities association.

statute spells out a procedure whereby persons aggrieved as a result of the application of rules of conduct or rules limiting membership may have appropriate consideration of their grievance within the association and on review by the Commission. Rule 15Aj-2 (17 CFR 240.15Aj-2) would provide a similar procedure where application of a rule of a national securities association denies access to a facility maintained by the collective action of the association. The requirement of a fair and orderly procedure for consideration of specific access requests and grievances appears to the Commission essential to assure that such rules conform, in their actual operation, to the statutory requirements. This consideration is reinforced by the absence of any experience with a system of automated quotations for the over-the-counter markets.

§ 240.15Aj-2 Rules of a national securities association relating to a system of securities quotations.

(a) Any national securities association which adopts, or proposes to adopt, any rules providing for or regulating a system for the quotation of bid or offering or other prices of securities shall incorporate in such rules a provision to the effect that insofar as such rules prescribe the conditions of access to such system, such rules shall be applied and interpreted in accordance with the standards of subparagraphs 8 and 12 of paragraph (b) and paragraph (h)(2) of section 15A of the Act, including the requirement that rules of such an association shall be designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market, and not to permit unfair discrimination between customers or issuers, or brokers or dealers; to produce fair and informative quotations, both at the wholesale and retail level, to prevent fictitious or misleading quotations, and to promote orderly procedures for collecting and publishing quotations; and to assure that any disciplinary action pursuant to such rules shall not be excessive, or oppressive, having due regard to the public interest.

(b) Such rules shall also provide a fair and orderly procedure with respect to the determination of whether any customer or issuer or broker or dealer may be excluded or limited in respect of requested access to such system including provisions:

(1) For notice of and opportunity to be heard upon the specific grounds for exclusion or limitation which are under consideration;

(2) That a record shall be kept; and

(3) That the determination shall set forth the specific grounds upon which the exclusion or limitation is based.

(c) In the event of any such exclusion or limitation, such action shall be subject to review by the Commission, on its own motion, or upon application by any person aggrieved thereby filed within 30 days after such action has been taken or within such longer period as the Commission may determine. In any proceeding for such review, if the Commission,

after appropriate notice and opportunity for hearing, and upon consideration of the record before the association and such other evidence as it may deem relevant, determines that the specific grounds on which such action is based exist in fact and are in accord with the applicable rules of the association (including the provisions thereof required to be included by paragraph (a) of this section), the Commission shall by order dismiss the proceeding. Otherwise, the Commission shall by order set aside the action of the association and require the association to accord the aggrieved person access to such system or to take such other action as may be appropriate, subject to such terms and conditions as the Commission determines to be in accordance with the public interest and consistent with the rules of such association.

(Secs. 15A, 15(c) (2), 23(a), 48 Stat. 895, 901, 52 Stat. 1070, as amended, 49 Stat. 1379, 52 Stat. 1075, 78 Stat. 574, 15 U.S.C. 780, 780-3, and 78w)

All interested persons may submit their views and comments on the above proposal in writing to the Securities and Exchange Commission, Washington, D.C. 20549, on or before November 30, 1968. All such communications will be considered available for public inspection.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

NOVEMBER 5, 1968.

[F.R. Doc. 68-13951; Filed, Nov. 19, 1968; 8:49 a.m.]

POST OFFICE DEPARTMENT

[39 CFR Part 134]

MERCHANDISE SAMPLES

Mailing

Notice is hereby given of proposed rule making consisting of an amendment to § 134.4 of Title 39, Code of Federal Regulations, for the purpose of incorporating new regulations on the subject of the preparation of merchandise samples for mailing. It is proposed to redesignate present paragraph (d) of § 134.4 as paragraph (e); and to insert a new paragraph (d), reading as set out below.

The new paragraph (d) contains regulations for mailing merchandise samples under a detached label procedure. It is

proposed that these preparation and mailing regulations be made mandatory effective July 1, 1969. It is further proposed that mailers who desire to do so may utilize the detached label mailing procedure on an optional basis, effective January 15, 1969, provided they comply with all requirements, including the pre-sorting of address cards by 5-digit ZIP Code delivery area. The proposed regulations also provide, in subparagraph (4), that the delivery period for merchandise samples after receipt at the office of address shall not exceed 12 delivery days. It is proposed that this provision be made effective January 15, 1969.

Interested persons who wish to submit written data, views, and arguments concerning the proposals may submit such comments to the Director, Classification and Special Services Division, Bureau of Operations, Post Office Department, Washington, D.C. 20260, at any time prior to the 30th day following the date of publication of this notice in the FEDERAL REGISTER.

Accordingly, the proposed regulations read as follows, to be effective as stated in the preamble above:

§ 134.4 Preparation—payment of postage.

(d) *Merchandise samples.* When an article given away for the purpose of advertising an article of merchandise which it represents, in whole or in part, is mailed at bulk third-class rates for general distribution on city delivery routes in a mailing piece which exceeds 5 inches in width (height) or one-fourth inch in thickness or which has nonuniformity in thickness, the mailer must comply with the following preparation requirements:

(1) *Address cards.* (i) The address where the sample is to be delivered may not be placed on the sample, but must be placed on a separate address card which will be delivered with the sample.

(ii) The recipient's address, the mailer's return address, and the wording, "This card was prepared in delivering the accompanying postage paid sample," must be placed on the address card. The brand name, color coding, or other identifying symbols must also be placed on the address card to clearly associate it with the accompanying sample.

(iii) Any advertising or other printed addition on the card will require payment of separate third-class postage for the card.

(iv) The address card shall measure approximately (plus or minus 1/4") 3 1/4"

by 7 3/4" and be of a thickness not less than 0.006 of an inch.

(v) The address cards must be pre-sorted, counted and packaged by 5-digit ZIP Code delivery area. Each package of address cards shall bear a label showing:

- (a) The post office of delivery.
- (b) The 5-digit ZIP Code delivery area.
- (c) The brand name of the merchandise sample.
- (d) The number of cards in the package.
- (e) Instructions to open and distribute with matching samples.

(2) *Samples.* (i) The samples must be placed in outer cartons. Each outer carton shall bear a label showing:

- (a) The post office of delivery.
- (b) The 5-digit ZIP Code delivery area.
- (c) The brand name of the merchandise sample.
- (d) The number of samples in the outer carton.
- (e) Instructions to open and distribute with matching cards.

(3) *Postage.* (i) The postage must be prepaid by one of the methods prescribed by paragraph (b) (2) of this section and must be printed on or affixed to the sample container.

(ii) No postage will be shown on the address card except when advertising or other printed addition is placed thereon and separate postage is required.

(4) *Delivery.* Delivery of samples mailed under this section will be completed as soon as possible without use of overtime or auxiliary assistance, but in no instance later than 12 delivery days after receipt at the central distribution facility of the office of address.

(5) *Mailing periods.* Mailers should avoid mailing during the peak mailing periods. The peak mailing periods are:

- (i) The last week of November and throughout the month of December.
- (ii) From the first to the fifth and from the twenty-sixth to the end of each month.

NOTE: The corresponding Postal Manual section is 134.44.

(5 U.S.C. 301, 39 U.S.C. 501, 4451-4453)

TIMOTHY J. MAY,
General Counsel.

[F.R. Doc. 68-14027; Filed, Nov. 19, 1968; 11:34 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[F-7918, F-7920]

ALASKA

Notice of Proposed Withdrawals and Reservation of Lands

NOVEMBER 13, 1968.

The Bureau of Indian Affairs has filed applications, Serial Nos. F-7918 and F-7920, for the withdrawal of the lands described below from all forms of appropriation. The applicant desires the land, F-7918, for a new school at Kongiganak, Alaska and F-7920, for an addition to the present school reserve at Kipnuk, Alaska.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawals may present their views in writing to the undersigned officer of the Bureau of Land Management, 555 Cordova Street, Anchorage, Alaska 99501.

The Department's regulations, 43 CFR 2311.1-3(c), provide that the authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will determine whether the lands will be withdrawn as requested by the applicant agency.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant, a public hearing will be held at a convenient time and place which will be announced.

The lands involved in the applications are:

KONGIGANAK, ALASKA

1.09 acres more or less, located at approximate latitude 59°58'04.964" N., longitude 162°-52'48.245" W., within unsurveyed secs. 29 and 32, T. 2 S., R. 79 W., Seward Meridian.

KIPNUK, ALASKA

2.75 acres more or less, located at approximate latitude 59°56.137' N., longitude 164°02.308' W., within unsurveyed sec. 10, T. 3 S., R. 86 W., Seward Meridian.

BURTON W. SILCOCK,
State Director.

[F.R. Doc. 68-13928; Filed, Nov. 19, 1968; 8:47 a.m.]

[A 2934]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The Forest Service, U.S. Department of Agriculture, has filed an application, serial No. A 2934, for withdrawal of lands from mineral location and entry under the General Mining Laws, subject to valid existing rights.

The Forest Service has developed the lands for roads to be used for access to the Pinal Mountain Recreation Area. Increasing use is anticipated with the planned expansion of recreation facilities and road improvement. This withdrawal is needed to protect the scenic values of the roadside zones for public purposes.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal, may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 3022 Federal Building, Phoenix, Ariz. 85025.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party.

The lands involved in the application are as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA

MADERA RIDGE ROAD ROADSIDE ZONE

A strip of land 200 feet on each side of surveyed centerline of said road through the following legal subdivisions:

T. 1 S., R. 14½ E., unsurveyed;
Sec. 13, S½ N½ SW¼, and S½ SW¼;
Sec. 23, E½ SE¼ SE¼;
Sec. 24, W½ W½, and W½ E½ NW¼;
Sec. 25, W½, and SW¼ SE¼;
Sec. 26, E½ E½ NE¼;
Sec. 36, E½ W½, and NW¼ NW¼ NE¼.
T. 2 S., R. 14 E., unsurveyed;
Sec. 1, N½ NE¼ NW¼.

The area described aggregates approximately 200 acres.

FINAL MOUNTAIN ROAD ROADSIDE ZONE

A strip of land 200 feet on each side of surveyed centerline of said road through the following legal subdivisions:

T. 1 S., R. 14½ E., unsurveyed;
Sec. 36, E½ NE¼, E½ SW¼ NE¼, and N½ SE¼.
T. 1 S., R. 15 E., unsurveyed;
Sec. 19, SE¼ NE¼, and SE¼;
Sec. 30, W½ NE¼, SE¼ SE¼ NW¼, E½ SW¼, and E½ SW¼ SW¼;
Sec. 31, W½ NW¼, and SE¼;
Sec. 32, SW¼, and SW¼ SE¼.
T. 2 S., R. 14 E., unsurveyed;
Sec. 1, W½ NE¼, W½ SE¼ NE¼, and NE¼ SE¼.
T. 2 S., R. 15 E., unsurveyed;
Sec. 5, NW¼ NE¼, and N½ SW¼ NE¼;
Sec. 6, W½ NE¼, SW¼, and W½ NW¼ SE¼.

The area described aggregates approximately 338 acres.

PIONEER PASS ROAD ROADSIDE ZONE

A strip of land 200 feet on each side of surveyed centerline of said road through the following legal subdivisions:

T. 1 S., R. 15 E., unsurveyed;
Sec. 27, SE¼ NW¼, NE¼ SW¼, and SE¼;
Sec. 34, W½ E½ E½.
T. 2 S., R. 15 E.;
Sec. 2, lot 4;
Sec. 3, lot 1, SE¼ NE¼, W½ NE¼ SE¼, and SE¼ NW¼ SE¼.

The area described aggregates approximately 162 acres.

The total areas described above aggregate approximately 700 acres within the Tonto National Forest.

Dated: November 13, 1968.

FRED J. WEILER,
State Director.

[F.R. Doc. 68-13904; Filed, Nov. 19, 1968; 8:45 a.m.]

[R-1327]

CALIFORNIA

Notice of Classification of Public Lands for Multiple-Use Management

NOVEMBER 8, 1968.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411-18) and the regulations in 43 CFR Parts 2410 and 2411, the public lands described in paragraph 4 below are classified for multiple-use management. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for a Federal use or purpose.

2. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the lands shall remain open to all other applicable forms of

appropriation, including the mining and mineral leasing laws.

3. No adverse comments were received following publication of the notice of proposed classification (33 F.R. 139) or at the public hearing at Ridgecrest, Calif., which was held on August 9, 1968. The record showing the comments received and other information is on file and can be examined in the District Office, Bakersfield, Calif.

4. The public lands affected by this classification are located within the following described areas and are shown on maps designated 2412-04-01-08 (R-1327) in the Bakersfield District Office, 800 Truxtun Avenue, Bakersfield, Calif. 93301, and at the Land Office of the Bureau of Land Management, 1414 University Avenue, Riverside, Calif.

The overall description of the area is as follows:

KERN AND SAN BERNARDINO COUNTIES

MOUNT DIABLO MERIDIAN, CALIFORNIA

All public lands in:

- T. 27 S., R. 35 E.,
Secs. 20 to 27, inclusive;
Secs. 30 and 31;
Secs. 33 to 36, inclusive.
- T. 28 S., R. 35 E.,
Secs. 1 to 20, inclusive;
Secs. 22 to 36, inclusive.
- T. 27 S., R. 36 E.,
Secs. 12 and 13;
Sec. 19;
Secs. 22 to 36, inclusive.
- T. 28 S., R. 36 E.,
Secs. 1 to 36, inclusive.
- T. 25 S., R. 37 E.,
Secs. 1 to 36, inclusive.
- T. 26 S., R. 37 E.,
Secs. 1 to 18, inclusive;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
- T. 27 S., R. 37 E.,
Secs. 1 to 4, inclusive;
Secs. 7 to 36, inclusive.
- T. 28 S., R. 37 E.,
Secs. 1 to 36, inclusive.
- T. 29 S., R. 37 E.,
Secs. 1 to 30, inclusive;
Secs. 32 to 35, inclusive.
- T. 25 S., R. 38 E.,
Secs. 3 to 9, inclusive;
Secs. 16 to 21, inclusive;
Sec. 23;
Secs. 26 to 34, inclusive.
- T. 26 S., R. 38 E.,
Secs. 3 to 11, inclusive;
Secs. 14 to 22, inclusive;
Secs. 25 to 34, inclusive.
- T. 27 S., R. 38 E.,
Secs. 2 to 10, inclusive;
Secs. 13 to 15, inclusive;
Secs. 17 to 35, inclusive.
- T. 28 S., R. 38 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 35, inclusive.
- T. 29 S., R. 38 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 36, inclusive.
- T. 26 S., R. 39 E.,
Sec. 6.
- T. 27 S., R. 39 E.,
Secs. 1 to 3, inclusive;
Secs. 7 and 8;
Secs. 10 to 15, inclusive;
Secs. 18 and 19;
Secs. 23 to 35, inclusive.
- T. 28 S., R. 39 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 35, inclusive.

- T. 29 S., R. 39 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 20, inclusive;
Secs. 22 to 28, inclusive;
Secs. 33 to 35, inclusive.
- T. 30 S., R. 39 E.,
Secs. 1 to 4, inclusive;
Secs. 6 to 15, inclusive;
Secs. 17 to 35, inclusive.
- T. 27 S., R. 40 E.,
Sec. 17, S $\frac{1}{2}$;
Sec. 19, E $\frac{1}{2}$;
Secs. 20 to 23, inclusive;
Secs. 26 to 35, inclusive.
- T. 28 S., R. 40 E.,
Secs. 2 to 11, inclusive;
Secs. 14 and 15;
Secs. 17 to 23, inclusive;
Secs. 26 to 35, inclusive.
- T. 29 S., R. 40 E.,
Secs. 1 to 15, inclusive;
Secs. 17 to 34, inclusive.
- T. 30 S., R. 40 E.,
Secs. 3 to 10, inclusive;
Secs. 13 to 15, inclusive;
Secs. 17 to 30, inclusive;
Sec. 34.

Except the following public lands:

- T. 28 S., R. 37 E.,
Sec. 23, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, S $\frac{1}{2}$ S $\frac{1}{2}$.
- T. 26 S., R. 38 E.,
Sec. 27, S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$.

The area described aggregates approximately 187,300 acres.

5. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2411.2c.

E. J. PETERSEN,
Acting State Director.

[F.R. Doc. 68-13905; Filed, Nov. 19, 1968;
8:45 a.m.]

[Serial No. I-2316]

IDAHO

Notice of Termination of Proposed Classification of Lands

NOVEMBER 12, 1968.

Notice of Proposed Classification of Lands, Serial No. I-2316, published as F.R. Doc. 68-7475, on pages 9305-9308, of the issue for Tuesday, June 25, 1968, is hereby canceled so far as it affects the hereinafter described lands. The segregative effect thereof will terminate upon publication of this notice in the FEDERAL REGISTER as provided by the regulations in 43 CFR 2411.2e(2) (ii):

BOISE MERIDIAN, IDAHO

- T. 9 S., R. 13 E.,
Sec. 11, E $\frac{1}{2}$ SE $\frac{1}{4}$.
- T. 10 S., R. 13 E.,
Sec. 10, SW $\frac{1}{4}$ SW $\frac{1}{4}$.

The area described aggregates 120 acres of public land.

JOE T. FALLINI,
State Director.

[F.R. Doc. 68-13906; Filed, Nov. 19, 1968;
8:46 a.m.]

Fish and Wildlife Service

[Docket No. A-476]

ROBERT HOWARD GRAY

Notice of Loan Application

NOVEMBER 14, 1968.

Robert Howard Gray, Box 82, Hoonah, Alaska 99829, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 33.6-foot registered length wood vessel to engage in the fishery for salmon.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-13929; Filed, Nov. 19, 1968;
8:47 a.m.]

[Docket No. C-293]

HARRY JOHN LARSEN

Notice of Loan Application

NOVEMBER 14, 1968.

Harry John Larsen, 2731 Golden Avenue, Long Beach, Calif. 90806, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 47.3-foot registered length wood vessel to engage in the fishery for tuna (including albacore), salmon, spiny lobster, rockfish, sablefish, and Dungeness crab.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other

evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-13957; Filed, Nov. 19, 1968;
8:49 a.m.]

[Docket No. G-415]

JOHN DAVID REVELS

Notice of Loan Application

NOVEMBER 14, 1968.

John David Revels, 71 Maple Street, Freeport, Tex. 77541, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 48.9-foot registered length wood vessel to engage in the fishery for shrimp.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-13960; Filed, Nov. 19, 1968;
8:50 a.m.]

[Docket No. A-478]

KENNETH E. SCHOONOVER

Notice of Loan Application

NOVEMBER 14, 1968.

Kenneth E. Schoonover, Box 21, Hoonah, Alaska 99829, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 36.5-foot registered length wood vessel to engage in the fishery for salmon.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must sub-

mit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-13961; Filed, Nov. 19, 1968;
8:50 a.m.]

[Docket No. B-442]

JAKOB N. SHERVO AND MALVIN KVILHAUG

Notice of Loan Application

NOVEMBER 14, 1968.

Jakob N. Shervo and Malvin Kvilhaug, 258 Maple Street, New Bedford, Mass. 02740, have applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 116-foot length overall steel vessel to engage in the fishery for scallops, lobster, groundfish, and flounder.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-13959; Filed, Nov. 19, 1968;
8:50 a.m.]

[Docket No. A-477]

LESLIE J. VAUGHN

Notice of Loan Application

NOVEMBER 14, 1968.

Leslie J. Vaughn, 1577 G Street, Anchorage, Alaska 99501, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 32-foot length overall wood vessel to engage in the fishery for salmon.

Notice is hereby given pursuant to the provisions of Public Law 89-85 and Fisheries Loan Fund Procedures (50 CFR Part 250, as revised) that the above-

entitled application is being considered by the Bureau of Commercial Fisheries, Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, Bureau of Commercial Fisheries, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operations of the vessel will or will not cause such economic hardship or injury.

J. M. PATTON,
Acting Director,
Bureau of Commercial Fisheries.

[F.R. Doc. 68-13958; Filed, Nov. 19, 1968;
8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

SUGAR BEET WAGES AND PRICES

Notice of Hearings and Designation of Presiding Officers

Pursuant to the authority contained in subsections (c) (1) and (c) (2) of section 301 of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U.S.C. 1131), and in accordance with the rules of practice and procedure applicable to wage and price proceedings (7 CFR 802.1 et seq) notice is hereby given that public hearings will be held as follows:

At Portland, Oreg., on December 5, in the Bonneville Power Administration Auditorium, U.S. Department of the Interior, 1002 Northeast Holladay, beginning at 9:30 a.m.;

At Presque Isle, Maine, on December 9, in the Gold Room, Northeastland Hotel, beginning at 9:30 a.m.;

At Detroit, Mich., on December 11, in the Shelby Room, Pick-Fort Shelby Hotel, beginning at 9:30 a.m.;

At St. Paul, Minn., on December 13, in the Casino Room, St. Paul Hotel, beginning at 9:30 a.m.;

At San Francisco, Calif., on December 17, in Room 15018, 15th Floor, Federal Building, 450 Golden Gate Avenue, beginning at 9:30 a.m.;

At San Antonio, Tex., on December 19, at the Holiday Inn, Durango Street at Santa Rosa Street, beginning at 9:30 a.m.

The purpose of these hearings is to receive evidence likely to be of assistance to the Secretary of Agriculture in determining (1) pursuant to the provisions of section 301(c) (1) of the act, whether the wage rates established for sugar beet fieldworkers in the wage determination which became effective May 20, 1968 (33 F.R. 7437), continue to be fair under existing circumstances, or whether such determination should be amended; and (2) pursuant to the provisions of section

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 5-B]

ECONOMIC DEVELOPMENT
ADMINISTRATION

Organization and Functions

This order supersedes the material appearing at 33 F.R. 6206 of April 23, 1968 and 32 F.R. 20745 of December 22, 1967.

SECTION 1. Purpose. The purpose of this order is to prescribe the organization and assignment of functions within the Economic Development Administration.

SEC. 2. Organization structure. The principal organization structure and line of authority of the Economic Development Administration shall be as depicted in the attached organization chart.

SEC. 3. Office of the Assistant Secretary for Economic Development. .01 The Assistant Secretary directs the programs and is responsible for the conduct of all activities of the Economic Development Administration subject to the policies and directives prescribed by the Secretary of Commerce.

.02 The Deputy Assistant Secretary directs and coordinates the Area Offices, assists the Assistant Secretary in all matters affecting the Economic Development Administration, and performs the duties of the Assistant Secretary during the latter's absence.

SEC. 4. Office of the Deputy Assistant Secretary for Policy Coordination. The Deputy Assistant Secretary for Policy Coordination, as the principal advisor to the Assistant Secretary on matters of policy coordination shall:

- a. Exercise responsibility for EDA's interagency and intergovernmental relations and its relations with those quasi-public and private agencies interested in economic development;
- b. Develop policies for improving Federal, State, and local government economic development programming;
- c. Provide staff assistance in defining policy issues, coordinate the development and formulation of policy for consideration by the Assistant Secretary, explain the position of the Administration, and exercise principal staff responsibility for policy review and evaluation;
- d. Represent the Administration on international organizations when so designated;
- e. Coordinate and manage Administration representation on interagency committees;
- f. Serve as Executive Secretary and, as required, provide or arrange for staff support for the National Public Advisory Committee on Regional Economic Development;
- g. Act as an alternate to the Assistant Secretary in serving as Chairman of EDA's Policy Planning Board and provide secretariat services for the Policy Planning Board; and
- h. Review and evaluate legislative and administrative proposals related to economic development and intergovernmental relations for substantive and policy implications.

economic development and intergovernmental relations for substantive and policy implications.

SEC. 5. Office of the Deputy Assistant Secretary for Economic Development Planning. .01 The Deputy Assistant Secretary for Economic Development Planning is the principal advisor to the Assistant Secretary on matters of development planning. Through the offices reporting to him, he shall:

a. Coordinate and direct EDA economic development planning related to regions, districts (including economic development centers), redevelopment areas, and other areas of substantial need;

b. Formulate and recommend to the Assistant Secretary standards and criteria for administration of economic development planning by Area Offices;

c. Inform the Deputy Assistant Secretary for Policy Coordination of significant developments and problems affecting interagency and intergovernmental development planning for regions, districts, and areas;

d. Maintain a central reference collection of economic development materials;

e. Designate economic development districts, economic development centers, redevelopment areas, and Title I areas which fulfill the statutory criteria;

f. Conduct an annual review of the areas and districts designated for assistance under the Act and make such modifications or terminations of eligibility as may be appropriate;

g. Provide economic data, analyses and studies, and planning grants to development districts and areas; and

h. Recommend technical assistance proposals for areas, districts, and regions.

.02 The Deputy Assistant Secretary for Economic Development Planning shall direct and supervise the following organization elements:

a. The Office of Regional Development Planning which shall:

1. Provide and evaluate information to aid the Assistant Secretary in designating economic development regions, and subsequently, in modifying their boundaries, in accordance with provisions of the Act;

2. Assist States to establish Regional Action Planning Commissions (hereinafter called "Regional Commissions") within designated regions;

3. Develop suggested criteria, methods, and guidelines for use by the Regional Commissions in developing economic development programs;

4. Provide, on request, staff assistance to the Regional Commissions in preparing work and study programs for regional development planning;

5. Review and comment on plans, programs, proposals and recommendations of the Regional Commissions and the Federal Field Committee for Development Planning in Alaska submitted to the Secretary, and assist in EDA's collaboration with the Special Assistant for

301(c)(2) of the act, fair and reasonable prices for the 1969 crop of sugar beets to be paid, under purchase or toll agreements, by producers who process sugar beets grown by other producers and who apply for payments under the act.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

The hearings after being called to order at the times and places mentioned herein, may be continued from day to day within the discretion of the presiding officers and may be adjourned to a later day or to a different place without notice other than the announcement thereof at the hearings by the presiding officers.

T. O. Murphy, A. A. Greenwood, D. E. McGarry, C. F. Denny, R. R. Stansberry, J. E. Agnew, R. Jordan, and C. Domire are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearings.

Signed at Washington, D.C., on November 14, 1968.

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

[F.R. Doc. 68-13923; Filed, Nov. 19, 1968; 8:47 a.m.]

**Farmers Home Administration
SOUTHWEST ALABAMA FARMERS
CO-OPERATIVE ASSOCIATION
Designation of EO Demonstration
Project**

Section 1823.99 of Title 7, Code of Federal Regulations (33 F.R. 9148), authorizes the Administrator of the Farmers Home Administration to designate demonstration projects for the purpose of making loans to cooperative associations pursuant to section 303 of the Economic Opportunity Act of 1964. Upon designation a demonstration project becomes subject to any special terms and conditions prescribed or authorized by the Administrator as applicable thereto.

Southwest Alabama Farmers Cooperative Association has applied to the Farmers Home Administration for a loan under section 303 of the Economic Opportunity Act of 1964 to finance certain facilities and services. Such facilities and services are designated a demonstration project for the purposes set forth above.

This designation is effective as of June 18, 1968.

Dated: November 12, 1968.

HOWARD BERTSCH,
Administrator,
Farmers Home Administration.

[F.R. Doc. 68-13927; Filed, Nov. 19, 1968; 8:47 a.m.]

Regional Economic Coordination in presenting such matters to the Secretary for action following review of the matters by Federal agencies concerned;

6. Develop suggested program innovations to prevent regional decline and accelerate regional growth based on studies and research findings on the nature, causes, and processes of regional growth and decline;

7. Specify requirements for research, technical assistance, and similar service to the appropriate offices of EDA and assist those offices, as required, in arranging and monitoring such research, technical assistance, and other activities;

8. Serve as a source of information and special services for domestic and international regional development planning; and

9. Develop program guidance in order to facilitate the coordination of efforts among EDA offices and with the Regional Commissions.

b. The Office of Development Districts which shall:

1. Design and carry out a program to establish multicounty development districts in consultation and with the assistance and cooperation of EDA Area Offices, and with the concurrence of the States affected;

2. Advise and assist Area Offices in implementing economic planning activities after the formal designation of Economic Development Districts (EDD);

3. Initiate policy guidelines and criteria concerning the economic development district program for use by other elements of EDA, and by appropriate State and local agencies;

4. Evaluate and approve proposed economic development district organizations and programs for economic soundness, and for compatibility with the requirements and intent of title IV, part B of the Act;

5. Assist State and local efforts to organize economic development districts, including the preparation of district Overall Economic Development Programs (OEDP's) and the recruitment of professional staff;

6. Develop and recommend model EDD administrative budgets, planning programs, reporting procedures, and job specifications;

7. Provide guidance to EDD organizations on the techniques and methods of district economic analysis, budgeting, and program planning;

8. Maintain a system of records to indicate progress as compared to planned objectives on all grants made under section 301(b) of the Act;

9. Evaluate, recommend approval, and administer planning grants made under the Act to State and district agencies;

10. Evaluate and recommend candidates for appointments to professional staff positions in economic development districts;

11. Recommend the designation and/or termination of economic development districts and economic development centers;

12. Promptly advise interested Federal, State, and local agencies of all

changes affecting the eligibility status of existing or proposed economic development districts;

13. Prepare and distribute maps and related material showing organizational and designation status of economic development districts; and

14. Formulate planning and development policies and procedures for guiding the preparation and submittal of District OEDP's, including the establishment of policies and standards for their review by Area Offices.

c. The Office of Area Planning and Program Support which shall:

1. Have prime responsibility for coordinating the preparation and distribution of Area Policy Papers;

2. Develop through these Area Policy Papers an analysis of redevelopment areas and a recommended strategy for each area's economic development to include a system of priorities for EDA's financial assistance;

3. Develop, evaluate, and recommend approval of planning assistance grant applications in redevelopment areas not located in economic development districts, and monitor planning assistance projects for program content;

4. Provide reports on the demand for specified commodities and services, efficient capacity, and existing competitive enterprises in industries for use by the Deputy Assistant Secretary for Economic Development Operations in making determinations on excess capacity, pursuant to section 702 of the Act;

5. Develop and recommend procedures for the preparation of redevelopment area and title I area Overall Economic Development Programs (OEDP's) and policies and standards for their review and approval by Area Offices, and evaluate and maintain surveillance of the administration and certification of area OEDP's by Area Offices;

6. Determine whether an area meets the statistical criteria to qualify as a redevelopment area or a title I area;

7. Initiate changes in the qualification status of redevelopment areas and title I areas;

8. Initiate designation or change in the designation status of redevelopment or title I areas;

9. Conduct an annual review of area eligibility and initiate termination of areas no longer eligible for designation;

10. Recommend minor adjustments in boundaries of redevelopment areas; and

11. Initiate suspension of the receipt and processing of all applications for assistance from areas and districts which fail to submit acceptable OEDP progress reports.

d. The Office of Economic Research which shall:

1. Direct and conduct a program of internal and external economic research designed to meet both planning and operating needs;

2. Arrange for and monitor EDA sponsored research by other elements of the Department, other Government agencies, or private organizations;

3. Encourage and stimulate research and data collection on economic development both in and out of Government;

4. Coordinate, review, analyze, and disseminate research findings; and

5. Study and evaluate the effects of Government policies on subnational economic development.

SEC. 6. *Office of the Deputy Assistant Secretary for Economic Development Operations.* 01 The Deputy Assistant Secretary for Economic Development Operations, through the offices reporting to him shall:

a. Provide coordinated direction of all EDA activities related to financial assistance for or to physical projects which will improve local economies and supervise the execution of this aspect of the EDA programs;

b. Recommend standards, policies and criteria for the technical evaluation and processing of project applications for financial assistance, including public works grants and loans, business loans, and technical assistance;

c. Direct, conduct, coordinate, monitor and, where appropriate, originate technical assistance projects (including management assistance and feasibility studies) subject to coordination with the Deputy Assistant Secretary for Economic Development Planning on proposed technical assistance projects related to area, district, center, or regional planning;

d. Review and recommend approval or denial of project applications;

e. Evaluate activities of the Area Offices in applying policies, standards, and procedures for processing project applications to assure efficient, effective, and economical accomplishment of approved projects;

f. Execute agreements with other Federal departments and agencies in consultation with the Deputy Assistant Secretary for Policy Coordination for the conduct of specialized technical assistance; and

g. Study and evaluate the manpower development and training needs of redevelopment areas and of economic development districts, and recommend appropriate joint action with the Departments of Labor and Health, Education, and Welfare.

02 The Deputy Assistant Secretary for Economic Development Operations shall direct and supervise the following organization elements:

a. The Office of Public Works which shall:

1. Recommend policies, standards and procedures for accepting, processing, reviewing, and approving requests for public works grants and loans, consistent with the procedures contained in the Act;

2. Review and recommend for approval or denial public works grant and loan project applications, and suggest alternate methods of financing where indicated;

3. Maintain surveillance, evaluate progress, and submit reports on the application by Area Offices of standards, policies, and procedures to assure efficient, effective, and economical accomplishment of the approved projects;

4. Arrange for services from other Federal agencies for the administration

of approved public works grants and loans; and

5. Maintain operating liaison with Federal agencies having grant-in-aid programs which may supplement EDA programs, and with those Federal agencies delegated responsibility for administering or servicing EDA projects.

b. The Office of Business Development which shall:

1. Recommend policies, standards, and procedures for processing and approving applications for financial assistance for industrial or commercial usage, consistent with the criteria contained in the Act;

2. Review applications for commercial or industrial loans and working capital guarantees, and recommend approval or denial;

3. Maintain surveillance over the implementation by Area Offices of policies, standards and procedures related to processing loan applications for business development to assure efficient, effective, and economical accomplishment of the business development programs;

4. Develop and implement EDA approved agreements with the Small Business Administration and other Federal agencies to secure support of the business development programs;

5. Monitor operations of industrial and commercial projects approved by the Administration, including outstanding loans for projects approved under provisions of the Area Redevelopment Act, and prepare reports of accomplishments;

6. Arrange for or provide needed specialized assistance to recipients of EDA industrial and commercial loans and guarantees and ARA loans;

7. Develop policies, plans, and procedures to improve or terminate projects in default of loan conditions;

8. Provide assistance in the liquidation of the affairs and functions conducted under the Area Redevelopment Act; and

9. Maintain operating liaison with other agencies concerned with the activities of this office.

c. The Office of Technical Assistance which shall:

1. Propose policies, standards, and procedures pertaining to the acceptance, review, and approval of requests for technical assistance, consistent with the criteria of the Act;

2. Plan and develop technical assistance projects in cooperation with other offices, where appropriate;

3. Direct or monitor the performance and implementation of approved technical assistance projects;

4. Recommend policies, standards, and procedures for evaluating and utilizing the results of technical assistance projects;

5. Execute agreements with other Federal departments and agencies for the conduct of specialized technical assistance, in consultation with the Deputy Assistant Secretary for Policy Coordination;

6. Recommend, to the Deputy Assistant Secretary for Policy Coordination, policies and practices to facilitate effective relationships with other Government

agencies which have complementary programs for technical assistance;

7. Maintain surveillance over the application of policies, standards, and procedures by the Area Offices in processing project applications;

8. Review and recommend project applications for approval or denial; and

9. Coordinate the efforts of EDA in the manpower training program.

Sec. 7. *Office of Administration and Program Analysis.* The Office of Administration and Program Analysis shall be responsible for providing the full range of administrative management services and for program analysis and evaluation functions with respect to EDA's substantive programs. These functions shall be carried out through the principal organizational elements of the office, as prescribed below, except that personnel management services, accounting for administrative funds, and in-house equal opportunity staff services shall be obtained from the appropriate staff in the Office of the Secretary:

.01 The Program Analysis Division shall:

Develop and implement measures of resource utilization for programing and budgeting purposes; develop and conduct a systematic program evaluation effort for EDA; prepare the annual Program Memorandum and analytical studies required by the Bureau of the Budget; and develop cost benefits studies to aid the Assistant Secretary in making choices and decisions between alternative programs for economic development projects, activities, and programs in achieving the objectives of the Act and EDA.

.02 The Budget and Programing Division shall:

Develop and manage an integrated planning-programing-budgeting system for EDA; develop and prepare the annual budget for EDA, be responsible for the total financial program of EDA, and for the fiscal aspects of programs entrusted to other Federal agencies; and operate a fiscal control system for both program and administrative expenses consistent with the requirements of the Anti-Deficiency Act, which shall include but not be restricted to, allotment of funds, operating budgets, employment limitations, and analyses of reports and proposed actions relating thereto.

.03 The Accounting Division shall:

Develop and maintain accounting systems and prepare financial reports for internal and external use, according to the needs of management, the requirements of laws or regulations, and established policies; analyze financial and operating data to assure that financial and management policies are being followed; and serve as the liaison with the Department and other Federal agencies in all accounting matters.

.04 The Management and Organization Division shall:

Conduct organization and management studies and surveys; plan and conduct a program for achieving maximum economy, effectiveness, and efficiency, and for obtaining optimum personnel

utilization; develop and conduct a program for the efficient management of all official records, including an issuance system for administrative and program orders, and the design and control of official forms; and develop and administer a reports control system for all administrative and operational reports.

.05 The Information Systems and Services Division shall:

Plan, develop, acquire, and coordinate the use of automatic data processing systems and equipment for EDA; provide data processing services, including the conduct of feasibility studies and the development of systems and programs for the application of automatic data processing techniques; develop and maintain a comprehensive information and data base system to meet specified requirements for administrative, planning, operational, program management, and program evaluation purposes; and provide periodic and special summary reports on current operational trends and performance comparisons to planned goals.

.06 The Office Services Division shall:

Provide or arrange for office services for the Washington Offices and, as required, the Area Offices and Regional Action Planning Commissions, including the procurement of administrative supplies, vehicle hire, furniture, equipment, and the distribution of printed and bound materials; evaluate, report on, and make recommendations on the utilization of space, supplies, equipment, communications, and services within EDA; and serve as liaison with the Department on office service matters.

.07 The Compliance Division shall:

Formulate and recommend policies, plans and procedures for, and conduct the investigative program consistent with Departmental and other Federal agency's investigative and enforcement limitations; direct the physical security program, including the protection of classified documents and papers; and conduct inspections and special compliance studies, and surveys on programs and technical operations as directed.

.08 The Executive Secretariat shall:

Receive all correspondence addressed to the Office of the Assistant Secretary, and assign it to the appropriate office for action; record controlled and noncontrolled correspondence, maintain prompt followup of replies to insure that deadlines are met; and provide a selective reference service to files as requested by EDA officials.

Sec. 8. *Office of the Chief Counsel.* The Office of the Chief Counsel shall:

a. Render all necessary legal services, subject to the provisions of Department Order 104; and

b. Have primary responsibility for the preparation, coordination, and clearance of all legislation, regulations, and external orders subject to the provisions of applicable Department and Administrative Orders.

Sec. 9. *Office of Public Affairs.* The Office of Public Affairs shall:

a. Advise on all public information matters;

b. Conduct a public information program under the policy guidance of the Assistant Secretary for Economic Development; and

c. Provide assistance in the editing, printing or reproduction, and distribution of technical materials and publications.

SEC. 10. *Office of Congressional Relations.* The Office of Congressional Relations shall:

a. Advise on all Congressional matters pertinent to the activities under the direction of the Assistant Secretary; and

b. Serve as the primary point of coordination for continuing liaison with the Congress in collaboration with the Special Assistant to the Secretary for Congressional Relations.

SEC. 11. *Office of Equal Opportunity.* The Office of Equal Opportunity shall:

a. Advise the Assistant Secretary in the development and implementation of policy and guidance affecting equality of opportunity connected with economic development programs;

b. Maintain liaison with Federal, State, and local governmental organizations and with nongovernmental organizations to coordinate and assist in planning operations aimed at achieving nondiscrimination and equality of opportunity;

c. Provide leadership, staff services and advice in matters affecting nondiscrimination to economic development

program units, to organizations obligated as participants in an economic development program to achieve nondiscrimination, and to ultimate beneficiaries of economic development program activities;

d. Conduct, sponsor, or coordinate meetings, conferences, and training courses for equal employment specialists, program managers, and executives to achieve nondiscrimination in economic development programs;

e. Establish effective systems throughout the Economic Development Administration to obtain and monitor accurate reports concerning the program of equality of opportunity and assure conformance thereto;

f. Establish report requirements to insure equality of opportunity by participants in economic development programs, conduct on-site inspections, and receive, investigate, and adjust complaints; and

g. Receive, investigate, review, adjust complaints, and evaluate EDA experience relating to the Equal Employment Opportunity program and make recommendations to the Assistant Secretary for improvement of employment practices within the Economic Development Administration.

SEC. 12. *Economic Development Area Offices.* .01 The Economic Development Area Offices, headed by Area Directors, are as follows:

Name	Located at	Serves
North Eastern.....	Portland, Maine.....	Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont.
Mid Atlantic.....	Wilkes Barre, Pa.....	Delaware, Maryland, New Jersey, Pennsylvania, and Puerto Rico.
Mid Eastern.....	Huntington, W. Va.....	Kentucky, North Carolina, Ohio, Virginia, and West Virginia.
South Eastern.....	Huntsville, Ala.....	Alabama, Florida, Georgia, Mississippi, South Carolina, and Tennessee.
North Central.....	Duluth, Minn.....	Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.
South Western.....	Austin, Tex.....	Arizona, Arkansas, Colorado, Kansas, Louisiana, New Mexico, Nevada, Oklahoma, Texas, Utah, and Wyoming.
Western.....	Seattle, Wash.....	Alaska, American Samoa, California, Guam, Hawaii, Idaho, Montana, Oregon, and Washington.

.02 Each Area Director is responsible within the limits of his delegated authority for the programs of the Administration in his area and, in this connection, shall:

a. Coordinate with local communities in economic planning and in development of Overall Economic Development Programs (OEDP's) which are related to the needs of designated areas and districts serviced by the Area Office;

b. Manage the Economic Development Administration's resources available for use for the economic development of designated areas and districts serviced by the Area Office; and

c. Process applications for economic development assistance, monitor and service approved projects and, when appropriate, liquidate projects.

Effective date: November 6, 1968.

DAVID R. BALDWIN,
Assistant Secretary
for Administration.

[F.R. Doc. 68-13937; Filed, Nov. 19, 1968; 8:48 a.m.]

NDA No.	Drug Name	Applicant's Name and Address
373.....	Miley's Compound Treatment.	Miley Medicine Co., 714½ Barr St., Ft. Wayne, Ind. 46802.
848.....	Neuroform-Lyss.....	Aciform Sales Corp., 55 East Washington St., Chicago, Ill. 60602.
1-244.....	Bellak's Bitter and Mild Cathartic Composition.	George Bellak, 538 South 20th St., Newark, N.J. 07103.
2-000.....	Dr. Leon's Powder Sarkobium.	Dr. Leon's Laboratories, 364 Eighth Avenue, New York, N.Y. 10001.
3-585.....	Miller's Tablets.....	Miller's Products Co., Fremont, Nebr. 68025.

The Notice of Opportunity for a Hearing was sent by certified mail to all the above-listed applicants in addition to being published in the FEDERAL REGISTER.

Neither the above-identified applicants nor any interested person who might be adversely affected filed an appearance of election within the 30 days provided by said notice, and this is construed as an election by such persons not to avail themselves of the opportunity for a hearing.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)) and under authority delegated to him (21 CFR 2.120), the Commissioner finds that on the basis of the grounds set forth in said notice approval of the specified applications should be withdrawn.

Therefore, effective on the date of signature of this document: (1) Approval of the above-listed new-drug applications, including all amendments and supplements thereto, is withdrawn; and (2) any drug for human use containing any form of calamus is regarded as a new drug for which no approval is in effect.

Dated: November 8, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-13931; Filed, Nov. 19, 1968; 8:47 a.m.]

[Docket No. FDC-D-116; NDA No. 11-957]

LAKESIDE LABORATORIES

Combination Drug Marketed as Dactil-OB; Notice of Withdrawal of Approval of New-Drug Application

Lakeside Laboratories, 1707 East North Avenue, Milwaukee, Wis. 53201, holder of approved new-drug application No. 11-957 and all amendments and supplements thereto for the combination drug containing piperidolate hydrochloride, ascorbic acid, and hesperidin complex, marketed as Dactil-OB, has waived opportunity for a hearing on the proposed withdrawal of approval of said application. A notice of opportunity for hearing on the proposed withdrawal of approval of the subject application, among others,

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-113]

DRUGS FOR HUMAN USE CONTAINING ANY FORM OF CALAMUS

Notice of Withdrawal of Approval of New-Drug Applications

In the FEDERAL REGISTER of August 28, 1968 (33 F.R. 12149), the Commissioner of Food and Drugs issued a Notice of Opportunity for Hearing on his proposal to issue an order under the provisions of section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)) withdrawing approval on specified grounds of the following five new-drug applications and all amendments and supplements thereto for drugs containing some form of calamus:

was published in the FEDERAL REGISTER of July 10, 1968 (33 F.R. 9908), and an announcement regarding the NAS-NRC efficacy report on this combination drug was published July 11, 1968 (33 F.R. 9967).

The Commissioner of Food and Drugs, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)) and under authority delegated to him (21 CFR 2.120), finds on the basis of new information evaluated together with evidence available when the application was approved that there is a lack of substantial evidence that the subject drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

Therefore, pursuant to the foregoing finding, approval of new-drug application No. 11-957 and all amendments and supplements thereto applying to Dactil-OB is withdrawn, effective on the date of signature of this document.

Dated: November 8, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-13930; Filed, Nov. 19, 1968;
8:47 a.m.]

TOILET GOODS ASSOCIATION, INC., ET AL.

Notice of Filing of Petitions Regarding Color Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(d), 74 Stat. 402; 21 U.S.C. 376(d)), notice is given that the following petitions have been filed by The Toilet Goods Association, Inc., the Pharmaceutical Manufacturers Association, and the Certified Color Industry Committee, c/o Hazleton Laboratories, Inc., Post Office Box 30, Falls Church, Va. 22046, proposing the issuance of color additive regulations (21 CFR Part 8) to provide for the safe use and certification of the color additives as specified:

CAP No.	Color additive(s)	Uses
26.....	Ext. D&C Yellow No. 7.	In drug and cosmetic products that are applied externally.
34.....	D&C Yellow No. 7 and D&C Yellow No. 8.	Do.
35.....	D&C Orange No. 4.	Do.
36.....	FD&C Red No. 2.	In foods, drugs, and cosmetics.
37.....	D&C Violet No. 2.	In drugs and cosmetics that are applied externally.
38.....	D&C Red No. 34.	Do.
39.....	D&C Red No. 17.	Do.
57.....	D&C Blue No. 6.	In ingested drugs, surgical sutures, lipsticks, and externally applied drugs, and cosmetics.
58.....	D&C Red No. 30.	In ingested drugs, lipsticks, and externally applied drugs and cosmetics.
61.....	FD&C Red No. 4.	In ingested drugs, maraschino cherries, and externally applied drugs, and cosmetics.

CAP No.	Color additive(s)	Uses
62.....	D&C Yellow No. 10.	In ingested drugs, lipsticks, and externally applied drugs, and cosmetics.
63.....	D&C Yellow No. 11.	In ingested drugs and externally applied drugs, and cosmetics.
65.....	FD&C Green No. 3.	In foods, ingested drugs, lipsticks, and externally applied drugs and cosmetics.
66.....	FD&C Yellow No. 6.	In foods, drugs, and cosmetics.
68.....	FD&C Violet No. 1.	In foods, dietary supplements, ingested drugs, and externally applied drugs, and cosmetics.
84.....	D&C Green No. 5.	In ingested drugs, lipsticks, and externally applied drugs, and cosmetics.
85.....	D&C Green No. 6.	Do.
86.....	D&C Red No. 33.	Do.

These petitions are considered incomplete by the Food and Drug Administration but have been filed pursuant to § 8.5(a) of the procedural color additive regulations (21 CFR 8.5(a)) at the written request of the petitioners.

Dated: November 1, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-13932; Filed, Nov. 19, 1968;
8:47 a.m.]

Office of the Secretary

OFFICE OF CONSUMER SERVICES

Statement of Organization, Functions, and Delegations of Authority

Section 2-135 of Part 2 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare shall read as follows:

SEC. 2-135.10 *Organization*. The Office of Consumer Services under the supervision of the Assistant Secretary for Community and Field Services consists of:

Office of the Director.
Program Division.
Field Division.

SEC. 2-135.20 *Functions*—A. *Office of the Director*. 1. Acts as principal advisor to the Assistant Secretary for Community and Field Services in connection with his responsibility for establishing policies to strengthen and coordinate the consumer aspects of the programs of the Department.

2. Within established policies and objectives, provides leadership and coordination to programs designed to strengthen and coordinate the consumer interests of the Department. Particular consideration will be given to consumer education, information, and services performed by the operating agencies in cooperation with State and local agencies, and business, labor, professional, consumer and volunteer groups in the community, with special focus on meeting the needs of the low-income consumer.

3. Staffs the Departmental Committee on Consumer Services.

4. Maintains continuing liaison with other Federal agencies that administer programs with substantial consumer aspects, to exchange information and facilitate coordination activities.

5. Maintains continuing contact with representatives of national business, labor, professional, consumer and volunteer groups to assist in an exchange of information on existing consumer programs and encourage the development of new programs to meet consumer needs.

6. Coordinates public information programs designed to advise the consumer of available materials and current trends, and participates in dissemination of news on the consumer aspects of Department activities.

B. *Program division*. 1. Develops the guidance documents designed to strengthen the consumer aspects of Department programs based on consultations and exchanges with representatives of the operating agencies of the Department and other Federal agencies and national organizations.

2. Serves as a basic clearinghouse for consumer information materials of the Department, as well as relevant materials of other public and private agencies.

3. Utilizes available information to develop resource materials on trends in legislation and economics affecting the consumer.

4. Reviews consumer information materials of the Department and, upon request, materials prepared by other agencies and organizations, and provides technical assistance to the operating agencies in the development of such materials in terms that are meaningful to the consumer; prepares in cooperation with the operating agencies statements and other consumer material for the use of officials of the Department or other representatives of the Government.

5. Establishes contact with leaders of consumer programs and educators at the national level to encourage the incorporation of relevant consumer information in the programs for which they are responsible.

6. Maintains two-way communication with the Department's field structure through the operating agencies and the Secretary's channels, to assist in the planning and evaluation phases of consumer activities.

7. Publishes an official consumer newsletter of HEW, and supplementary materials.

8. Maintains contact with and supplies information to consumer editors and authors.

9. Answers public inquiries and corresponds with the public on topics of consumer interest.

C. *Field division*. 1. Advises the Director on trends in consumer interest based on observations from the field.

2. Develops recommendations on informational materials and programs to keep consumers advised of developments affecting their interests, and to assist consumers in meeting their needs.

3. Cooperates in areas of responsibility with representatives of Government and non-Government consumer departments and organizations.

4. Develops program guidance for all operating agencies of the Department. Such guidance material will give particular attention to activities designed to:

(a) Meet the special needs of the low-income consumer through inclusion of appropriate projects in such programs as model cities, neighborhood centers, and comprehensive health planning.

(b) Build consumer education into the public school curriculum and adult education programs through promotional work in cooperation with State officials, educators, and education-related volunteer groups;

(c) Include consumer information on nutrition and wise shopping practices in local health-related programs;

(d) Include consumer information on food, drugs, health, accident prevention and similar topics in the programming of volunteer organizations;

(e) Support State and local consumer organizations in their efforts to promote legislation, effective administration of laws and programs of benefit to the consumer;

(f) Promote the establishment of effective State and local consumer related programs which would include offices to mediate provider-user disputes and combat fraudulent transactions;

(g) Coordinate and support business-sponsored programs to assist the consumer;

(h) Support labor-sponsored consumer information programs;

(i) Encourage the establishment of credit unions and other cooperatives, where appropriate; and

(j) Meet the special consumer needs of the elderly, through community programs in cooperation with representatives of DHEW and other Federal programs, and senior citizen groups.

Dated: November 9, 1968.

WILBUR J. COHEN,
Secretary.

[F.R. Doc. 68-13936; Filed, Nov. 19, 1968;
8:48 a.m.]

Social Security Administration NORWAY

Notice of Finding Regarding Foreign Social Insurance or Pension System

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death (section 202(t)(2)(A)); and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence (section 202(t)(2)(B)).

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has approved a finding that Norway has in effect a pension system of general application which meets the requirements of section 202(t)(2)(A) in that it pays periodic benefits on account of old age, retirement, or death. On June 26, 1968, pursuant to an exchange of notes between the United States and Norway, Norway removed all restrictions on the payment of benefits to qualified U.S. citizens, effective as of June 26, 1968, thus permitting payment of benefits to qualified U.S. citizens while outside the country without regard to the duration of the absence. Therefore, the pension system of Norway meets the requirements of section 202(t)(2)(B).

Accordingly, it is hereby determined and found that Norway has in effect beginning with June 26, 1968, a pension system of general application which meets the requirements of section 202(t)(2)(A) and (B) of the Social Security Act (42 U.S.C. 402(t)(2)(A) and (B)).

This revises the finding published in the FEDERAL REGISTER of October 25, 1961 (26 F.R. 10004).

Dated: October 30, 1968.

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

Approved: November 13, 1968.

JAMES H. McCROCKLIN,
*Acting Secretary of Health,
Education, and Welfare.*

[F.R. Doc. 68-13935; Filed, Nov. 19, 1968;
8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 68-124]

EQUIPMENT, INSTALLATIONS, OR MATERIALS

Approval Notice

1. Various items of lifesaving, fire-fighting, and miscellaneous equipment, installations and materials used on vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by various laws and regulations in 46 CFR Chapter I to be of types approved by the Commandant, U.S. Coast Guard. The purpose of this document is to notify all concerned that certain approvals were granted or terminated, as described in this document during the period from February 2, 1968, to March 26, 1968 (List Nos. 5-68, 7-68, 8-68, 9-68, and 10-68). These actions were taken in accordance with the procedures set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installation, and materials, specifications have been prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications).

2. The statutory authorities for granting approvals of equipment and the delegation of authority to the Commandant, U.S. Coast Guard, are set forth with the specific specifications governing the item and are set forth in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications). The general authorities regarding approvals are set forth in sections 367, 375, 390b, 416, 481, 389, 526p, and 1333 in title 46, United States Code, and section 1333 in title 43, United States Code, and section 198 in title 50, United States Code, while the implementing regulations requiring such equipment are in 46 CFR Chapter I or 33 CFR Chapter I. The delegations of authority for the Commandant, U.S. Coast Guard, to take appropriate actions with respect to approvals are set forth in section 632 of title 14, United States Code, and the delegation in 49 CFR 1.4(a)(2).

3. In this document are listed the approvals which shall be in effect for a period of 5 years from the dates issued unless sooner canceled or suspended by proper authority.

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE) MODELS 3 AND 5

NOTE: Approved for use on all vessels and motorboats.

Approval No. 160.002/67/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Elvin Salow Co., 273-285 Congress Street., Boston, Mass. 02210, effective February 13, 1968. (It is an extension of Approval No. 160.002/67/0 dated May 13, 1963.)

Approval No. 160.002/68/0, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by Elvin Salow Co., 273-285 Congress Street., Boston, Mass. 02210, effective February 13, 1968. (It is an extension of Approval No. 160.002/68/0 dated May 13, 1963.)

LIFE PRESERVERS, FIBROUS GLASS, ADULT AND CHILD (JACKET TYPE) MODELS 52 AND 56

NOTE: Approved for use on all vessels and motorboats.

Approval No. 160.005/15/0, Model 52 adult fibrous glass life preserver, U.S.C.G. Specification Subpart 160.005, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective March 15, 1968. (It is an extension of Approval No. 160.005/15/0 dated June 14, 1963.)

Approval No. 160.005/16/0, Model 56 child fibrous glass life preserver, U.S.C.G. Specification Subpart 160.005, manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn, N.Y. 11201, effective March 15, 1968. (It is an extension of Approval No. 160.005/16/0 dated June 14, 1963.)

GAS MASKS, SELF-CONTAINED BREATHING APPARATUS, AND SUPPLIED-AIR RESPIRATORS

Approval No. 160.011/10/1, "Bullard Ammonia" gas mask, Type 42CM-3, Bureau of Mines Approval No. BM-1425, consisting of BM-1425 canister, BM-1423

facepiece, and BM-1423 canister harness, for use against ammonia vapors only, manufactured by E. D. Bullard Co., 2680 Bridgeway, Sausalito, Calif. 94965, effective February 15, 1968. (It is an extension of Approval No. 160.011/10/1 dated May 15, 1963.)

Approval No. 160.011/20/1, "Bullard Multi-Gas Universal" gas mask, Type 31-MG, Bureau of Mines Approval No. 1432, consisting of BM-1432 canister, BM-1432 timer, BM-1432 canister harness, and BM-1423 facepiece, manufactured by E. D. Bullard Co., 2680 Bridgeway, Sausalito, Calif. 94965, effective February 15, 1968. (It is an extension of Approval No. 160.011/20/1 dated May 15, 1963.)

Approval No. 160.011/21/1, "Bullard Smoke-Eater Universal" gas mask, Type 31-SE, Bureau of Mines Approval No. 1433, consisting of BM-1433 canister, BM-1432 timer, BM-1432 harness, and BM-1423 facepiece, manufactured by E. D. Bullard Co., 2680 Bridgeway, Sausalito, Calif. 94965, effective February 15, 1968. (It is an extension of Approval No. 160.011/21/1 dated May 15, 1963.)

Approval No. 160.011/22/1, Type WUG-N1W Universal Gas Mask, Bureau of Mines Approval No. 1443A, consisting of BM-1443A canister, BM-1432 harness and BM-1423 facepiece (formerly Ray-O-Vac Co.), manufactured by Willson Products Division, ESB Inc., Second and Washington Streets, Reading, Pa. 19603, effective March 22, 1968. (It supersedes Approval No. 160.011/22/1 dated Oct. 11, 1967, to show change in name and address of manufacturer and minor change in construction.)

Approval No. 160.011/23/1, type WUG-N2W Universal Gas Mask, Bureau of Mines Approval No. 1445A, consisting of BM-1445A canister, BM-1432 or BM-1444 harness and BM-1423 facepiece (formerly Bureau of Mines Approval No. BM-1445, formerly Ray-O-Vac Co.), manufactured by Willson Products Division, ESB Inc., Second and Washington Streets, Reading, Pa. 19603, effective March 22, 1968. (It supersedes Approval No. 160.011/23/1 dated Oct. 11, 1967, to show change in name and address of manufacturer and minor change in construction.)

Approval No. 160.011/26/0, Type WIG-G4 Ammonia Gas Mask, Bureau of Mines Approval No. BM-1454, consisting of BM-1454 canister, BM-1423 facepiece, and BM-1423 or BM-1423A canister harness (formerly Ray-O-Vac Co.), manufactured by Willson Products Division, ESB Inc., Second and Washington Streets, Reading, Pa. 19603, effective March 22, 1968. (It reinstates and supersedes Approval No. 160.011/26/0 dated Jan. 22, 1963, to show change in name and address of manufacturer and minor change in construction.)

WINCHES, LIFEBOAT

Approval No. 160.015/55/1, Type HM, Size 3 lifeboat winch for use with mechanical davits, fitted with wire rope not greater than 1/2-inch in diameter and with not more than 4 wraps of the falls on the drums, approved for a maximum

working load of 5,700 pounds pull at the drums (2,850 pounds per fall), identified by general arrangement dwg. No. 1505 dated September 1957, and revised January 2, 1958, manufactured by C. C. Galbraith & Son, Inc., Manchester Avenue and Maple Place, Keyport, N.J. 07735, effective March 15, 1968. (It is an extension of Approval No. 160.015/55/1 dated June 3, 1963, and change of address of manufacturer.)

Approval No. 160.015/71/0, Type PM, Size 3 lifeboat winch for use with mechanical davits, fitted with wire rope not greater than 1/2-inch in diameter and with not more than 4 wraps of the falls on the drums, approved for a maximum working load of 5,700 pounds pull at the drums (2,850 pounds per fall), identified by general arrangement dwg. No. 1503 dated January 1957, and revised September 10, 1957, manufactured by C. C. Galbraith & Son, Inc., Manchester Avenue and Maple Place, Keyport, N.J. 07735, effective March 15, 1968. (It is an extension of Approval No. 160.015/71/0 dated June 3, 1963, and change of address of manufacturer.)

SEA ANCHORS, LIFEBOAT

Approval No. 160.019/8/0, Type 1 sea anchor, U.S.C.G. dwg. No. MMI-562 and specification dated November 1, 1943, revised August 24, 1944, manufactured by A. L. Robertson, Inc., 325 South Kresson Street, Baltimore, Md. 21224, effective March 15, 1968. (It is an extension of Approval No. 160.019/8/0 dated Apr. 1, 1963.)

LINE-THROWING APPLIANCE, SHOULDER GUN TYPE (AND EQUIPMENT)

Approval No. 160.031/6/0, Bridger 45-70 Model SL, shoulder gun type line-throwing appliance, assembly drawing No. NC-2, revision 1 dated January 8, 1968, manufactured by Naval Co., Doylestown, Pa. 18901, effective February 13, 1968.

DAVITS

Approval No. 160.032/146/1, mechanical davit, straight boom sheath screw, Type 20-20F, approved for a maximum working load of 5,800 pounds per set (2,900 pounds per arm), using either 2 or 6 part falls, identified by general arrangement dwg. 5014-1D, Alteration C dated January 30, 1963 (does not include approval of optional tilting foundation), manufactured by Marine Safety Equipment Corp., foot of Paynter's Road, Farmingdale, N.J. 07727, effective February 2, 1968. (It is an extension of Approval No. 160.032/146/1 dated Feb. 4, 1963, and change of address of manufacturer.)

MECHANICAL DISENGAGING APPARATUS, LIFEBOAT

Approval No. 160.033/39/4, Rottmer Type S-1 releasing gear, approved for a maximum working load of 21,300 pounds per set (10,650 pounds per hook), identified by hoist gear assembly dwg. No. M-115-1, Rev. E dated March 15, 1968, manufactured by Marine Safety Equipment Corp., foot of Paynter's Road, Farmingdale, N.J. 07727, effective

March 15, 1968. (It supersedes Approval No. 160.033/39/3 dated May 4, 1965, to show change in construction.)

LIFEBOATS

Approval No. 160.035/8/3, 12.0' x 4.5' x 1.92' steel, oar-propelled lifeboat, 4-person capacity, identified by general arrangement dwg. No. G-1204, revised February 1, 1968, approved for Lakes, Bays, and Sounds, and Rivers (if Mechanical disengaging apparatus is fitted, it shall be of an approved type and installed in accordance with drawings approved by the Commandant), manufactured by C. C. Galbraith and Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, N.J. 07735, effective February 27, 1968. (It supersedes Approval No. 160.035/8/2 dated Sept. 27, 1963, to show change in construction.)

Approval No. 160.035/213/3, 12.0' x 4.4' x 1.9' steel, square stern, oar-propelled lifeboat, 4-person capacity, identified by general arrangement dwg. No. G-1204-S, revised January 8, 1968, approved for Lakes, Bays, and Sounds, and Rivers (if fitted, releasing gear and its installation in this particular lifeboat shall be in accordance with drawings approved by the Commandant), manufactured by C. C. Galbraith and Son, Inc., Maple Place and Manchester Avenue, Post Office Box 185, Keyport, N.J. 07735, effective February 27, 1968. (It supersedes Approval No. 160.035/213/2 dated Mar. 25, 1963, to show change in construction.)

Approval No. 160.035/387/1, 24.0' x 8.0' x 3.5' fibrous glass reinforced plastic, oar-propelled lifeboat, 40-person capacity, identified by general arrangement dwg. No. 57-2448 dated December 30, 1958 and revised March 6, 1968, manufactured by Lane Lifeboat and Davit Corp., 150 Sullivan Street, Brooklyn, N.Y. 11231, effective March 12, 1968. (It reinstates and supersedes Approval No. 160.035/387/0 terminated June 20, 1964.)

Approval No. 160.035/447/1, 28.0' x 9.0' x 3.96' aluminum, motor-propelled class 1 lifeboat, 53-person capacity, identified by general arrangement dwg. No. 28-1G, Rev. B dated November 30, 1967, manufactured by Marine Safety Equipment Corp., foot of Paynter's Road, Farmingdale, N.J. 07727, effective February 29, 1968. (It supersedes Approval No. 160.035/447/0 dated May 16, 1966, to show change in construction.)

Approval No. 160.035/455/0, 26.0' x 9.0' x 3.8' aluminum, motor-propelled lifeboat, Class 1, 48-person capacity, identified by general arrangement and construction dwg. No. 26-001-02 revised October 27, 1967, manufactured by Lane Lifeboat and Davit Corp., 150 Sullivan Street, Brooklyn, N.Y. 11231, effective March 26, 1968.

KITS, FIRST-AID

Approval No. 160.041/5/0, first-aid kit, Model G-12, assembly dwg. No. B-12596 dated September 9, 1952, manufactured by Mine Safety Appliances Co., 201 North Braddock Avenue, Pittsburgh, Pa. 15208,

effective February 16, 1968. (It is an extension of Approval No. 160.041/5/0 dated Feb. 18, 1963.)

PUMPS, BILGE, LIFEBOAT

Approval No. 160.044/5/1, size No. 3 lifeboat bilge pump, identified by general assembly dwg. No. 228, revision C dated February 25, 1958, manufactured by Allied Marine Equipment Corp., Division of Tap-Rite Products, 204 Railroad Avenue, Hackensack, N.J. 07601, effective March 15, 1968. (It is an extension of Approval No. 160.044/5/1 dated June 3, 1963.)

Approval No. 160.044/14/0, size No. 3 lifeboat bilge pump, Model BM-519CG identified by dwg. No. P.C. 6514 dated March 7, 1963, manufactured by Beckson Manufacturing, Inc., Box 3336, Bridgeport, Conn. 06605, effective March 8, 1968. (It is an extension of Approval No. 160.044/14/0 dated March 13, 1963.)

BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160-047/550/0, Type I, Model AK-1, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Parkway Manufacturing Co., Subsidiary of Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, Va. 23212, and 12th and Graham Streets, Emporia, Kans. 66801, effective February 15, 1968. (It is an extension of Approval No. 160.047/550/0 dated May 6, 1963.)

Approval No. 160.047/551/0, Type I, Model CKM-1, child medium kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Parkway Manufacturing Co., Subsidiary of Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, Va. 23212, and 12th and Graham Streets, Emporia, Kans. 66801, effective February 15, 1968. (It is an extension of Approval No. 160.047/551/0 dated May 6, 1963.)

Approval No. 160.047/552/0, Type I, Model CKS-1, child small kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Parkway Manufacturing Co., Subsidiary of Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, Va. 23212, and 12th and Graham Streets, Emporia, Kans. 66801, effective February 15, 1968. (It is an extension of Approval No. 160.047/552/0 dated May 6, 1963.)

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/122/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048-4(c) (1) (i), manufactured by Liberty Cork Co., Inc., 123 Whitehead Avenue, South River, N.J. 08882, for Max Mermelstein Distributing Co., 515 Main Street, Childs, Pa. 18407, effective March 1, 1968. (It is an extension of Approval No. 160.048/122/0 dated Mar. 25, 1963.)

Approval No. 160.048/222/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048-4(c) (1) (i), manufactured by Parkway Manufacturing Co., Subsidiary of Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, Va. 23212, and 12th and Graham Streets, Emporia, Kans. 66801, effective February 15, 1968. (It is an extension of Approval No. 160.048/222/0 dated May 6, 1963.)

Approval No. 160.050/48/0, 20-inch unicultural plastic ring life buoy, U.S.C.G. Specification Subpart 160.050, Cal-June Corp., letter dated October 22, 1967, and drawing No. R dated January 25, 1968, manufactured by Cal-June Corp., Post Office Box 9551, North Hollywood, Calif. 91606, effective February 13, 1968.

BUOYS, LIFE, RING, UNICELLULAR PLASTIC

Approval No. 160.050/49/0, 30-inch unicultural plastic ring life buoy, U.S.C.G. Specification Subpart 160.050, Cal-June Corp., letter dated October 22, 1967, and drawing No. R dated January 25, 1968, manufactured by Cal-June Corp., Post Office Box 9551, North Hollywood, Calif. 91606, effective February 13, 1968.

Approval No. 160.052/240/1, Type II, Model "A", adult unicultural plastic foam buoyant vest, dwgs. 11 and 12 dated March 3, 1961, Rev. 1 dated June 1, 1963, and Bill of Materials dated June 28, 1961, manufactured by Parkway Manufacturing Co., Subsidiary of Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, Va. 23212, and 12th and Graham Streets, Emporia, Kans. 66801, effective March 20, 1968. (It is an extension of Approval No. 160.052/240/1 dated June 18, 1963.)

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/241/1, Type II, Model "M", child medium unicultural plastic foam buoyant vest, dwgs. 11 and 13 dated March 3, 1961, Rev. 1 dated June 1, 1963, and Bill of Materials dated June 28, 1961, manufactured by Parkway Manufacturing Co., Subsidiary of Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, Va. 23212, and 12th and Graham Streets, Emporia, Kans. 66801, effective March 20, 1968. (It is an extension of Approval No. 160.052/241/1 dated June 18, 1963.)

Approval No. 160.052/242/1, Type II, Model "S", child small unicultural plastic foam buoyant vest, dwgs. 11 and 14 dated March 3, 1961, Rev. 1 dated June 1, 1963, and bill of materials dated June 28, 1961, manufactured by Parkway Manufacturing Co., Subsidiary of Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, Va. 23212, and 12th and Graham Streets, Emporia, Kans. 66801, effective March 20, 1968. (It is an extension of Approval No. 160.052/242/1 dated June 18, 1963.)

Approval No. 160.052/242/1, Type II, Model "S", child small unicultural plastic foam buoyant vest, dwgs. 11 and 14 dated March 3, 1961, Rev. 1 dated June 1, 1963, and bill of materials dated June 28, 1961, manufactured by Parkway Manufacturing Co., Subsidiary of Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, Va. 23212, and 12th and Graham Streets, Emporia, Kans. 66801, effective March 20, 1968. (It is an extension of Approval No. 160.052/242/1 dated June 18, 1963.)

Approval No. 160.052/359/0, Type II, Model No. 521-UV-15.5, adult unicultural plastic foam buoyant vest, assembly dwg. No. 68F1834 dated February 8, 1968, pattern dwg. No. 68F1833 dated February 8, 1968, and bill of materials dated January 12, 1968, manufactured by Gentex Corp., Carbondale, Pa. 18407, effective February 26, 1968.

Approval No. 160.052/360/0, Type II, Model No. 522-UV-11, child medium unicultural plastic foam buoyant vest, assembly dwg. No. 68F1834 dated February 8, 1968, pattern dwg. No. 68F1833 dated February 8, 1968, and bill of materials dated January 15, 1968, manufactured by Gentex Corp., Carbondale, Pa. 18407, effective February 26, 1968.

Approval No. 160.052/361/0, Type II, Model No. 523-UV-7, child small unicultural plastic foam buoyant vest, assembly dwg. No. 68F1834 dated February 8, 1968, pattern dwg. No. 68F1833 dated February 8, 1968, and bill of materials dated January 15, 1968, manufactured by Gentex Corp., Carbondale, Pa. 18407, effective February 26, 1968.

WORK VESTS, UNICELLULAR PLASTIC FOAM

Approval No. 160.053/14/0, unicultural plastic foam work vest, dwg. Nos. 20, 21, and 22, and bill of materials dated May 21, 1963, manufactured by Crawford Manufacturing Co., Inc., Third and Decatur Streets, Richmond, Va. 23212, and 12th and Graham Streets, Emporia, Kans. 66801, effective March 20, 1968. (It is an extension of Approval No. 160.053/14/0 dated June 12, 1963.)

FIRE PROTECTIVE SYSTEMS

Approval No. 161.002/10/0, combination manual fire alarm station and test station, for use in dry locations only, manufactured by Henschel Corp., Amesbury, Mass. 01913, effective February 13, 1968.

TELEPHONE SYSTEMS, SOUND-POWERED

Approval No. 161.005/36/3, sound-powered telephone handset, Type 333 or Type 333-1, identified by dwg. No. A-257, Alt. 5, Rev. 2 dated December 27, 1957, for use with approved sound powered telephone stations (formerly United States Instrument Corp.), manufactured by Stromberg-Carlson Corp., Post Office Box 1288, Charlottesville, Va. 22902, effective March 15, 1968. (It is an extension of Approval No. 161.005/36/3 dated June 3, 1963, and change of name of manufacturer.)

Approval No. 161.005/66/1, sound-powered telephone station, selective ringing, common talking, 19-station maximum, bulkhead mounting, splashproof, with internal hand generator bell and 115-volt a.c. or d.c. relay for additional signal, dwg. 84-01, Alt. 1, dated December 14, 1960, Model SWLR, for use in locations not exposed to the weather, manufactured by Hose-McCann Telephone Co., Inc., 524 West 23d Street, New York, N.Y. 10011, effective February 12, 1968. (It supersedes Approval No. 161.005/66/0 dated Jan. 19, 1967.)

Approval No. 161.005/67/1, sound-powered telephone station, selective ringing, common talking, 19-station maximum, bulkhead mounting, splashproof,

with separately mounted hand generator bell and 115-volt a.c. or d.c. relay for additional signal, dwg. 85-01, Alt. 1, dated December 14, 1960, Model SELR, for use in locations not exposed to the weather, manufactured by Hose-McCann Telephone Co., Inc., 524 West 23d Street, New York, N.Y. 10011, effective February 12, 1968. (It supersedes Approval No. 161.005/67/0 dated Jan. 19, 1967.)

SAFETY VALVES (POWER BOILERS)

Approval No. 162.001/229/0, style HC-MS-35 carbon steel body pop safety valve, nozzle type, exposed spring fitted with spring cover, 775 p.s.i. primary service pressure rating, 675° F. maximum temperature, dwg. No. HV-43-MS, revised April 18, 1963, approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/229/0 dated May 7, 1963.)

Approval No. 162.001/230/0, style HC-MS-36 carbon steel body pop safety valve, nozzle type, exposed spring, fitted with spring cover, 775 p.s.i. primary service pressure rating, 750° F. maximum temperature, dwg. No. HV-43-MS, revised April 18, 1963, approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/230/0 dated May 7, 1963.)

Approval No. 162.001/231/0, style HC-MS-55 carbon steel body pop safety valve, nozzle type, exposed spring fitted with spring cover, 1,200 p.s.i. primary service pressure rating, 675° F. maximum temperature, dwg. No. HV-44-MS, revised April 13, 1963, approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/231/0 dated May 7, 1963.)

Approval No. 162.001/232/0, style HC-MS-56 carbon steel body pop safety valve, nozzle type, exposed spring fitted with spring cover, 1,200 p.s.i. primary service pressure rating, 750° F. maximum temperature, dwg. No. HV-44-MS, revised April 13, 1963, approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/232/0 dated May 7, 1963.)

Approval No. 162.001/233/0, style HC-MS-65 carbon steel body pop safety valve, nozzle type, exposed spring fitted with spring cover, 1,500 p.s.i. primary service pressure rating, 675° F. maximum temperature with standard inlet flange; 1,480 p.s.i. primary service pressure rating, 675° F. maximum temperature with optional inlet flange; dwg. No. HV-45-MS revised April 18, 1963; approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/233/0 dated May 7, 1963.)

Approval No. 162.001/234/0, style HC-MS-66 carbon steel body pop safety valve, nozzle type, exposed spring fitted with spring cover; 1,500 p.s.i. primary service pressure rating, 750° F. maximum temperature with standard inlet flange; 1,275 p.s.i. primary service pressure rating, 750° F. maximum temperature with optional inlet flange; dwg. No. HV-45-MS revised April 18, 1963; approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/234/0 dated May 7, 1963.)

Approval No. 162.001/235/0, style HCA-MS-37 alloy steel body pop safety valve, nozzle type, exposed spring fitted with spring cover; 700 p.s.i. primary service pressure rating, 900° F. maximum temperature with standard inlet flange; 775 p.s.i. primary service pressure rating, 900° F. maximum temperature with optional inlet flange; dwg. No. HV-46-MS revised April 11, 1963; approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/235/0 dated May 7, 1963.)

Approval No. 162.001/236/0, style HCA-MS-38 alloy steel body pop safety valve, nozzle type, exposed spring fitted with spring cover; 400 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with standard inlet flange; 595 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with optional inlet flange, dwg. No. HV-46-MS revised April 11, 1963, approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/236/0 dated May 7, 1963.)

Approval No. 162.001/237/0, style HCA-MS-57 alloy steel body pop safety valve, nozzle type, exposed spring fitted with spring cover; 1,200 p.s.i. primary service pressure rating, 900° F. maximum temperature with standard inlet flange; 1,050 p.s.i. primary service pressure rating, 900° F. maximum temperature with optional inlet flange; dwg. No. HV-47-MS revised April 13, 1963; approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/237/0 dated May 7, 1963.)

Approval No. 162.001/238/0, style HCA-MS-58 alloy steel body pop safety valve, nozzle type, exposed spring fitted with spring cover; 995 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with standard inlet flange; 595 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with optional inlet flange; dwg. No. HV-47-MS revised April 13, 1963; approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/238/0 dated May 7, 1963.)

Approval No. 162.001/239/0, style HCA-MS-67 alloy steel body pop safety valve, nozzle type, exposed spring fitted with spring cover; 1,500 p.s.i. primary service pressure rating, 900° F. maximum temperature with standard inlet flange; 1,050 p.s.i. primary service pressure rating, 900° F. maximum temperature with optional inlet flange; dwg. No. HV-48-MS revised April 19, 1963; approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/239/0 dated May 7, 1963.)

Approval No. 162.001/240/0, style HCA-MS-68 alloy steel body pop safety valve, nozzle type, exposed spring fitted with spring cover; 995 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with standard inlet flange; 595 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with optional inlet flange; dwg. No. HV-48-MS revised April 19, 1963, approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/240/0 dated May 7, 1963.)

Approval No. 162.001/248/0, style HS-MS-15 carbon steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover; 300 p.s.i. primary service pressure rating, 650° F. maximum temperature with standard inlet flange; 120 p.s.i. primary service pressure rating, 650° F. maximum temperature with optional inlet flange; dwg. No. HV-39-MS revised April 16, 1963; approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/248/0 dated May 11, 1963.)

Approval No. 162.001/249/0, style HS-MS-16 carbon steel pop safety valve, flanged nozzle type, exposed spring fitted with spring cover; 300 p.s.i. primary service pressure rating, 750° F. maximum temperature with standard inlet flange; 100 p.s.i. primary service pressure rating, 750° F. maximum temperature with optional inlet flange; dwg. No. HV-39-MS revised April 16, 1963; approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/249/0 dated May 11, 1963.)

Approval No. 162.001/250/0, style HSA-MS-17 alloy steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover; 300 p.s.i. primary service pressure rating, 900° F. maximum temperature with standard inlet flange; 70 p.s.i. primary service pressure rating, 900° F. maximum temperature with optional inlet flange; dwg. No. HV-40-MS revised April 16, 1963, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Ap-

proval No. 162.001/250/0 dated May 11, 1963.)

Approval No. 162.001/251/0, style HS-MS-45 carbon steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover, 900 p.s.i. primary service pressure rating, 650° F. maximum temperature, dwg. No. HV-41-MS revised April 16, 1963, approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/251/0 dated May 11, 1963.)

Approval No. 162.001/252/0, style HS-MS-46 carbon steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover; 900 p.s.i. primary service pressure rating, 750° F. maximum temperature with standard inlet flange; 850 p.s.i. primary service pressure rating, 750° F. maximum temperature with optional inlet flange; dwg. No. HV-41-MS revised April 16, 1963; approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/252/0 dated May 11, 1963.)

Approval No. 162.001/253/0, style HSA-MS-47 alloy steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover; 900 p.s.i. primary service pressure rating, 900° F. maximum temperature with standard inlet flange; 700 p.s.i. primary service pressure rating, 900° F. maximum temperature with optional inlet flange; dwg. No. HV-42-MS revised April 18, 1963; approved for sizes 1½", 2", 2½", 3", and 4", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/253/0 dated May 11, 1963.)

Approval No. 162.001/254/0, style HSA-MS-48 alloy steel body pop safety valve, flanged nozzle type, exposed spring fitted with spring cover; 900 p.s.i. primary service pressure rating, 1,020° F. maximum temperature with standard inlet flange, approved for sizes 1½", 2", and 2½"; 700 p.s.i. primary service pressure rating, 1,020° F. maximum temperature with standard inlet flange, approved for sizes 3", and 4"; 465 p.s.i. primary service pressure rating, 1,020° F. maximum temperature with optional inlet flange, approved for sizes 1½", 2", 2½", 3", and 4"; dwg. No. HV-42-MS revised April 18, 1963; manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/254/0 dated May 11, 1963.)

Approval No. 162.001/255/0, style HCB-MS-57 drum pilot actuated safety valve, nozzle type, alloy steel body, exposed spring fitted with spring cover; 200 p.s.i. primary service pressure rating, 900° F. maximum temperature with standard inlet flange; 1,050 p.s.i. primary service pressure rating, 900° F. maximum temperature with optional inlet flange; dwg. No. HV-49-MS revised April 13, 1963; approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve

and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/255/0 dated May 23, 1963.)

Approval No. 162.001/256/0, style HCB-MS-58 drum pilot actuated safety valve, nozzle type, alloy steel body, exposed spring fitted with spring cover; 995 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with standard inlet flange; 595 p.s.i. primary service pressure rating, 1,050° F. maximum temperature with optional inlet flange; dwg. No. HV-49-MS revised April 13, 1963; approved for sizes 1½", 2", 2½", and 3", manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 27, 1968. (It is an extension of Approval No. 162.001/256/0 dated May 23, 1963.)

Approval No. 162.001/283/0, style HNP-MS-75 carbon steel body drum safety valve, nozzle type, exposed spring fitted with spring cover, 2,500 p.s.i. primary service pressure rating, 650° F. maximum temperature, dwg. No. D-50917 issued August 4, 1967, revised January 17, 1968, approved for size 2", orifice G (same as Approval No. 162.001/259/1 with 2500# Flanges; fitted for discharge of pilot actuated steam), manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 23, 1968.

Approval No. 162.001/284/0, style HNP-MS-76 carbon steel body drum safety valve, nozzle type, exposed spring fitted with spring cover, 2,500 p.s.i. primary service pressure rating, 750° F. maximum temperature, dwg. No. D-50917 issued August 4, 1967, revised January 17, 1968, approved for size 2", orifice G (same as Approval No. 162.001/260/1 with 2500# Flanges; fitted for discharge of pilot actuated steam), manufactured by Crosby Valve and Gage Co., Wrentham, Mass. 02093, effective February 23, 1968.

BOILERS (HEATING)

Approval No. 162.003/144/0, Model BC-118, vertical firetube steam or hot water heating boiler, 118,000 B.t.u. per hour, dwg. No. Q-322, Alt. A dated February 16, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Aldrich Co., Wyoming, Ill. 61491, effective March 6, 1968. (It is an extension of Approval No. 162.003/144/0 dated May 19, 1963.)

Approval No. 162.003/145/0, Model BC-160, vertical firetube steam or hot water heating boiler, 160,000 B.t.u. per hour, dwg. No. Q-322, Alt. A dated February 16, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Aldrich Co., Wyoming, Ill. 61491, effective March 6, 1968. (It is an extension of Approval No. 162.003/145/0 dated May 19, 1963.)

Approval No. 162.003/146/0, Model BC-225, vertical firetube steam or hot water heating boiler, 225,000 B.t.u. per hour, dwg. No. Q-322, Alt. A dated February 16, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Aldrich Co., Wyoming, Ill. 61491, effective March 6, 1968. (It is an extension of Approval No. 162.003/146/0 dated May 19, 1963.)

Approval No. 162.003/147/0, Model BC-315, vertical fire-tube steam or hot water heating boiler, 315,000 B.t.u. per hour, dwg. No. Q-322, Alt. A dated February 16, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Aldrich Co., Wyoming, Ill. 61491, effective March 6, 1968. (It is an extension of Approval No. 162.003/147/0 dated May 19, 1963.)

Approval No. 162.003/148/0, Model BC-514, vertical fire-tube steam or hot water heating boiler, 514,000 B.t.u. per hour, dwg. No. Q-322, Alt. A dated February 16, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Aldrich Co., Wyoming, Ill. 61491, effective March 6, 1968. (It is an extension of Approval No. 162.003/148/0 dated May 19, 1963.)

Approval No. 162.003/149/0, Model BC-808, vertical fire-tube steam or hot water heating boiler, 808,000 B.t.u. per hour, dwg. No. Q-322, Alt. A dated February 16, 1953, maximum design pressure 30 p.s.i., approval limited to bare boiler, manufactured by Aldrich Co., Wyoming, Ill. 61491, effective March 6, 1968. (It is an extension of Approval No. 162.003/149/0 dated May 19, 1963.)

SAFETY VALVES (STEAM HEATING BOILERS)

Approval No. 162.012/23/0, series #12-200 pop safety valve, ASTM B62 brass body, for steam heating boilers and unfired steam generators, dwg. No. 12-200, dated September 10, 1963, approved for a maximum pressure of 15 p.s.i. in the following sizes:

Size (inches)	Capacity (pounds/hour) at 15 p.s.i.
2	2,500
2½	3,529
3	4,331

manufactured by Consolidated Brass Co., Post Office Box 247, Mathews, N.C. 28105, effective February 15, 1968.

SAFETY RELIEF VALVES, LIQUEFIED COMPRESSED GAS

Approval No. 162.018/42/0, Type 1905-30, safety relief valve for liquefied compressed gas service (noncorrosive), full nozzle type metal-to-metal seat, bellows type, 150 p.s.i. primary service pressure rating, dwg. No. 401401, dated October 1, 1956, approved for inlet diameters of 1½ inches through 6 inches, for a maximum set pressure of 250 p.s.i.g. (formerly Manning, Maxwell and Moore, Inc.), manufactured by Dresser Industrial Valve and Instrument Division, Post Office Box 1430, Alexandria, La. 71301, effective February 27, 1968. (It is an extension of Approval No. 162.018/42/0 dated May 1, 1963, and change of name of manufacturer.)

Approval No. 162.018/43/0, Type 1906-30, safety relief valve for liquefied compressed gas service (noncorrosive), full nozzle type metal-to-metal seat, bellows type, 300 p.s.i. primary service pressure rating, dwg. No. 401401, dated October 1, 1956, approved for inlet diameters of 1½ inches through 6 inches, for a maximum set pressure of 250 p.s.i.g. (formerly Manning, Maxwell and Moore,

Inc.), manufactured by Dresser Industrial Valve and Instrument Division, Post Office Box 1430, Alexandria, La. 71301, effective February 27, 1968. (It is an extension of Approval No. 162.018/43/0 dated May 1, 1963, and change of name of manufacturer.)

Approval No. 162.018/44/0, Type 1910-30, safety relief valve for liquefied compressed gas service (noncorrosive), full nozzle type metal-to-metal seat, bellows type, 300 p.s.i. primary service pressure rating, dwg. No. 401401, dated October 1, 1956, approved for inlet diameters of 1½ inches through 6 inches, for a maximum set pressure of 250 p.s.i.g. (formerly Manning, Maxwell, and Moore, Inc.), manufactured by Dresser Industrial Valve and Instrument Division, Post Office Box 1430, Alexandria, La. 71301, effective February 27, 1968. (It is an extension of Approval No. 162.018/44/0 dated May 1, 1963, and change of name of manufacturer.)

Approval No. 162.018/45/0, Type 1912-30, safety relief valve for liquefied compressed gas service (noncorrosive), full nozzle type metal-to-metal seat, bellows type, 600 p.s.i. primary service pressure rating, dwg. No. 401401, dated October 1, 1956, approved for inlet diameters of 1½ inches through 6 inches, for a maximum set pressure of 250 p.s.i.g. (formerly Manning, Maxwell, and Moore, Inc.), manufactured by Dresser Industrial Valve and Instrument Division, Post Office Box 1430, Alexandria, La. 71301, effective February 27, 1968. (It is an extension of Approval No. 162.018/45/0 dated May 1, 1963, and change of name of manufacturer.)

FIRE EXTINGUISHING SYSTEMS, FOAM TYPE

Approval No. 162.033/2/1, "National Aer-O-Foam Marine Foam Fire Extinguishing Systems", with Aer-O-Foam Liquid 3 percent regular, Instruction Sheet 626 revised December 18, 1962, manufactured by National Foam System, Inc., Union and Adam Streets, West Chester, Pa. 19380, effective March 26, 1968. (It reinstates and supersedes Approval No. 162.033/2/1 dated Jan. 18, 1963.)

FIRE EXTINGUISHING SYSTEMS, WATER SPRAY TYPE

Approval No. 162.036/1/0, "Akron Fogged Systems," water spray type fire extinguishing systems, for tank vessel pump rooms, Fogged Models 1" BM-54, and 1" DM-24, ½" BM-15, ½" 5DM-34, and ½" DM-15, typical system dwg. No. D-6636, Rev. C dated March 6, 1962 (formerly Akron Brass Manufacturing Co., Inc.), manufactured by Akron Brass Co., Post Office Box 86, Wooster, Ohio 44691, effective March 20, 1968. (It is an extension of Approval No. 162.036/1/0 dated Mar. 20, 1963, and change of name and address of manufacturer.)

Approval No. 162.036/2/0, "Bete Water Spray System", for tank vessel pump rooms, nozzle Model Nos. N3S, N3WS,

N5S, and N5WS, layout dwg. Nos. 4S-453-B, 4S-454-B, 4S-455-B, and 4S-456-B, all revised May 5, 1958, manufactured by Bete Fog Nozzle, Inc., 309 Wells Street, Greenfield, Mass. 01301, effective March 20, 1968. (It is an extension of Approval No. 162.036/2/0 dated Mar. 20, 1963.)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/49/0, "Thermasil", asbestos-hydrous calcium silicate type pipe and block insulation, identical to that described in Ehret Magnesia Manufacturing Co.'s letter of October 18, 1957, to the Commandant, U.S. Coast Guard (plant: Valley Forge, Pa.), manufactured by Baldwin-Ehret-Hill, Inc., 500 Breunig Avenue, Trenton, N.J. 08602, effective March 26, 1968. (It is an extension of Approval No. 164.009/49/0 dated June 3, 1963.)

Approval No. 164.009/51/0, "Glasweld" cement-asbestos board type incombustible material, as described in National Bureau of Standards Report No. TG10210-2023:FP3450 dated May 20, 1958 (formerly known as "Glasal"), manufactured by United States Plywood Corp., 55 West 44th Street, New York, N.Y. 10019, effective February 15, 1968. (It is an extension of Approval No. 164.009/51/0 dated May 13, 1963.)

Approval No. 164.009/75/0, "PPG Textrafine" fibrous glass insulation type incombustible material, identical to that described in National Bureau of Standards Test Report No. TG10210-2096:FR3620 dated December 10, 1962, approved in a density of ½-pound per cubic foot, manufactured by Pittsburgh Plate Glass Co., 1 Gateway Center, Pittsburgh, Pa. 15230, effective February 15, 1968. (It is an extension of Approval No. 164.009/75/0 dated May 20, 1963.)

Approval No. 164.009/113/0, "Luwal No. 60-OC" acrylic finished fibrous glass cloth-faced fibrous glass insulation board incombustible type material, identical to that described in National Bureau of Standards Test Report No. TG10210-2164:FR3701 dated February 15, 1968, and Avallone letter dated January 15, 1968, approved in a density of 4.3 pounds per cubic foot in a 1-inch thickness, manufactured by Avallone Corp., Grove and Rutgers Avenue, Cedar Grove, N.J. 07009, effective February 21, 1968.

Approval No. 164.009/114/0, "Owens-Corning Fiberglas Incombustible Marine Board (unfaced)", fibrous glass type incombustible material, identical to that described in Owens-Corning letter dated February 14, 1968, approved for 1" through 2" thickness in a density of 3.25 pounds per cubic foot, manufactured by Owens-Corning Fiberglas Corp., Toledo, Ohio 43601, effective February 19, 1968.

Dated: November 14, 1968.

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

[F.R. Doc. 68-13954; Filed, Nov. 19, 1968; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 17605, etc.; FCC 68-1097]

VIRGINIA BROADCASTERS ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Kenneth S. Brady and Gilbert L. Granger doing business as Virginia Broadcasters, Williamsburg, Va., Requests: 1110 kc, 250 w, Day, Docket No. 17605, File No. BP-16829; Rosa Mae Springer trading as Suffolk Broadcasters, Suffolk, Va., Requests: 1110 kc, 250 w, Day, Docket No. 17606, File No. BP-17274; James River Broadcasting Corp., Norfolk, Va., Requests: 1110 kc, 50 kw, DA-Day, Docket No. 18375, File No. BP-17268; for construction permits.

1. The Commission has before it for consideration (a) the above-captioned applications of Virginia Broadcasters and Suffolk Broadcasters, both of which have been designated for hearing, memorandum opinion and order, 9 FCC 2d 205, released July 31, 1967; (b) the above-captioned resubmitted application and amendments of James River Broadcasting Corp.; (c) a "Petition to Reject [the James River] Application", as supplemented, filed August 16, 1966, by KFAB Broadcasting Co., licensee of Station KFAB, Omaha, Nebr.; and (d) pleadings in opposition and reply.¹

2. In its petition, filed on August 16, 1966, KFAB presents engineering data purporting to show that the James River proposal fails to protect the KFAB 0.1 mv/m normally protected ground wave contour during critical hours, in contravention of § 73.187 of the Commission's rules. Commission studies, based on James River's original proposal filed on May 27, 1966, confirm KFAB's position.² However, on August 19, 1966, the applicant amended its proposal to reduce radiation and remove the MEOV's over part of the area toward Station KFAB. Although KFAB contends that this did not eliminate the interference, Commission studies indicate that the new James River proposal fully protects the KFAB

¹ The KFAB petition was dismissed as moot with the Commission's action in the memorandum opinion and order referred to above, in which, in addition to designating the other two applications for hearing, we denied James River's request for nunc pro tunc acceptance of its application. However, both the application and the related pleadings are once again before us, by virtue of the subsequent action of the U.S. Court of Appeals, James River Broadcasting Corporation v. Federal Communications Commission, ----- U.S. App. D.C., 13 RR 2d 2088, decided July 5, 1968, reversing and remanding the aforesaid Commission action.

² It was on this basis that the Commission, on its own motion, rejected the application as patently not in accordance with the rules.

0.1 mv/m contour and is not now in violation of our technical requirements. Consequently, the KFAB petition to reject the application will be denied.

3. James River states that in formulating its programming plans its principals visited the area to be served and talked with 12 persons concerning the proposed programming and the needs and interests of the community. The applicant documents these interviews with a list of the names, the organization of which each is a member, and a one or two line comment in each case under the heading "Suggestions". In addition to the foregoing personal interviews, James River sent written inquiries to 26 persons connected with local organizations, from which it received 15 replies. The applicant also furnishes a list of these 15 respondents and their organizations, together with a compilation of one line comments made by six of them. The suggestions and comments are, for the most part, simply indications of interest in either publicity or a program involving the particular organization or field represented by the person quoted, with few if any concrete suggestions for specific programs or program format. James River concludes that a need exists for a popular music and news station as well as continuing public service programming to enable its community to publicize current drives, special events, etc., and adds a list of "representative programs to fill the needs of the community". However, the reports of the interviews are too sketchy or too generalized to be used as a basis for a proper evaluation. Thus, we are unable to determine whether this applicant is aware of and responsive to the needs of Norfolk. Accordingly, a Suburban programming issue will be included.

4. Examination of the applicant's financial plan indicates that James River will require \$207,878 to construct and operate its proposed station for 1 year without revenues. That total consists of: Down payment on equipment, \$34,000; first-year installment payments on equipment, \$36,828; building, \$25,000; miscellaneous expense, \$25,000; interest on loan from principal stockholder, \$12,000; first-year working capital, \$75,000. In order to meet this total applicant has available \$10,000 in new capital and a \$200,000 loan from its principal stockholder.² However, since no provision has been made for a transmitter site, a financial issue will be required.

5. Except as indicated by the issues specified below, James River is qualified to construct and operate as proposed. However, since its proposal is mutually exclusive with the Virginia and Suffolk Broadcasters applications previously designated for hearing, it must also be designated for hearing in a consolidated proceeding on the issues specified below.

6. Accordingly, it is ordered, That, pursuant to section 309(e) of the Communi-

² James River also alludes to a letter of credit from the Economy Finance Corp., but apparently no such letter was filed with the application.

cations Act of 1934, as amended, the above-captioned application of James River Broadcasting Corp. is designated for hearing in a consolidated proceeding with the applications of Virginia Broadcasters and Suffolk Broadcasters already designated for hearing in Dockets 17605 and 17606, at a time and place to be specified in a subsequent order, upon the following issues which are to supersede those specified in the aforementioned Dockets 17605 and 17606:

(1) To determine the areas and populations which would receive primary service from each of the proposed operations and the availability of other primary service to such areas and populations.

(2) To determine with respect to the application of Virginia Broadcasters, Inc.:

(a) Whether the \$18,000 loan commitment to the Grangers is still available.

(b) Whether, assuming the funds noted in (a) above, are available, the applicant has sufficient additional funds available to construct and operate its proposed station for 1 year.

(c) Whether, in light of the evidence above, the applicant is financially qualified.

(3) To determine the efforts made by James River Broadcasting Corp. to ascertain the community needs and interests of the area to be served and the means by which it proposes to meet those needs and interests.

(4) To determine with respect to the application of James River Broadcasting Corp.:

(a) The cost of acquiring an antenna-transmitter site.

(b) Whether, in light of the evidence adduced pursuant to (a) above, the applicant is financially qualified.

(5) To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the proposals would better provide a fair, efficient, and equitable distribution of radio service.

(6) To determine, in the event it is concluded that a choice between the applications should not be based solely on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest.

(7) To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if any, of the applications should be granted.

7. *It is further ordered*, That the above petition to reject filed by KFAB Broadcasting Co. is denied.

8. *It is further ordered*, That the application of James River Broadcasting Corp. is accepted for filing nunc pro tunc May 27, 1966, and that the provisions of § 1.571(c) of the Commission's rules (the so-called "cut-off rule") are hereby waived.

9. *It is further ordered*, That, in the event of a grant of the James River application the construction permit shall contain the following conditions:

Any presunrise operation must conform with §§ 73.87 and 73.99 of the rules, as amended June 23, 1967 (32 F.R. 10437), supplementary proceedings (if

any) involving docket No. 14419, and/or the final resolution of matters at issue in docket No. 17562.

The inverse distance field strength at 1 mile shall not exceed essentially 477.9 millivolts per meter as proposed toward the service area of station KFAB at a bearing of 291.5° true.

10. *It is further ordered*, That, to avail itself of the opportunity to be heard, James River Broadcasting Corp., pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

11. *It is further ordered*, That James River Broadcasting Corp., pursuant to section 311(2)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: November 6, 1968.

Released: November 15, 1968.

FEDERAL COMMUNICATIONS
COMMISSION,¹

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 68-13956; Filed, Nov. 19, 1968;
8:49 a.m.]

FEDERAL MARITIME COMMISSION

PORT OF SEATTLE AND AMERICAN MAIL LINE, LTD.

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, 1913, 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, 1405 I Street NW., Room 1202, 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:

¹ Commissioner H. Rex Lee not participating.

Mr. T. P. McCutchan, Manager, Property Management Department, Port of Seattle, Post Office Box 1209, Seattle, Wash. 98111.

Agreement No. T-2050-1 between the Port of Seattle and the American Mail Line modifies the basic agreement which provides for the lease of portions of Pier 28 and Pier 29 and certain adjoining lands and buildings. The purpose of the modification is to increase the area leased for office space and make other minor changes as set forth in the amendment.

By order of the Federal Maritime Commission.

Dated: November 15, 1968.

THOMAS LISI,
Secretary.

[F.R. Doc. 68-13955; Filed, Nov. 19, 1968; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3718, etc.]

GETTY OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

NOVEMBER 12, 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 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 December 5, 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

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

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.

KENNETH F. PLUMB,
Acting Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-3718-10-28-68 ¹	Getty Oil Co., Post Office Box 1404, Houston, Tex. 77001.	Natural Gas Pipeline Co. of America, Old Ocean Field (Larsen Reservoir), Brazoria and Matagorda Counties, Tex.	14.0	14.65
G-3973-D 10-28-68	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001 (partial abandonment).	Texas Eastern Transmission Corp., South Cottonwood Creek Field, DeWitt County, Tex.	Depleted	-----
G-10769-10-28-68 ²	Highland Resources, Inc. (formerly Highland Oil Co.), c/o J. L. Bianchi, attorney, 1201 San Jacinto Bldg., Houston, Tex. 77002.	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Government Wells Field, Duval County, Tex.	15.0	14.65
G-11035-E 10-21-68	Prudential Drilling Co., (successor to Clegg & Hunt et al.) Bank of the Southwest Bldg., Houston, Tex. 77002.	Texas Gas Pipe Line Corp., Gilbert Woods and Marrs McLean Fields, Jefferson County, Tex.	15.0	14.65
G-11255-10-30-68 ²	Highland Resources, Inc. (formerly Highland Oil Co.).	Tennessee Gas Pipeline Co., a division of Tenneco, Inc., Government Wells Field, Duval County, Tex.	15.0	14.65
G-11890-D 10-29-68	Mobil Oil Corp. (partial abandonment).	Cities Service Gas Co., North Rhodes Field, Barber County, Kans.	Depleted	-----
G-18371-C 10-25-68	Artec Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex. 75202.	El Paso Natural Gas Co., Basin Dakota Pool, San Juan County, N. Mex.	13.0	15.025
CI60-175-C 10-28-68	Pubco Petroleum Corp. (Operator), et al., Post Office Box 889, Albuquerque, N. Mex. 87103.	do	13.0	15.025
CI61-1653-A 5-16-61 C 2-23-65	Continental Oil Co. (Operator), Post Office Box 2197, Houston, Tex. 77001.	El Paso Natural Gas Co., Todd Ranch Area, Crockett County, Tex.	16.0	14.65
CI62-440-E 10-28-68	Dyna Ray Oil & Gas Co., Inc. (successor to Irving Pasternak), 4101 East Louisiana Ave., Denver, Colo. 80222.	El Paso Natural Gas Co., South Blanco Pictured Cliffs Field, Rio Arriba County, N. Mex.	12.0	15.025
CI62-1226-E 10-28-68 ³	Brammer Engineering, Inc., agent (Operator) et al. (successor to John Franks (Operator) et al.), 1009 Petroleum Tower, Shreveport, La. 71101.	Texas Eastern Transmission Corp., North Liberty Hill Field, Bienville Parish, La.	16.39996 14.64996	15.025 15.025
CI63-1109-E 10-28-68 ³	do	Texas Gas Transmission Corp., Terryville-Ruston Area, Lincoln Parish, La.	18.75	15.025
CI63-1343-E 10-28-68	Dyna Ray Oil & Gas Co., Inc. (successor to Irving Pasternak), 4101 East Louisiana Ave., Denver, Colo. 80222.	El Paso Natural Gas Co., South Blanco Pictured Cliffs Field, Rio Arriba County, N. Mex.	12.0	15.025
CI65-875-C 10-28-68	CWM and VLM Trust, 2300 First National Bank Bldg., Dallas, Tex. 75202.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025
CI66-1285-E 10-22-68	W. C. Perryman, d.b.a. Perryman Operating Co. (successor to Coulston Drilling Co. (Operator) et al.), c/o Will A. Knight, attorney, Post Office Box 359, Tyler, Tex. 75701.	Arkansas Louisiana Gas Co., Excelsior Field, Marion County, Tex.	13.2	14.65
CI66-1331-C 10-21-68	William E. Snee et al., c/o Robert E. Eberly, manager, Downtown Station, Post Office Box 2023, Uniontown, Pa. 15401.	Arkansas Louisiana Gas Co., Acreage in Le Flore and Latimer Counties, Okla.	10.015	14.65
CI67-224-C 10-23-68	Midwest Oil Corp., 1700 Broadway, Denver, Colo. 80202.	Panhandle Eastern Pipe Line Co., South Peek Field, Ellis County, Okla.	18.0	14.65
CI67-1034-10-21-68 as suppl. 10-28-68 ³	Brammer Engineering, Inc., agent (Operator) et al., (successor to John Franks (Operator) et al.).	Arkansas Louisiana Gas Co., Northwest Colquitt Field, Claiborne Parish, La.	13.9033	15.025
CI69-301-A 9-20-68	Amerada Petroleum Corp., Post Office Box 2040, Tulsa, Okla. 74102.	Northern Natural Gas Co., Seminole Field, Gaines County, Tex.	14.5	14.65
CI69-400-A 10-14-68	H. F. Sears, Box 94238, Capitol Hill Station, Oklahoma City, Okla. 73109.	Phillips Petroleum Co., West Panhandle Field, Hutchinson County, Tex.	14.0	14.65
CI69-401-A 10-18-68	Empire-Pacific Oil, Ltd., c/o Ernest S. Baker, attorney, 735 Petroleum Club Bldg., Denver, Colo. 80202.	El Paso Natural Gas Co., Cinder Buttes Field, La Plata County, Colo.	13.0	15.025

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 of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pres-sure base
C169-402 (G-11072) F 10-18-68	Sidwell Oil and Gas, Inc. (Operator), et al., (successor to Sun Oil Co.), Post Office Box 2475, Pampa, Tex. 79065.	Panhandle Eastern Pipe Line Co., Hansford Morrow Lower Field, Hansford County, Tex.	12 18.0	14.65
C169-403 A 10-22-68	Atlantic Richfield Co., Post Office Box 2319, Dallas, Tex. 75221.	Kansas-Nebraska Natural Gas Co., Inc., Red Lion Field, Sedgewick County, Colo.	14.0	14.65
C169-404 A 10-22-68	Omega Gas Co., Post Office Box 1641, Abilene, Tex. 79604.	Montana-Dakota Utilities Co., Bronson Field Area, Richland County, Mont.	16.384	15.025
C169-405 A 10-23-68	Ashland Oil & Refining Co., Post Office Box 18685, Oklahoma City, Okla. 73118.	Panhandle Eastern Pipe Line Co., Cedarvale Field, Woodward County, Okla.	17.0	14.65
C169-407 B 10-23-68	Mobil Oil Corp.	Mountain Fuel Supply Co., State Line Unit Area, Sweetwater County, Wyo.	(4)	Depleted
C169-408 B 10-23-68	Coastal States Gas Producing et al., Post Office Drawer 521, Corpus Christi, Tex. 78403.	Texas Eastern Transmission Corp., Borchers Field, Victoria County, Tex.	Depleted	Depleted
C169-409 B 10-24-68	Frankel Oil & Gas Co. (Operator) et al., c/o H. H. Hill-ner, Jr., 1123 Whitney Bldg., New Orleans, La. 70130.	Valley Gas Transmission, Inc., Grum Cove Field, Cameron Parish, La.	Depleted	Depleted
C169-410 A 10-23-68	Tesoro Petroleum Corp., 633 Busby Drive, San Antonio, Tex. 78209.	Mountain Fuel Supply Co., Big Gulch Field, Moffat County, Colo.	15.0	15.025
C169-411 A 10-24-68	E. Lytle Johnson, 626 North Broadway, Moore, Okla. 73060.	Kansas-Nebraska Natural Gas Co., Inc., Red Line and Marks Butte Fields, Sedgewick County, Colo.	14.0	14.65
C169-412 A 10-24-68	Petroleum, Inc. (Operator), 300 West 29th, Wichita, Kans. 67202.	Michigan Wisconsin Pipe Line Co., acreage in Dewey County, Okla.	19.5	14.65
C169-413 A 10-24-68	George Mitchell & Associates, Inc., 214 First, Houston 77002, Bldg., Houston, Tex. 77002.	Texas Eastern Transmission Corp., Chapra Area Field, Live Oak County, Tex.	16.0	14.65
C169-414 A 10-23-68	Exchange Oil & Gas Co., et al., 1200 Oil and Gas Bldg., New Orleans, La. 70112.	Southern Natural Gas Co., Block 19 Field, Breton Sound Area, Plaquemines Parish, La.	20.0	15.025
C169-415 B 10-23-68	Slocum Gas Co.	United Gas Pipe Line Co., Grapevine Field (Woodbine), Houston County, Tex.	Uneconomical	Depleted
C169-416 B 10-25-68	Sunray DX Oil Co., Post Office Box 2039, Tulsa, Okla. 74102.	Northern Natural Gas Co., Harper Ranch Field, Clark County, Kans.	Depleted	Depleted
C169-417 B 10-25-68	George R. Brown (Operator) et al.	Lone Star Gathering Co., Belliz Field, DeWitt County, Tex.	(5)	(5)
C169-418 B 10-25-68	Highland Oil Co.	Lone Star Gathering Co., North Koenig Field, DeWitt County, Tex.	(5)	(5)
C169-419 A 10-23-68	Continental Oil Co.	Michigan Wisconsin Pipe Line Co., Block 206, Ship Shoal Area, Offshore Louisiana.	21.25	15.025
C169-420 A 10-23-68	do.	Michigan Wisconsin Pipe Line Co., Block 208, Eugene Island Area, Offshore Louisiana.	21.25	15.025
C169-421 A 10-23-68	Getty Oil Co.	Natural Gas Pipeline Co. of America, Old Ocean Field (Campbell Reservoir), Brazoria and Matagorda Counties, Tex.	17.0	14.65
C169-422 A 10-28-68	An-Son Corp., 3814 North Santa Fe, Oklahoma City, Okla. 73118.	Natural Gas Pipeline Co. of America, Mocane-Laverne Area, Beaver County, Okla.	17.0	14.65
C169-423 A 10-28-68	Southwest Oil Industries, Inc., 801 First National Bldg., Oklahoma City, Okla. 73102.	Michigan Wisconsin Pipe Line Co., Mocane-Laverne Field, Harper County, Okla.	17.0	14.65
C169-424 A 10-28-68	J. L. Triftipo, Inc., 1111 Nelson Bldg., Charleston W. Va. 25301.	United Fuel Gas Co., Rocky Fork Field, Putnam County, W. Va.	28.0	15.325
C169-425 A 10-28-68	Sun Oil Co. (Southwest Division), 1608 Walnut St., Philadelphia, Pa. 19103.	El Paso Natural Gas Co., Strawberry Trend Field, Reagan County, Tex.	14.5	14.65

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pres-sure base
C169-427 B 10-28-68	Phillips Petroleum Co., Bartlesville, Okla. 74003.	Arkansas Louisiana Gas Co., Cas-plana Field, De Soto and Caddo Parishes, La.	(4)	Depleted
C169-428 B 10-20-68	Callery Properties, Inc. (Operator) et al., c/o Richard F. Generally attorney, Shannon and Morley, 1700 K St. N.W., Washington, D.C. 20006.	United Fuel Gas Co., Florence Field, Vermilion Parish, La.	Depleted	Depleted
C169-429 B 10-30-68	Francis A. Callery (Operator) et al., c/o Richard F. Generally attorney, Shannon and Morley, 1700 K St. N.W., Washington, D.C. 20006.	United Gas Pipe Line Co., East Gibson Field, Terrebonne Parish, La.	Depleted	Depleted
C169-430 B 10-30-68	Callery Properties, Inc. (Operator) et al.	United Fuel Gas Co., South Pecan Lake Field, Cameron Parish, La.	Depleted	Depleted
C169-431 B 10-30-68	Callery Properties, Inc., et al.	United Gas Pipe Line Co., East Gibson Field, Terrebonne Parish, La.	Depleted	Depleted
C169-432 A 10-31-68	J. C. Trahan, Drilling Contractor, Inc. et al., 2625 Line Ave., Shreveport, La. 71104.	Southern Natural Gas Co., Patter-son Field, St. Mary Parish, La.	21.25	15.025

1 Application to amend certificate to revise average daily contract quantity, extend the contract term and provide for price schedule to apply during extended term.
 2 Amendment to certificate to reflect change of corporate name.
 3 Application to amend certificate to accept permanent certificate containing conditions similar to those imposed by Opinion No. 108, as modified by Opinion No. 488-A.
 4 Subject to certificate for liquids.
 5 Subject to certificate filed to reflect change of Operator.
 6 For first 2,800 Mcf per month.
 7 Over 2,800 Mcf per month.
 8 Subject to deduction for compression if compression is necessary.
 9 Subject to upward and downward B.t.u. adjustment.
 10 Less 446¢ cent per Mcf for sour gas.
 11 Bata in effect subject to refund in Docket No. RI68-100.
 12 Plus B.t.u. adjustment.
 13 Leases have expired under their own terms due to nonproduction.
 14 Subject to upward and downward B.t.u. adjustment and adjustment for applicable tax reimbursement.
 15 Delivery and sale of gas in interstate commerce discontinued Oct. 31, 1967.
 16 Gas is no longer being sold in interstate commerce.

[F.R. Doc. 68-13896; Filed, Nov. 19, 1968; 8:45 a.m.]

[Docket No. RI68-220]
H. L. HUNT ET AL.
Order Accepting Decreased Rate Filing Subject to Refund in Existing Rate Suspension Proceeding
 NOVEMBER 8, 1968.
 On October 11, 1968, H. L. Hunt (Operator) et al., (Hunt) tendered for filing a proposed rate decrease from 22.505 cents per Mcf, which is in effect subject to refund in Docket No. RI68-220, to 19.99 cents per Mcf, the last prior effective rate under Hunt's FPC Gas Rate Schedule No. 36. The 19.99 cents rate was previously collected subject to refund in Docket No. RI67-303 from August 2, 1967, until May 1, 1968, the date that the

present 22.505 cents rate became effective subject to refund. The proposed rate decrease, amounting to \$10,060 annually, has been designated as Supplement No. 8 to Hunt's FPC Gas Rate Schedule No. 36. Hunt's initial certificated rate is 17 cents per Mcf.
 The proceeding in Docket No. RI68-220 involves a rate increase filed by Hunt on October 16, 1967, proposing to increase his rate from 19.99 cents to 22.505 cents per Mcf for sales of natural gas to Michigan Wisconsin Pipe Line Co. from the Woodward Area, Woodward County, Okla. (Panhandle Area). The proposed rate increase, designated as Supplement No. 7 to Hunt's FPC Gas Rate Schedule No. 36, was suspended for 5 months until May 1, 1968, in Docket No. RI68-220, by

Commission order issued November 9, 1967, and was later permitted to become effective subject to refund.

Hunt requests that its proposed decreased rate filing be permitted to become effective as of October 1, 1968. Since Hunt's proposed 19.99 cents decreased rate still amounts to an increase in rate over its last firm rate, but is a reduction in its presently effective rate, we conclude that it would be in the public interest to waive the 30-day notice requirement provided in section 4(d) of the Natural Gas Act and accept for filing Hunt's proposed rate decrease effective as of October 1, 1968, subject to refund in the existing rate suspension proceeding in docket No. RI68-220.

The Commission finds: Good cause exists for accepting for filing Hunt's proposed rate decrease, designated as Supplement No. 8 to Hunt's FPC Gas Rate Schedule No. 36, effective as of October 1, 1968, the proposed effective date, subject to the existing rate suspension proceeding in docket No. RI68-220.

The Commission orders: The proposed 19.99 cents per Mcf decreased rate contained in Supplement No. 8 to Hunt's FPC Gas Rate Schedule No. 36, is accepted for filing and permitted to become effective as of October 1, 1968, subject to the existing rate suspension proceeding in docket No. RI68-220 and refund obligation related thereto.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-13899; Filed, Nov. 19, 1968;
8:45 a.m.]

[Docket No. CP69-136]

OHIO GAS CO. AND PANHANDLE EASTERN PIPE LINE CO.

Notice of Application

NOVEMBER 13, 1968.

Take notice that on November 5, 1968, Ohio Gas Co. (Applicant), 200 West High Street, Bryan, Ohio 43506, filed in Docket No. CP69-136 an application pursuant to section 7(a) of the Natural Gas Act for an order directing Panhandle Eastern Pipe Line Co. (Respondent) to establish physical connection of its transmission facilities with the facilities to be constructed by applicant, and to sell and deliver to Applicant volumes of natural gas for resale and distribution to customers in the northeast corner of Fulton County, Ohio, including principally the village of Metamora, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Specifically, Applicant seeks an order directing Respondent to establish physical connection at a point approximately 1.1 miles south of Metamora, Ohio, where the pipe line of Respondent crosses Ohio State Routes 64 and 120, to the distribution system to be constructed by Applicant. Applicant seeks

that Respondent be directed to sell natural gas to Applicant at the said point of physical connection in the quantities required for distribution and sale in Metamora, Assumption and their environs. Applicant requests that Respondent not be required to increase its total deliveries under existing service agreements.

Estimated third year peak day and annual requirements of the proposed distribution service are 557 Mcf, and 57,786 Mcf, respectively.

Total estimated cost of constructing the proposed distribution system is \$137,110, which will be financed through the use of current funds and short-term bank loans.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20406, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before December 9, 1968.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-13900; Filed, Nov. 19, 1968;
8:45 a.m.]

[Docket No. CP69-132]

VERMONT GAS SYSTEMS, INC.

Notice of Application

NOVEMBER 12, 1968.

Take notice that on November 1, 1968, Vermont Gas Systems, Inc. (Applicant), 31 Swift Street, South Burlington, Vt. 05403, filed in Docket No. CP69-132 an application pursuant to section 3 of the Natural Gas Act for authorization to import additional quantities of natural gas from the Dominion of Canada as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant presently imports natural gas from Canada pursuant to contract with Trans-Canada Pipe Lines, Ltd., under the authority of an importation order issued by the Commission on April 28, 1965 in Docket No. CP65-142.

Applicant states that the proposed importation is necessary to meet increased market requirements in the United States. Applicant further states that the location of its markets does not permit an economically feasible use of natural gas produced in the United States.

Applicant states that no additional facilities are necessary to effect the proposed importation.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (§ 157.10) on or before December 5, 1968.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-13903; Filed, Nov. 19, 1968;
8:45 a.m.]

[Docket No. E-7451]

WASHINGTON WATER POWER CO.

Notice of Application

NOVEMBER 12, 1968.

Take notice that on October 14, 1968, The Washington Water Power Co. (Applicant), incorporated under the laws of the State of Washington and qualified to do business as a foreign corporation in the States of Idaho and Montana, with its principal place of business at Spokane, Wash., filed an application in Docket No. E-7451 for an order, pursuant to section 202(e) of the Federal Power Act, authorizing the transmission of electric energy from the United States to Canada. The energy proposed to be exported will be sold by Applicant to Cominco Ltd. (Cominco), Trail, British Columbia, Canada, in accordance with the memorandum of agreement, dated July 19, 1968, between Cominco and Applicant, which was filed as an exhibit to the application. The energy which Applicant proposes to transmit to Canada will be Applicant's own hydroelectric generation which is surplus to the requirements of its electric system and of the United States generally. The amount of such energy is not definitely known and will be dependent upon the water and load conditions on Applicant's electric system and in the United States generally. The energy proposed to be exported by Applicant will be delivered to Cominco by means of certain 230 kv. transmission facilities of the Bonneville Power Administration (BPA) which interconnect with Cominco's facilities at the United States-Canadian border and which are covered by the permit issued by this Commission to BPA on September 3, 1964 in Docket No. E-7170 pursuant to Executive Order No. 10485, dated September 3, 1953. Cominco will utilize the energy purchased under the above-mentioned memorandum of agreement to supplement its own resources and to supply the requirements of its industrial, commercial, and residential customers in British Columbia.

Any person desiring to be heard or to make any protest with reference to said application should on or before December 5, 1968, file with the Federal Power Commission, Washington, D.C. 20426, a petition or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Acting Secretary.

[F.R. Doc. 68-13901; Filed, Nov. 19, 1968;
8:45 a.m.]

[Docket No. E-7457]

WISCONSIN ELECTRIC POWER CO.

Notice of Application

NOVEMBER 12, 1968.

Take notice that on November 4, 1968, Wisconsin Electric Power Co. (Applicant) filed an application seeking

authority pursuant to section 203 of the Federal Power Act to acquire from Wisconsin Michigan Power Co. (Wisconsin Michigan) \$20 million in par amount of common stock of that company.

Applicant is incorporated under the laws of the State of Wisconsin with its principal business office at Milwaukee, Wis., and is engaged in the electric utility business in southeastern Wisconsin.

Wisconsin Michigan is incorporated under the laws of the State of Wisconsin, authorized to do business in the States of Wisconsin and Michigan with its principal business office at Milwaukee, Wis., and is a wholly owned subsidiary of the Applicant. It is engaged in the operation of an electric utility system in east central and northeastern Wisconsin and the Upper Peninsula of Michigan.

According to the application, it is proposed that the \$20 million of common stock will be issued in amounts and at intervals between January 1, 1969, and December 31, 1969 as required to meet expenditures by Wisconsin Michigan for construction and payments for nuclear fuel. Applicant presently owns all of the outstanding common stock of Wisconsin Michigan. Applicant represents that Wisconsin Michigan requires funds to extend and improve its facilities to meet the increasing needs for its public utilities services, and Applicant further represents that the purchase price to be paid for the additional shares of common stock which it proposes to purchase is reasonable and bears a fair relationship to the sums invested in the utility assets underlying the stock to be acquired.

Any person desiring to be heard or to make any protest with reference to said application should, on or before November 29, 1968, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 68-13902; Filed, Nov. 19, 1968;
8:45 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS

FLORIDA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1952 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, Public Law 87-296, and Public Law 90-608; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42

U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated November 7, 1968, reading in part as follows:

I have determined that the damage in those areas of The State of Florida adversely affected by Hurricane Gladys, beginning on or about October 16, 1968, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875.

I do hereby determine the following areas in the State of Florida to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of November 7, 1968:

The counties of:

Citrus.	Marion.
Charlotte.	Pasco.
Duval.	Pinellas.
Hernando.	Putnam.
Hillsborough.	Sarasota.
Lee.	St. Johns.
Manatee.	

Dated: November 12, 1968.

PRICE DANIEL,
Director,

Office of Emergency Preparedness.¹

[F.R. Doc. 68-13914; Filed, Nov. 19, 1968;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4528]

PEOPLES GAS CO.

Supplemental Notice of Filing of Request for Order of Exemption

NOVEMBER 14, 1968.

Notice is hereby given that Peoples Gas Co. ("Peoples Illinois"), 122 South Michigan Avenue, Chicago, Ill. 60603, a registered holding company, has filed a supplemental application under section 3 (a)(1) of the Public Utility Holding Company Act of 1935 ("Act") requesting an unqualified and unconditional order of exemption from the Act including sections 11(b)(2), 11(d), and 11(e) thereof. All interested persons are referred to the supplemental application, which is summarized below, for a complete statement of the reasons for the requested action.

In this Commission's order of December 22, 1967 (Holding Company Act Release No. 15929) approving the proposed tender offer of Peoples Illinois to exchange its common stock for the common stock of The Peoples Gas Light and Coke Co. ("Peoples Gas"), on a share-for-share basis, the condition was imposed that upon consummation of the exchange Peoples Illinois should take such steps as may be necessary for North Shore Gas Co. ("North Shore"), a public-utility subsidiary company of Peoples Gas, to become a direct subsidiary company of Peoples Illinois or be merged into Peo-

¹ Office of Emergency Planning was redesignated Office of Emergency Preparedness by Public Law 90-608, 82 Stat. 1194.

ples Gas. In addition, with respect to the requested exemption of Peoples Illinois under section 3(a)(1), that order provided that upon the effective date of the exchange offer as therein approved Peoples Illinois and its subsidiary companies, as such, be exempt from all provisions of the Act pursuant to section 3(a)(1) of the Act, except from the provisions of sections 11(b)(2), 11(d), and 11(e). The intent of such exception was to assure the acquisition of any shares of common stock not tendered under the exchange offer by having Peoples Illinois register as a holding company pursuant to section 5(a) of the Act and file a plan for the acquisition of such unexchanged common stock under section 11(e) of the Act.

Upon consummation of the tender offer, Peoples Illinois registered as a holding company on February 16, 1968, and thereafter, Peoples Illinois and Peoples Gas filed with the Commission a plan pursuant to section 11(e) of the Act to acquire, by exchange, the untendered common stock of Peoples Gas, on a share-for-share basis. The plan was approved by order of the Commission dated June 28, 1968 (Holding Company Act Release No. 16106), and the Commission's application for enforcement was filed on July 5, 1968, in the U.S. District Court for the Northern District of Illinois (Civil Action No. 686-1252). An order enforcing the plan was entered on September 19, 1968, the plan became effective as of September 26, 1968, and accordingly, Peoples Illinois now holds all of the outstanding common stock of Peoples Gas.

Peoples Illinois and its subsidiary companies also now propose a corporate realignment whereby all of the outstanding shares of North Shore will be transferred from Peoples Gas to Peoples Illinois as a distribution in partial liquidation pursuant to section 41(a) of the Illinois Business Corporation Act. The proposed transactions require the approval of the Illinois Commerce Commission and will be consummated promptly upon receipt of an appropriate order of that commission.

Notice is further given that any interested person may, not later than December 5, 1968, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the request, as filed or as it may be amended, may be granted, or the Commission may

take such other action as it may deem appropriate under the circumstances. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 68-13952; Filed, Nov. 19, 1968;
8:49 a.m.]

TEXAS URANIUM CORP.

Order Suspending Trading

NOVEMBER 14, 1968.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Texas Uranium Corp., Salt Lake City, Utah, being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period November 15, 1968, through November 24, 1968, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[F.R. Doc. 68-13953; Filed, Nov. 19, 1968;
8:49 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30 (Rev. 12)
Amdt. 3]

AREA ADMINISTRATORS

Delegation of Authority To Conduct Program Activities in Field Offices

Delegation of Authority No. 30 (Revision 12) (32 F.R. 179), as amended (32 F.R. 8113 and 33 F.R. 8793), is hereby further amended by revising Item I.E. to read as follows:

I. Area Administrators. * * *

E. Eligibility determinations. To determine eligibility of applicants for assistance under any program of the Agency, except the SBIC program, in accordance with Small Business Administration standards and policies.

Effective date: October 3, 1968.

HOWARD J. SAMUELS,
Administrator.

[F.R. Doc. 68-13916; Filed, Nov. 19, 1968;
8:46 a.m.]

[License No. 05/05-0073]

SOUTHERN INVESTMENT CORP.

Notice of Surrender of License

Notice is hereby given that Southern Investment Corp., Meridian, Miss., has pursuant to § 107.105 of the Regulations Governing Small Business Investment Companies (13 CFR Part 107, 33 F.R. 326) requested the surrender of its license to operate as a small business investment company. The Licensee was incorporated on May 21, 1964, under the laws of the State of Mississippi, and licensed by the Small Business Administration (SBA) on November 5, 1964, to operate solely under the Small Business Investment Act of 1958, as amended (15 U.S.C., 661 et seq.).

Prior to final action on this request, consideration will be given to any comments pertaining to the proposed surrender which are submitted in writing to the Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, within ten (10) days of the date of publication of this notice.

If no comments are received within the specified period of time, under the authority vested by the Small Business Investment Act of 1958, as amended, and the Regulations promulgated thereunder, the surrender of the license of Southern Investment Corp. will be accepted, and Southern Investment Corp., accordingly will no longer be licensed to operate as a small business investment company.

Dated: November 5, 1968.

GLENN R. BROWN,
Associate Administrator
for Investment.

[F.R. Doc. 68-13915; Filed, Nov. 19, 1968;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

NOVEMBER 15, 1968.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41497—Soda ash to Jeffersonville, Ind. Filed by Western Trunk Line Committee, agent (No. A-2571), for interested rail carriers. Rates on soda ash (other than modified soda ash), in bulk, in covered hopper cars, in carloads, minimum 190,000 pounds, from Alchem, Stauffer, and Westvaco, Wyo., to Jeffersonville, Ind.

Grounds for relief—Rail-barge-truck competition.

Tariff—Supplement 120 to Western Trunk Line Committee, agent, tariff ICC A-4620.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13943; Filed, Nov. 19, 1968;
8:48 a.m.]

[Notice 525]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

NOVEMBER 15, 1968.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1 (d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1 (e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 39300 (Deviation No. 3), MIDDLE STATES MOTOR FREIGHT, INC., 5723 Este Avenue, Cincinnati, Ohio 45232, filed November 5, 1968. Carrier's representative: Jack B. Josselson, 700 Atlas Bank Building, Cincinnati, Ohio 45202. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Cincinnati, Ohio, over Interstate Highway 75 to junction Interstate Highway 71 near Walton, Ky., thence over Interstate Highway 71 to Louisville, Ky., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Cincinnati, Ohio, over U.S. Highway 50 to junction Indiana Highway 3, thence over Indiana Highway 3 to junction Indiana Highway 56, thence over Indiana Highway 56 to Salem, Ind., thence over Indiana Highway 60 to junction U.S. Highway 31E, thence over U.S. Highway 31E to Louisville, Ky., and return over the same route.

No. MC 45626 (Deviation No. 29), VERMONT TRANSIT CO., INC., Burlington, Vt. 05401, filed November 4, 1968. Carrier proposes to operate as a common carrier, by motor vehicle, of

passengers and their baggage, and express and newspapers in the same vehicle with passengers, over a deviation route as follows: Between White River Junction, Vt., and Sharon, Vt., over Interstate Highway 89, including all access roads intermediate thereto, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Burlington, Vt., over U.S. Highway 2 to junction U.S. Highway 302, thence over U.S. Highway 302 to junction Vermont Highway 14, thence over Vermont Highway 14 to junction U.S. Highway 5, thence over U.S. Highway 5 to Ascutney, Vt., and return over the same route.

No. MC 111383 (Deviation No. 10), BRASWELL MOTOR FREIGHT LINES, INC., Post Office Box 3989, Dallas, Tex. 75208, filed October 24, 1968. Carrier's representative: Lawrence A. Winkle, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Birmingham, Ala., and Attalla, Ala., over Interstate Highway 59, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Birmingham, Ala., over U.S. Highway 11 to Attalla, Ala., thence over U.S. Highway 41 to Atlanta, Ga., and return over the same route.

No. MC 111383 (Deviation No. 11), BRASWELL MOTOR FREIGHT LINES, INC., Post Office Box 3989, Dallas, Tex. 75208, filed October 24, 1968. Carrier's representative: Lawrence A. Winkle, same address as applicant. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: Between Montgomery, Ala., and Atlanta, Ga., over Interstate Highway 85, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Jackson, Miss., over U.S. Highway 80 to Tuskegee, Ala., thence over U.S. Highway 29 to Atlanta, Ga., and return over the same route.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 485), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed November 4, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: Between Chester, Pa., and Wilmington, Del., over Interstate Highway 95, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Philadelphia, Pa., over unnumbered highway to Darby,

Pa., thence over U.S. Highway 13 to the Maryland-Virginia State line, and return over the same route.

No. MC 1515 (Deviation No. 486) (Cancels Deviation No. 449), GREYHOUND LINES, INC. (Eastern Division), 1400 West Third Street, Cleveland, Ohio 44113, filed November 8, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over deviation routes as follows: (1) From Columbus, Ohio, over Interstate Highway 70 to junction Interstate Highway 465, thence over Interstate Highway 465 to junction U.S. Highway 40 just east of Indianapolis, Ind.; (2) from Springfield, Ohio, over present certificated U.S. Highway 40 to junction Interstate Highway 70 east of Harmony, Ohio; (3) from Springfield, Ohio, over Ohio Highway 4 to junction Interstate Highway 70 north of Enon, Ohio; (4) from Dayton, Ohio, over Ohio Highway 4 to junction Interstate Highway 70 southwest of Medway, Ohio; (5) from Dayton, Ohio, over Ohio Highway 49 to junction Interstate Highway 70, northwest of Taylorsburg, Ohio; (6) from Richmond, Ind., over presently certificated U.S. Highway 40 to junction Interstate Highway 70 east of Richmond, Ind.; (7) from Richmond, Ind., over U.S. Highway 35 to junction Interstate Highway 70 northwest of Richmond, Ind.; and (8) from Greenfield, Ind., over Indiana Highway 9 to junction Interstate Highway 70, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Springfield, Ohio, over U.S. Highway 40 via Summerford and West Jefferson to Columbus, Ohio; (2) from Washington, Pa., over U.S. Highway 40 via Springfield, Ohio, to Brandt, Ohio; (3) from Dayton, Ohio, over U.S. Highway 35 to Richmond, Ind., thence over U.S. Highway 40 via Stilesville, Ind., to Manhattan, Ind.; (4) from Brandt, Ohio, over U.S. Highway 40 to junction U.S. Highway 35; (5) from Springfield, Ohio, over the Dayton-Springfield road via Enon, Ohio, to junction Ohio Highway 444 just north of Fairborn, Ohio, thence over Ohio Highway 444 via Fairborn to junction unnumbered highway approximately 1 mile north of Riverside, Ohio, thence over unnumbered highway via Riverside to Dayton, Ohio, and return over the same routes.

No. MC 1515 (Deviation No. 487), GREYHOUND LINES, INC. (Western Division), Market and Fremont Streets, San Francisco, Calif. 94106, filed November 8, 1968. Carrier's representative: W. L. McCracken, 371 Market Street, San Francisco, Calif. 94105. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction California Highway 22 and Interstate Highway 405 (Bolsa Chica Road Junction), over Interstate Highway 405 to junction

Interstate Highway 5 (South Irvine Junction), and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Long Beach, Calif., over California Highway 22 to junction Interstate Highway 405, thence over Interstate Highway 405 to junction California Highway 22 (Bolsa Chica Road Junction), thence over California Highway 22 to Santa Ana, Calif., and 92) from Los Angeles, Calif., over California Highway 72 to junction Interstate Highway 5 (Miraflores), thence over Interstate Highway 5 to junction California Highway 1 (South Carlsbad Junction), thence over California Highway 1 to junction Interstate Highway 5 (Rose Canyon Junction), thence over Interstate Highway 5 to San Diego, Calif., and return over the same routes.

No. MC 1515 (Deviation No. 488), GREYHOUND LINES, INC. (Southern Division), 219 East Short Street, Lexington, Ky. 40507, filed November 3, 1968. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: Between Lexington, N.C., and Greensboro, N.C., over Temporary Interstate Highway 85, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over pertinent service routes as follows: (1) From Fort Chiswell, Va., over U.S. Highway 52 to Lexington, N.C.; and (2) from Abingdon, Va., over U.S. Highway 58 to Damascus, Va., thence over Virginia Highway 91 to Mountain City, Tenn., thence over U.S. Highway 421 via North Wilkesboro and Winston-Salem, N.C., to junction relocated U.S. Highway 421 and U.S. Highway 158, at the eastern city limits of Winston-Salem, N.C., thence over relocated U.S. Highway 421 and old U.S. Highway 421, located approximately 1 mile west of Guthrie, N.C., thence over U.S. Highway 421 via Kernersville, N.C., to Greensboro, N.C. (also from Winston-Salem over U.S. Highway 311 to junction North Carolina Highway 150, thence over North Carolina Highway 150 to Kernersville), and return over the same routes.

No. MC 2890 (Deviation No. 77), AMERICAN BUSLINES, INC., 1501 South Central Avenue, Los Angeles, Calif. 90021, filed November 6, 1968. Carrier's representative: Bruce E. Mitchell, 1735 K Street NW., Washington, D.C. 20006. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction Interstate Highway 70 and U.S. Highway 40, 2 miles east of Bluff City, Ill., over Interstate Highway 70 to junction U.S. Highway 40 at or near Pocahtontas, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same

property, over a pertinent service route as follows: From Pittsburgh, Pa., over U.S. Highway 22 to Zanesville, Ohio, thence over U.S. Highway 40 via Columbus, Ohio, to St. Louis, Mo., and return over the same route.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13944; Filed, Nov. 19, 1968;
8:48 a.m.]

[Notice 1239]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 15, 1968.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 129973 (Republication) filed June 14, 1968, published in the FEDERAL REGISTER issues of June 27, 1968, and November 6, 1968, and republished this issue. Applicant: FIELD MARKETING SERVICES, INC., 235 East 42d Street, New York, N.Y. 10017. Applicant's representatives: Robert N. Kharascyh and William J. Lippman, 1824 R Street NW., Washington, D.C. 20009. By application filed June 14, 1968, applicant seeks a permit authorizing operations, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes, of the commodities as set forth below, from Irvington, N.J., to points in New Jersey for the account of Avon Products, Inc., restricted to home deliveries. A corrected order of the Commission, Operating Rights Board, dated October 16, 1968, and served November 13, 1968, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, over irregular routes of (1) cosmetics, toilet preparations, and toilet articles and sundries; and (2) premiums, equipment, and supplies used in connection with the sale of commodities described in (1) above (except commodities in bulk), from Irvington, N.J., to points in New Jersey, under a continuing contract with Avon Products, Inc., of Rye, N.Y., will be consistent with the public interest and the national transportation policy; that applicant is fit, willing and able properly to perform such service and to conform to the

requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted will be published in the FEDERAL REGISTER and issuance of a permit in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 130061 (Republication), filed June 28, 1968, published FEDERAL REGISTER issue of July 18, 1968, and republished this issue. Applicant: ALBERT CHARLES MAURER, doing business as AL MAURER TOURS, 1249 Ledlie Avenue, Springfield, Ill. Applicant's representative: Harlington Wood, Jr., 1102 Ridgely Building, Springfield, Ill. 62701. By application filed June 28, 1968, applicant seeks a license authorizing operation, in interstate or foreign commerce, as a broker at Springfield, Ill., in arranging for transportation in interstate or foreign commerce of passengers and their baggage, in the same vehicle with passengers, both as individuals and in groups, in charter operations, in educational, social, and recreational tours, beginning and ending at Springfield, Ill., and extending to points in the United States (except Alaska and Hawaii).

An order of the Commission, Operating Rights Board, dated October 17, 1968, and served November 7, 1968, finds that operation by applicant at Springfield, Ill., as a broker in arranging for transportation by motor vehicle, in interstate or foreign commerce, of passengers and their baggage, in all expense round trip tours, in special and charter operations, beginning and ending at Springfield, Ill., and extending to points in the United States (except Alaska and Hawaii), will be consistent with the public interest and the national transportation policy; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder, that a license authorizing such operations should be issued subject to the regret of the Commission, which is hereby expressly reserved, to impose, after final determination of the proceeding in Ex Parte No. MC-29 (Sub-No. 2), Operations by Brokers of Passenger Transportation, such terms and conditions, if any, as may be deemed necessary to insure that the operations of applicant are limited to bona fide operations as a broker of transportation by motor vehicle of passengers and their baggage. Because it is possible that other parties, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority

actually granted will be published in the FEDERAL REGISTER and issuance of a license in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICE OF FILING OF PETITIONS

Nos. MC 2765 and MC 2765 (Sub-No. 2) (Notice of Filing of Petition To Amend Certificates Substituting Warren, Mich., in Lieu of Warren Township, Macomb County, Mich.), filed October 16, 1968. Petitioner: SQUARE DEAL CARTAGE COMPANY, a corporation, Detroit, Mich. Petitioner's representative: Walter N. Bieneman, Suite 1700, 1 Woodward Avenue, Detroit, Mich. 48226. By petition filed October 16, 1968, petitioner seeks to have its authority for the transportation of motor vehicles redescribed so as to substitute both Warren and Center Line, Mich., wherever petitioner's present certificates authorize service from Warren Township, Macomb County, Mich. Petitioner states that the area previously designated as Warren Township is no longer unincorporated and the major portion of this area was incorporated on January 1, 1957, into the city of Warren, Mich., while the city of Center Line lies approximately in the middle of such area and wholly surrounded by Warren. The petition states that no authority is sought to serve any commercial zone around these points, thus the redescription will not broaden any present authority. Accordingly, petitioner requests that its authority as here pertinent be redescribed to read "from Warren and Center Line, Mich. (but not including the commercial zones thereof as defined by the Commission.)". Any interested person desiring to participate, may file an original and six copies of his written representations, views, or arguments in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 127721 (Petition for Amendment of Permit To Add Additional Contracting Shipper), filed November 6, 1968. Petitioner: DEPENDABLE DELIVERY SERVICE, INC., Havertown, Pa. Petitioner's representative: Harry C. Maxwell, 200 Penn Square Building, Juniper and Filbert Streets, Philadelphia, Pa. 19107. Petitioner presently holds a permit in No. MC 127721 authorizing the transportation of: Such merchandise as is ordinarily dealt in by retail stores and mail-order houses, between Philadelphia and King of Prussia, Pa., and Audubon, N.J., on the one hand, and, on the other, points in New Castle County, Del., Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Middlesex, Monmouth, Ocean, and Salem Counties, N.J., and Berks, Bucks, Chester, Delaware, Lehigh, Montgomery, and Philadelphia Counties, Pa., restricted against the transportation of any parcels, packages, or articles weighing in the aggregate more than 500 pounds from one consignor at any one location to one

consignee at any one location on any one day, and limited to a transportation service to be performed under a continuing contract, or contracts, with J. C. Penney Co., Inc., of New York, N.Y. By the instant petition, petitioner seeks to add W. & J. Sloane, Inc., 414 Fifth Avenue, New York, N.Y., as an additional contracting shipper in the same area in which it now serves J. C. Penney Co., Inc. Any interested person desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 129049 (HAUL-AWAY, INC., Extension—AIRSTREAM) (Petition for Amendment to the Decision and Order of Review Board Number 4, to Reflect a Change in Location of Shipper), filed October 14, 1968. Petitioner: HAUL-AWAY, INC., Sidney, Ohio. Petitioner's representative: Ernest D. Salm, 3846 Evans Street, Los Angeles, Calif. Petitioner, who is applicant in the within proceeding states that the appendix to the decision and order of Review Board Number 4 dated May 28, 1968, includes in its scope the grant to applicant of the right (1) to originate trailers in initial movements, and (2) terminate trailers in secondary movements, at Santa Fe Springs, Calif. Petitioner further states that at the time the record of this proceeding was made, the Southern California factory of Airstream, Inc., applicant's sole shipper, was located at Santa Fe Springs. Subsequent thereto this shipper moved its factory to the city of Cerritos, Calif. Petitioner further states that both of these points are located in Los Angeles County, Calif., and are contiguous at some points, and the change sought herein would not affect the issues in the within proceeding. By the instant petition, Petitioner requests the said decision and order of Review Board Number 4 be amended to reflect the substitution of Cerritos, Calif., for Santa Fe Springs, Calif. Any person desiring to participate, may file an original and six copies of his written representations, views, or argument in support of, or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS FOR CERTIFICATE OR PERMIT WHICH IS TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 109397 (Sub-No. 163) (Amendment), filed September 25, 1968, published in FEDERAL REGISTER issue of October 30, 1968, amended November 7, 1968, and republished in part as amended, this issue. Applicant: TRI-STATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Interstate Business Route I-44, Joplin, Mo. 64802. Applicant's representative: Max C. Morgan, 450 American National Building, Oklahoma City, Okla. 73102. NOTE: The purpose of this partial republication is to show additional tacking information after statement reading *Applicant further states that if the restriction in its Sub 48 is re-*

moved, applicant would tack at Holly, Colo., for service to points in Kansas. "Other feasible tacking operations include tacking with applicant's basic certificate, Sub 51, Sub 141, Tri-State-Pur-De Tar—MC-F-9714 (Sub-unassigned) and Sub 105." The rest of the application remains the same.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-9748. (Supplement) (GRAFF TRUCKING CO., INC.—Control and Merger—BELL MOTOR FREIGHT, INC.), published in the May 24, 1967, issue of the FEDERAL REGISTER, page 7611, and correction, published in the June 21, 1967, issue of the FEDERAL REGISTER, on page 8841. By petition, filed November 13, 1968, Applicants seek to join in THOMAS B. WOODWORTH, JR., DOROTHY LUCILLE McGOFF, and DOROTHY LOUISE WOODWORTH, CO-EXECUTORS, of the ESTATE OF THOMAS B. WOODWORTH, SR., as parties in control of GRAFF TRUCKING CO., INC.

No. MC-F-10266. (Correction) (WRIGHT MOTOR LINES, INC.—Purchase (Portion)—BEN HAMRICK, INC.), published in the October 9, 1968, issue of the FEDERAL REGISTER, on page 15092. This correction is to delete a portion of the authority sought. The portion to be deleted reads: *Bananas*, as a *common carrier*, over irregular routes, from Galveston, Tex., to points in Texas; and *bananas and coconuts and pineapples* when transported in mixed loads with bananas, from Gulfport, Miss., to points in Texas.

No. MC-F-10300. Authority sought for control and merger by WELLS FARGO ARMORED SERVICE CORPORATION OF NEBRASKA, INC., 410 South 18th Street, Omaha, Nebr., of the operating rights and property of SAMARDICK OF OMAHA, INC., 408 South 18th Street, Omaha, Nebr., and for acquisition by WELLS FARGO ARMORED SERVICE CORPORATION, 210 Baker Street NW., Atlanta, Ga. 30302, and in turn by BAKER INDUSTRIES, INC., 1180 Raymond Avenue, Newark, N.J. 07102, and SOLOMON R. BAKER, 404 North Roxbury Drive, Beverley Hills, Calif. 90210, of control of such rights and property through the transaction. Applicants' attorney: David G. MacDonald, 1000 16th Street NW., Suite 502, Washington, D.C. 20036. Operating rights sought to be controlled and merged: *Currency and coin*, as a *common carrier*, over irregular routes, between Omaha, Nebr., and Sioux City, Iowa, with restriction; between Omaha, Nebr., and certain specified points in Iowa, with restriction. WELLS

FARGO ARMORED SERVICE CORPORATION OF NEBRASKA, INC., holds no authority from this Commission. However, it is affiliated with WELLS FARGO ARMORED SERVICE CORPORATION (A Mississippi Corporation) 277 Monroe Avenue, Post Office Box 66, Memphis, Tenn. 38103, which is authorized to operate as a *contract carrier* in Georgia and South Carolina; WELLS FARGO ARMORED SERVICE CORPORATION, (A Tennessee Corporation) 227 Monroe Avenue, Post Office Box 66, Memphis, Tenn. 38103, which is authorized to operate as a *contract carrier* in West Virginia, Kentucky, Tennessee, Arkansas, Mississippi, Georgia, Maryland, Alabama, North Carolina, Florida, Louisiana, Pennsylvania, Virginia, Missouri, South Carolina, and the District of Columbia; and WELLS FARGO ARMORED SERVICE CORPORATION (A Delaware Corporation), which is authorized to operate as a *contract carrier* in New York, New Jersey, Delaware, Pennsylvania, Connecticut, Massachusetts, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10301. Authority sought for control and merger by H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsboro, Pa. 16901, of the operating rights and property of NORTHERN TIER EXPRESS, INC., Post Office Box 115, Wellsboro, Pa. 16901, and for acquisition by ROBERT E. TAYNTON, SR., ELIZABETH MARBLE, PAUL TAYNTON, FLORENCE TAYNTON, and THE COMMONWEALTH BANK & TRUST CO., Trustees under a voting trust agreement, all also of Wellsboro, Pa., of control of such rights and property through the transaction. Applicants' attorneys and representative: Bowes & Millner, 744 Broad Street, Newark, N.J. 07102, and Robert De Kroyft, 24 Branford Place, Newark, N.J. Operating rights sought to be controlled and merged: Under a certificate of registration, in Docket No. MC-99023 Sub-1, covering the transportation of property, as a *common carrier* in intrastate commerce, within the State of Pennsylvania. H. W. TAYNTON COMPANY, INC., is authorized to operate as a *common carrier* in Pennsylvania, New York, New Jersey, Delaware, Ohio, Maryland, Rhode Island, Massachusetts, West Virginia, Connecticut, Indiana, and Kentucky. Application has been filed for temporary authority under section 210a(b). NOTE: MC-109821 Sub-26 is a matter directly related.

No. MC-F-10302. Authority sought for purchase by MILLER TRUCKING, INC. (New corporation), 1001 South Fourth Street, Gas City, Ind., of the operating rights and property of MILLER TRUCKING, INC., 1001 South Fourth Street, Gas City, Ind., and for acquisition by OMAR S. BRUNER, JR., HARRIET D. BRUNER, both of 4711 Round Lake Road, Apartment G, Indianapolis, Ind., CHARLES J. MADISON, and ROBERT J. DOYLE, both of 7869 Melton Road, Gary, Ind., of control of such rights and property through the purchase. Applicants' attorney: Donald W. Smith, 900

Circle Tower, Indianapolis, Ind. 46204. Operating rights sought to be transferred: *Glass containers and accessories therefor, plastic bottles, plastic jars, and plastic vials*, as a *common carrier*, over irregular routes, from Gas City, Ind., to Louisville and Frankfort, Ky., to St. Louis, Mo., points in Ohio and Illinois, and those in that part of Michigan on, south, and east of Michigan Highway 46; and *Fertilizer*, as a *contract carrier*, from Toledo, Ohio, to points in that part of Indiana east of Indiana Highway 43 and north of Indiana Highway 28, including points on the indicated portions of the highways specified; *machinery, iron and steel foundry products, metal and wooden patterns, scrap iron and steel, and other iron and steel mill products*, between Marion, Ind., on the one hand, and, on the other, Detroit, Jackson, and Tecumseh, Mich., Chicago, Ill., and points in Ohio and Indiana. MILLER TRUCKING, INC. (New corporation) holds no authority from this Commission. However, CHARLES J. MADISON and ROBERT J. DOYLE, two of its controlling stockholders, control STEEL CITY CARTAGE, INC., 7867 Melton Road, Gary, Ind., which is authorized to operate as a *common carrier* in Illinois and Indiana. Application has been filed for temporary authority under section 210a(b).

No. MC-F-10303. Authority sought for purchase by EDWARDS TRUCKING, INC., Drawer No. 428, Hemingway, S.C. 29554, of the operating rights of DUD COOKE, doing business as COOKE MOTOR EXPRESS, Lake City, S.C., and for acquisition by F. G. EDWARDS, also of Hemingway, S.C., of control of such rights through the purchase. Applicants' attorney: Robert E. Hicks, 310 Fulton Federal Savings Building, Atlanta, Ga. 30303. Operating rights sought to be transferred: *Imported wool*, and *domestic wool* when transported in mixed loads with imported wool, as a *common carrier*, over irregular routes, from Albany, N.Y., to Saint Stephen, S.C.; and *wool waste, synthetic fiber waste, and wool and synthetic fiber waste combined*, from Saint Stephen, S.C., to Albany, N.Y. Vendee is authorized to operate as a *common carrier* in North Carolina, South Carolina, Georgia, Virginia, Kentucky, Tennessee, Pennsylvania, New York, Alabama, Rhode Island, Massachusetts, New Jersey, and Maryland. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10304. Authority sought for control and merger by BURGMEYER BROS., INC., 50 North Fifth Street, Reading, Pa. 19603, of the operating rights and property of E. N. CURTIS TRANSPORTATION, INC., Danielson, Conn., and for acquisition by HERBERT GROSS, and NICHOLAS SANTILLI, both also of Reading, Pa., of control of such rights and property through the transaction. Applicants' attorneys: Francis W. McInerny, 1000 16th Street NW., Washington, D.C. 20036, and Irving Klein, 280 Broadway, New York, N.Y. 10007. Operating rights sought to be controlled and merged: *General commodities*, excepting, among others,

household goods and commodities in bulk, as a *common carrier*, over regular routes, between New London, Conn., and Lawrence, Mass., between Hartford, Conn., and New Bedford, Mass., between Westerly, R.I., and Boston, Mass., serving all intermediate points; and the off-points, between Boston, Mass., and Fall River and New Bedford, Mass., serving certain intermediate points, between Westerly, R.I., and Windsor Locks, Conn., between Providence, R.I., and Easthampton, Mass., between Worcester, Mass., and Providence, R.I., serving certain intermediate and off-route points, between Chepachet, R.I., and Boston, Mass., serving all intermediate points; and the off-route points of Forestdale, R.I., and Medway, Mass., between New Haven, Conn., and New York, N.Y., serving certain intermediate and off-route points, and points in the New York, N.Y., commercial zone, as defined by the Commission in 1 M.C.C. 665, between Winsted, Conn., and New Haven, Conn., serving certain intermediate and off-route points; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between certain specified points in Connecticut and Massachusetts, on the one hand, and, on the other, certain specified points in Connecticut and Massachusetts; and *iron and steel mill products*, from Putnam, Conn., to certain specified points in Rhode Island and Massachusetts. BURGMEYER BROS., INC., is authorized to operate as a *common carrier* in New Jersey, Pennsylvania, Connecticut, and New York. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10305. Authority sought for control by CROUCH BROS., INC., Post Office Box 1059, St. Joseph, Mo. 64502, of (1) MIDWEST FREIGHT FORWARDING COMPANY, INC., 3220 South Wolcott Avenue, Chicago, Ill. 60608, and (2) CATANIA BROTHERS COMPANY, INC., 3220 South Wolcott Avenue, Chicago, Ill. 60608, and for acquisition by CLEO CROUCH, ROGER CROUCH, and ARTHUR CROUCH, all of Elwood, Doniphan County, Kans., control of MIDWEST FREIGHT FORWARDING COMPANY, INC., and CATANIA BROTHERS COMPANY, INC., through the acquisition by CROUCH BROS., INC. Applicants' attorneys: William P. Sullivan, 1819 H Street NW., Washington, D.C. 20036, and Jack Goodman, 39 South La Salle Street, Chicago, Ill. 60603. Operating rights sought to be controlled: (1) *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over regular routes, between Chicago and Bridgeport, Conn., serving certain intermediate and off-route points, from Chicago, Ill., to Boston, Mass., serving no intermediate points, but serving the off-route points of North Chicago and Great Lakes, Ill., between Chicago, Ill., and New York, N.Y., serving points in New York and New Jersey within 20 miles of New York, N.Y., as intermediate or off-route points, and serving North Chicago and Great Lakes, Ill., as off-route points; *empty equipment*, between Boston, Mass., and Bridgeport, Conn., serving no interme-

mediate points; *fish*, over irregular routes, from Boston, Mass., to Chicago, Ill.; and *drugs*, from Bridgeport, Conn., to Peoria, Ill.; and *general commodities*, excepting among others, household goods and commodities in bulk, between Bridgeport, Conn., on the one hand, and, on the other, points in Connecticut; and (2) *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier*, over irregular routes, between points in Illinois within a 50-mile radius of 706-08 West Harrison Street, Chicago, Ill., including Chicago. CROUCH BROS., INC., is authorized to operate as a *common carrier* in Illinois, Missouri, Kansas, Iowa, Nebraska, Oklahoma, Arkansas, Indiana, and Minnesota. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-10306. Authority sought for purchase by THE STOUT TRUCKING CO., INC., Post Office Box 167, Rural Route 1, Urbana, Champaign County, Ill. 61801, of a portion of the operating rights of McDOWELL TRUCK LINE, INC., MICHAEL D. DAVIS, DEBTOR IN POSSESSION, 2320 West 78th Street, Chicago, Ill. 60649, and for acquisition by R. C. STOUT, Rural Route 1, Box 167, Urbana, Ill. 61801, of control of such rights through the purchase. Applicants' representative: W. L. Jordan, 205 Merchants Savings Building, Terre Haute, Ind. 47801. Operating rights sought to be transferred: *Malt beverages*, as a *common carrier*, over regular routes, from Chicago, Ill., to Dayton, Ohio, from Fort Wayne, Ind., to Chicago, Ill., serving no intermediate points; *empty malt beverage containers*, from Dayton, Ohio, to Chicago, Ill., from Chicago, Ill., to Fort Wayne, Ind., serving no intermediate points; *malt beverages and advertising matter pertaining thereto*, over irregular routes, from Milwaukee, Wis., to Joliet, Ill.; from Joliet, Ill., to Milwaukee, Wis.; *empty malt beverage containers, malt beverages, such commodities as are manufactured and/or distributed by breweries, advertising matter pertaining thereto, and ice used for the cooling of shipments*, when moving from, to, or between the breweries, warehouses, and retail outlets, from Milwaukee, Wis., to points in Cook and McHenry Counties, Ill.; and *empty malt beverage containers*, from points in Cook and McHenry Counties, Ill., to Milwaukee, Wis. Vendee is authorized to operate as a *common carrier* in all points in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL]

H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13945; Filed, Nov. 19, 1968;
8:48 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

NOVEMBER 15, 1968.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent

motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. 9894-CCT, filed October 30, 1968. Applicant: SMALLEY INVESTMENTS, doing business as SMALLEY TRANSPORTATION COMPANY, 2202 38th Street, Tampa, Fla. Applicant's representative: John M. Allison, 512 Florida Avenue, Post Office Box 1531, Tampa, Fla. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (except articles of unusual value, dangerous explosives, livestock, commodities in bulk and commodities injurious or contaminating to other lading), (1) between points in Hillsborough, Pinellas, and Pasco Counties, Fla., and (2) serving between all points in the foregoing counties on the one hand, and, on the other, Sarasota, Fla., via U.S. Highways 19, 41, and 301, and serving all intermediate points on said named highways. Both intrastate and interstate authority sought.

HEARING: Not yet assigned for hearing. Request for procedural information, including the time for filing protests concerning this application should be addressed to the Florida Public Service Commission, Tallahassee, Fla. 32304, and should not be directed to the Interstate Commerce Commission.

State Docket No. 16127, filed November 7, 1968. Applicant: ANNISTON TALLADEGA MOTOR EXPRESS, INC., 1233 Ward Street, Talladega, Ala. Applicant's representative: Champ Lyons, Jr., 57 Adamas Avenue, Montgomery, Ala. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of General commodities, (1) between Anniston, Ala., and Ranburne, Ala., as follows: From Anniston, Ala., to Heflin, Ala., via U.S. Highway 78; thence via State Highway 46 to Ranburne, Ala., and return over the same route; (2) alternate route, for the convenience of the carrier only, between Anniston, Ala., and Ranburne, Ala., as follows: From Anniston, Ala., via U.S. Interstate Highway 20 to the junction of U.S. Interstate Highway 20 and State Highway 9; thence via State Highway 9 to the junction of State Highway 9 and State Highway 46; thence via State Highway 46 to Ranburne, Ala., and return over the same route. It is proposed to serve the following intermediate and/

or off-route points: Belle Mills, Trickum, and Fruithurst, Ala. Both interstate and intrastate authority is sought.

HEARING: Contact the Alabama Public Service Commission for this information. Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Alabama Public Service Commission, Post Office Box 991, Montgomery, Ala. 36102 and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13949; Filed, Nov. 19, 1968; 8:49 a.m.]

[Notice 733]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 15, 1968.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 29988 (Sub-No. 116 TA), filed November 6, 1968. Applicant: DC INTERNATIONAL, INC., East 45th Avenue at Jackson Street, Denver, Colo. 80216. Applicant's representative: Edward A. Upp (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Explosives and/or component parts*; (1) between Denver, Colo., and Bangor, Wash. (Naval Ammunition Depot, Bangor), from Denver over Interstate Highway 25 to junction, Colorado Highway 14, thence over Colorado Highway 14 to junction U.S. Highway 30 (Interstate Highway 80), at or near Laramie, Wyo., thence over U.S. Highway 30 (Interstate Highway 80) to junction U.S. Highway 30N at or near Little America, Wyo., thence over U.S. Highway 30N via McCammon, Idaho, to Burley, Idaho, thence over U.S. Highway

30 via Pendleton, Oreg., to Portland, Oreg., thence over Interstate Highway 5 to Tacoma, Wash., thence over Washington Highway 16 to junction Washington Highway 3, thence over Washington Highway 3 to Bangor and return over these routes to Denver; (2) between Denver, Colo., and Chicago, Ill., and Kansas City and St. Louis, Mo.; (a) from Denver over Interstate Highway 80S to junction Interstate Highway 80 at or near Big Springs, Nebr., thence over Interstate Highway 80 to junction Interstate Highway 55 at or near Joliet, Ill., thence over Interstate Highway 55 to Chicago, Ill., and return over the same routes to Denver; (b) from Denver over Interstate Highway 70 via Kansas City and St. Louis, Mo., to junction Interstate Highway 55, thence over Interstate Highway 55 to Chicago and return over the same routes to Denver; serving to and from the off route points of Cornhusker Ordnance plant near Grand Island, Nebr., and Joliet Arsenal, Ill., and also serving Rockdale and Seneca, Ill., and Kansas City and St. Louis, Mo., for the purpose of interlining for 180 days. **NOTE:** Applicant states it intends to tack the authority here applied for to other authority held by it. Supporting shipper: Department of the Army, Washington, D.C. Send protests to: District Supervisor Herbert C. Ruoff, Interstate Commerce Commission, 2022 Federal Building, Denver, Colo. 80202.

No. MC 99565 (Sub-No. 6 TA), filed November 4, 1968. Applicant: FOREWAY EXPRESS, INC., 204 South Bellis Street, Wausau, Wis. 54401. Applicant's representatives: Jasper, Winner, Perina, and Rouse, 111 South Fairchild Street, Madison, Wis. 53703. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Manawa, Wis., as an off-route point in connection with applicant's present routes, for 150 days. **NOTE:** Applicant states it proposes to interline traffic at Green Bay, Appleton, and Milwaukee, Wis. Supporting shippers: Trail-et, Inc., Post Office Box 286, Manawa, Wis.; Trade Winds Co., Inc., 1211 South Depot Street, Manawa, Wis. 54949. Send protests to: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 444 West Main Street, Room 11, Madison, Wis. 53703.

No. MC 100684 (Sub-No. 3 TA), filed November 8, 1968. Applicant: CLIFFORD A. MANGUS, doing business as MANGUS COMPANY, 606 South Main Street, Lusk, Wyo. 82225. Applicant's representative: Robert S. Stauffer, 1510 East 20th Street, Cheyenne, Wyo. 82001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite, barite, drilling mud compounds, lost circulation materials, and chemicals*, from points in Niobrara County, Wyo., to points in Kimball, Banner, Scottsbluff, Sioux, Dawes, Box Butte, Morrill, and Cheyenne Counties, Nebr.,

and Fall River, Custer, Pennington, Lawrence, Butte, Harding, Perkins and Meade Counties, S. Dak., for 180 days. Under contract with, and supported by: Dresser Magcobar, Division Dresser Industries, Inc., 365 Petroleum Club Building, Denver, Colo. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 304, Lierd Building, 259 South Center Street, Casper, Wyo. 82601.

No. MC 116063 (Sub-No. 113 TA), filed November 12, 1968. Applicant: WESTERN-COMMERCIAL TRANSPORT, INC., 2400 Cold Springs Road, Post Office Box 270 (76106), Fort Worth, Tex. 76101. Applicant's representative: W. H. Cole (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, from plantsite of Morton Salt Co., at or near Weeks Island, La., to points in Arkansas, Oklahoma, New Mexico, and Texas, for 180 days. Supporting shipper: Morton Salt Co., 3636 Lemmon Avenue, Dallas, Tex. 75219. Send protests to: Billy R. Reid, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 121508 (Sub-No. 3 TA), filed November 8, 1968. Applicant: WESTERN CARTAGE, INC., 1260 Fourth Avenue South, Seattle, Wash. 98134. Applicant's representative: Jack R. Davis, 1100 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Household goods, heavy machinery, and building materials* (except cement in bulk in tank or bottom dump vehicles or similar specialized equipment), between points in Washington; (2) *general commodities*, Seattle local cartage and between Seattle on the one hand, and, on the other, points in King, Pierce, Snohomish and Skagit Counties, Wash., for 150 days. Note: Applicant states it intends to interline at Seattle, Wash. Supporting shippers: National Carloading Corp., 82 South Massachusetts, Seattle, Wash. 98134; United Freight, Inc., 1319 Second Avenue, Seattle, Wash. 98101; Westtransco Freight Co., 801 First Avenue South, Seattle, Wash. 98134. Send protests to: E. J. Casey, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, Wash. 98101.

No. MC 124078 (Sub-No. 350 TA), filed November 12, 1968. Applicant: SCHWERTMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53215. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Lima, Ohio, to points in Indiana, Kentucky, Michigan, and Ohio, for 150 days. Supporting shipper: General Portland Cement Co., 4400 Republic National Bank Tower, Post Office Box 324, Dallas, Tex. 75221 (W. W. Marten, Traffic Manager). Send protests

to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 126375 (Sub-No. 8 TA), filed November 12, 1968. Applicant: CEL TRANSPORTATION COMPANY, a corporation, Post Office Box 447, Route 30, West Greensburg, Pa., Latrobe, Pa. 15650. Applicant's representative: John A. Pillar, Delisi, Wick & Vuono, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tallow*, in bulk, in tank vehicles from Findlay Township, Allegheny County, Pa., to Cleveland, Columbus, Dover, Painesville, and Yorkville, Ohio, for 150 days. Supporting shipper: Darling & Co., 4201 South Ashland Avenue, Chicago, Ill. 60609. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 129537 (Sub-No. 2 TA), filed November 8, 1968. Applicant: OLIVER W. REEVES AND BOBBY G. REEVES, a partnership doing business as REEVES TRANSPORTATION, Post Office Box 153, Valrico, Fla. 33594. Applicant's representative: John C. Vogt, Jr., 707 Florida Avenue, Tampa, Fla. 33601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets and rugs*, (1) from points in Floyd, Bartow, Chattooga, Gordon, Whitfield, Murray, Catoosa, and Walker Counties, Ga., to points in Sarasota, Manatee, Polk, Orange, Dade, Broward, Brevard, Pasco, and Palm Beach Counties, Fla.; and (2) from points in Chattooga County, Ga., to points in Hillsborough and Pinellas Counties, Fla.; and (3) the return of *rejected and returned goods*; from all of said counties in Florida in (1) and (2) above, to all of said counties in Georgia, for 180 days. Supporting shippers: There are approximately 12 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 129663 (Sub-No. 4 TA), filed November 8, 1968. Applicant: BORIGHT TRUCKING CO., INC., Boright Avenue, Kenilworth, N.J. 07033. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic articles* (except in bulk), and points in the United States (except Hawaii and Alaska), for 180 days. Under contract with, and supported by: Gilbert Plastics, Inc., Boright Avenue, Kenilworth, N.J. 07033. Send protests to: District Supervisor Walter J. Grossman, Bureau of Operations, In-

terstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 129806 (Sub-No. 1 TA), filed November 6, 1968. Applicant: J. MITCHKO TRUCKING, INC., Rural Delivery No. 1, Limecrest Road, Lafayette, N.J. 07848. Applicant's representative: Bert Collins, 140 Cedar Street, New York, N.Y. 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry salt*, in bulk, from points in Bergen, Passaic, Essex, Hudson, Union, Warren, Morris, Hunterdon Counties, N.J., Sussex County, N.J. (except points within 5 miles of Newton, N.J.) and points in that part of Middlesex County, N.J., north of the Raritan River, to points in New Jersey, Connecticut, Massachusetts, Rhode Island, Delaware, Maryland, New York, and the District of Columbia, for 180 days. Supporting shipper: Morton Salt Co., 233 Broadway, New York, N.Y. 10007. Send protests to: District Supervisor Joel Morrows, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13946; Filed, Nov. 19, 1968;
8:48 a.m.]

[Notice 247]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 15, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70921. By application filed November 13, 1968, EQUIPMENT TRANSPORT, INC., Post Office Box 665, West Columbia, S.C., seeks temporary authority to lease the operating rights of LINWOOD R. T. GARRETT, doing business as GARRETT & CO., Post Office Box 11144, Richmond, Va. 23230, under section 210a(b). The transfer to EQUIPMENT TRANSPORT, INC., of the operating rights of LINWOOD R. T. GARRETT, doing business as GARRETT & CO., is presently pending.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 68-13947; Filed, Nov. 19, 1968;
8:48 a.m.]

[Notice 248]

**MOTOR CARRIER TRANSFER
PROCEEDINGS**

NOVEMBER 15, 1968.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date

of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70888. By order of November 14, 1968, the Transfer Board approved the transfer to Coronet Enterprises, Inc., Spokane, Wash., of certificate No. MC-116415, issued April 18, 1967, to Harold A. Salisbury, doing business as Limousine Lines, Spokane, Wash., authorizing the transportation of pas-

sengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, between Spokane, Wash., and the United States-Canada; between Spokane, Wash., and Newport, Wash.; between Spokane, Wash., and Priest River, Idaho; and between Priest River, Idaho, and Nordman, Idaho, serving intermediate points on the highways specified. Jack R. Dean, North 811 Jefferson, Spokane, Wash. 99201, attorney for applicants.

[SEAL]

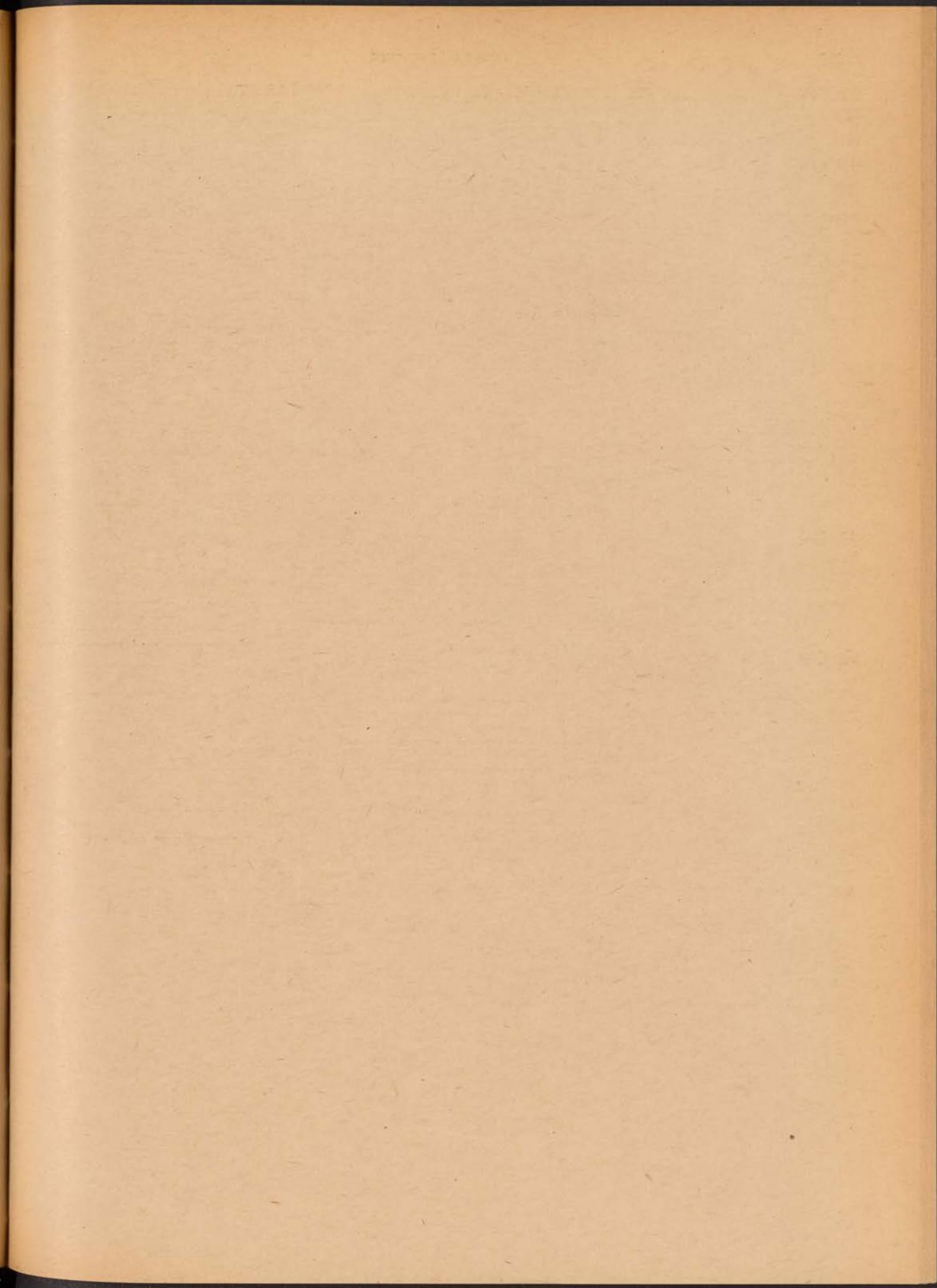
H. NEIL GARSON,
Secretary.[F.R. Doc. 68-13948; Filed, Nov. 19, 1968;
8:49 a.m.]

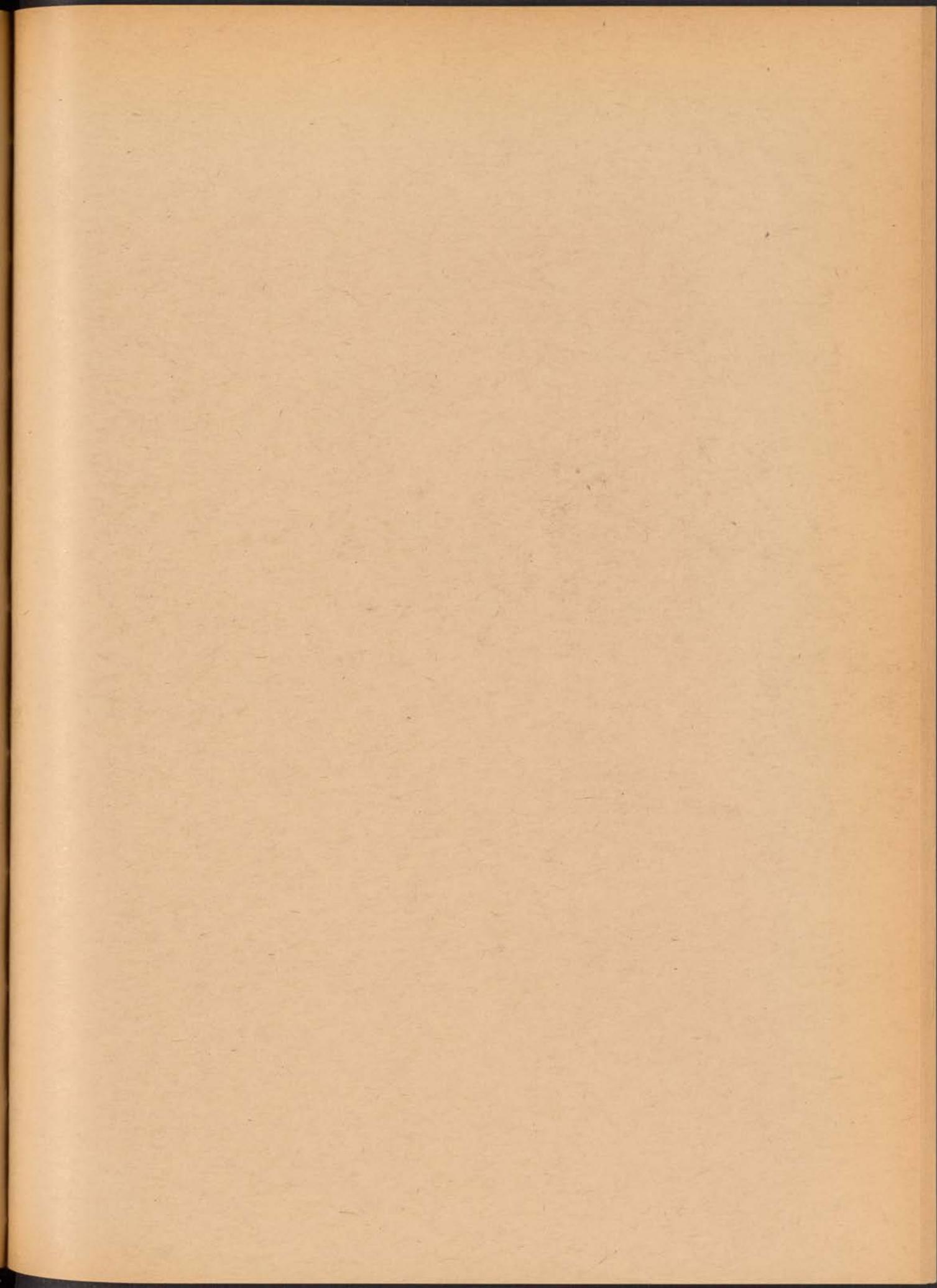
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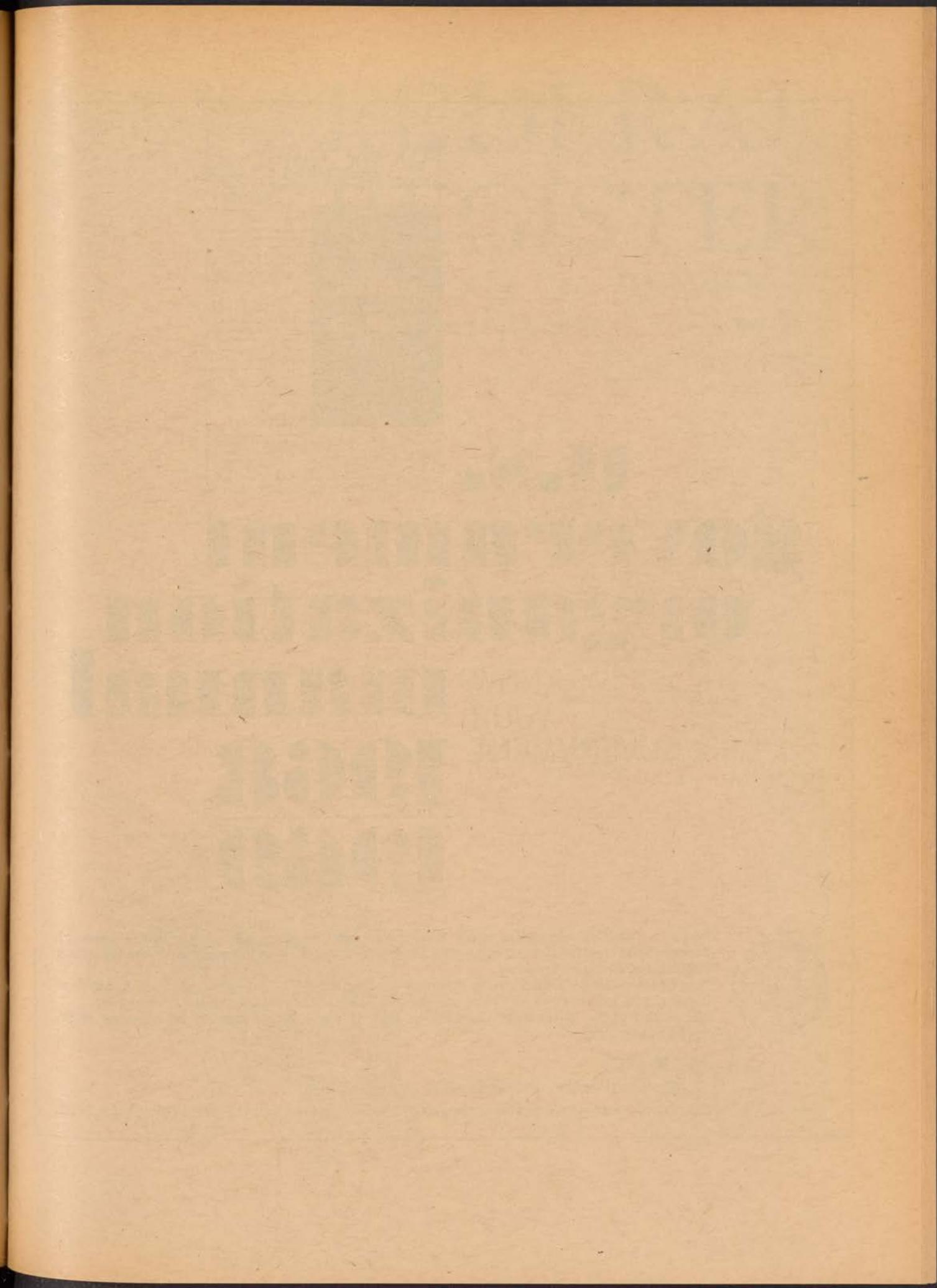
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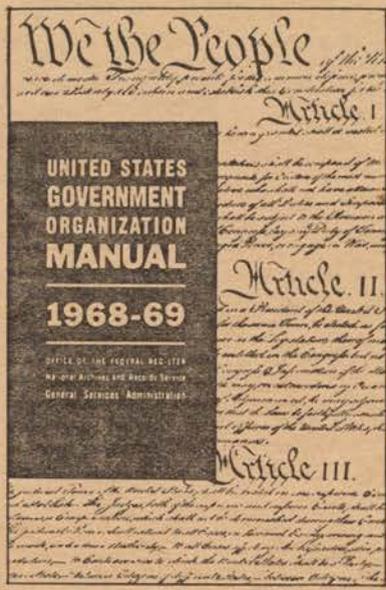
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