FEDERAL REGISTER

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Commodity Credit Corporation
Consumer and Marketing Service
Federal Aviation Administration
Federal Deposit Insurance Corporation
Federal Home Loan Bank Board
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Announcing First 10-Year Cumulation

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in Volumes 70–79 of the

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Title 3—THE PRESIDENT

Proclamation 3884

PROCLAMATION AMENDING PART 3 OF THE APPENDIX TO THE TARIFF SCHEDULES OF THE UNITED STATES WITH RESPECT TO THE IMPORTATION OF AGRICULTURAL COMMODITIES

By the President of the United States of America

A Proclamation

WHEREAS, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

WHEREAS, in accordance with section 102(3) of the Tariff Classification Act of 1962, the President by Proclamation No. 3548 of August 21, 1963, proclaimed the additional import restrictions set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

WHEREAS the import restrictions on certain dairy products set forth in part 3 of the Appendix to the Tariff Schedules of the United States as proclaimed by Proclamation No. 3548 have been amended by Proclamation No. 3558 of October 5, 1963, Proclamation No. 3562 of November 26, 1963, Proclamation No. 3597 of July 7, 1964, section 88 of the Tariff Schedules Technical Amendments Act of 1965 (79 Stat. 950), Proclamation No. 3709 of March 31, 1966, Proclamation No. 3790 of June 30, 1967, Proclamation No. 3822 of December 16, 1967, Proclamation No. 3856 of June 10, 1968, and Proclamation No. 3870 of September 24, 1968; and

WHEREAS, pursuant to said section 22, the Secretary of Agriculture advised me there was reason to believe that the articles, for which import restrictions are hereinafter proclaimed, continued in effect, or modified, are being imported, and are practically certain to be imported, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with the price support programs now conducted by the Department of Agriculture for milk and butterfat, and to reduce substantially the amount of products processed in the United States from domestic milk and butterfat; and

WHEREAS, under the authority of section 22, I have requested the United States Tariff Commission to make an investigation with respect to this matter; and

WHEREAS the Secretary of Agriculture further determined and reported to me with respect to certain of these articles that a condition existed which required emergency treatment, and as a result, Presidential Proclamations 3856 and 3870 were issued placing import restrictions upon certain of these articles without awaiting the recommendations of the Tariff Commission, such restrictions to continue in effect pending the report and recommendations of the Tariff Commission and action thereon by the President; and

WHEREAS, in compliance with my request the Tariff Commission has made an investigation under the authority of section 22 of the Agricultural Adjustment Act, as amended, with respect to this matter and has reported to me the findings and recommendations of the Commissioners voting in connection therewith; and

WHEREAS the findings and recommendations unanimously agreed upon by one-half of the number of Commissioners voting are considered by me pursuant to section 201 of the Trade Agreements Extension Act of 1953 (19 U.S.C. 1330(d)) as the findings and recommendations of the Commission; and

WHEREAS, on the basis of such investigation and report, I find and declare that the articles for which import restrictions are hereinafter proclaimed, continued in effect or modified, are being imported and are practically certain to be imported into the United States under such conditions and in such quantities as to render or tend to render ineffective or materially interfere with the price support programs now conducted by the Department of Agriculture for milk and butterfat, and to reduce substantially the amount of products processed in the United States from domestic milk and butterfat; and

WHEREAS, on the basis of such investigation and report, I find and declare that the imposition of the import restrictions hereinafter proclaimed or continued in effect is necessary in order that the entry, or withdrawal from warehouse, for consumption of such articles will not render or tend to render ineffective or materially interfere with the price support programs now conducted by the Department of Agriculture for milk and butterfat, or reduce substantially the amount of products processed in the United States from domestic milk and butterfat; and

WHEREAS, on the basis of such investigation and report, I find and declare that changed circumstances require the modification, as hereinafter proclaimed, of provisions applicable to the import restrictions on natural Cheddar cheese, as set forth in subdivision (i) of headnote 3(a) in part 3 of the Appendix to the Tariff Schedules of the United States, and in the import restrictions set forth as items 950.12 and 950.13 (hereinafter redesignated as items 950.22 and 950.23) in part 3 of such Appendix in order to carry out the purposes of said section 22; and

WHEREAS I find and declare that for the purpose of the first proviso of section 22(b) of the Agricultural Adjustment Act, as amended, the representative period for imports of articles, subject to import quotas hereinafter provided for in items 950.10A and 950.15 in part 3 of the Appendix of the Tariff Schedules of the United States, is the calendar years 1965 through 1967, and that the representative periods for imports of other articles for which quotas are hereinafter continued in effect or modified are the same as set forth for such articles in previous applicable proclamations;

NOW, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that:

(1) The import restrictions proclaimed by Proclamations 3856 and 3870 which are set forth as items 949.90, 950.09B, 950.10A (hereinafter redesignated as item 950.10B), and 950.10B (hereinafter redesignated as item 950.10C) in part 3 of the Appendix to the Tariff Schedules of the United States are continued in effect.

(2) Part 3 of the Appendix to the Tariff Schedules of the United States is amended as follows:

(a) The first sentence of subdivision (i) of headnote 3(a) is amended to read as follows:

"imported articles subject to the import quotas provided for in items 950.01 through 950.15, except 950.06, may be entered only by or for the account of a person or firm to which a license has been issued by or under the authority of the Secretary of Agriculture, and only in accordance with the terms of such license; except that no such license shall be required for up to 1,225,000 pounds per quota year of natural Cheddar cheese, the product of Canada, made from unpasteurized milk and aged not less than 9 months which prior to exportation has been

certified to meet such requirements by an official of the Canadian government, of which amount not more than one-half may be entered during the first six months of a quota year."

(b) Items 950.10A, 950.10B and 950.10C are redesignated as items 950.10B, 950.10C and 950.10D, respectively, the references to items 950.10A, 950.10B and 950.10C in subdivision (iii) of headnote 3(a) are changed accordingly, and the references in the parenthesis of the last sentence of subdivision (i) of headnote 3(a) are changed to (items 950.07 through .10D).

(c) Item 950.10D as redesignated is amended to read as follows:

950.10D Cheese and substitutes for cheese provided for in items 117.75 and 117.85, part 4C, schedule 1 (except cheese not containing cow's milk; cheese, except cottage cheese, containing no butterfat or not over 0.5 percent by weight of butterfat, and articles within the scope of other import quotas provided for in this part); all the foregoing, if shipped otherwise than in pursuance to a purchase, or if having a purchase price under 47 cents per pound (see headnote 3(a)(iii) of this part):

Country of Origin	*Quota Quantity (In pounds)*
Belgium	207,000
Denmark	8,966,000
Finland	1,124,000
France	931,000
Iceland	560,000
Ireland	151,000
Netherlands	56,000
Norway	222,000
Poland	2,064,000
Sweden	1,535,000
Switzerland	34,000
United Kingdom	274,000
West Germany	989,000
New Zealand	7,500,000
Other	388,000

(d) A new item 950.10A is added, which reads as follows:

950.10A Italian-type cheeses, made from cow's milk, not in original loaves (Romano made from cow's milk, Reggiano, Parmesano, Provoloni, Provolette, and Sbrinz), and cheese and substitutes for cheese containing, or processed from, such Italian-type cheeses, whether or not in original loaves:

Country of Origin	*Quota Quantity (In pounds)*
Argentina	1,347,000
Italy	104,500
Australia	13,700
Other	28,800

(e) A new item 950.15 is added, which reads as follows:

950.15 Chocolate provided for in item 156.30, of part 10, schedule 1, if containing over 5.5 percent by weight of butterfat (except articles for consumption at retail as candy or confection):

Country of Origin	*Quota Quantity (In pounds)*
Ireland	9,450,000
United Kingdom	7,450,000
Netherlands	100,000
Other	None

(f) Items 950.12 and 950.13 are redesignated as items 950.22 and 950.23 and amended to read as follows:

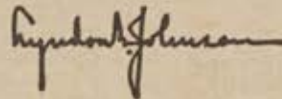
Articles containing over 5.5 percent by weight of butterfat, the butterfat of which is commercially extractable, or which are capable of being used for any edible purpose (except articles provided for in subparts A, B, C or item 118.30, of part 4, schedule 1, and except articles which are not suitable for use as ingredients in the commercial production of edible articles):

950.22 Over 45 percent by weight of butterfat .... None
950.23 Over 5.5 percent but not over 45 percent by weight of butterfat and classifiable for tariff purposes under item 182.92 or 182.95:

Country of Origin	*Quota Quantity (In pounds)*
Australia	2,240,000
Belgium and Denmark (aggregate)	340,000
Other	None

(3) The provisions of this proclamation shall not be applicable to quantities of articles which were exported to the United States or were in bonded warehouse, but not entered for consumption, in the United States prior to the effective date of this proclamation, and (1) which are subject to the import quotas provided in items 950.10A and 950.15 in part 3 of the Appendix to the Tariff Schedules of the United States to the extent such quantities are in excess of the quotas therefor, or (2) which are packaged for distribution in the retail trade and ready for use by the purchaser at retail for an edible purpose or in preparation of an edible article and were previously excepted from the import restrictions provided in items 950.22 and 950.23 of part 3 of such Appendix to the extent such quantities are in excess of the quotas set forth for such items in this proclamation. Notwithstanding the amendment made by this proclamation to headnote 3(a)(i) of part 3 of the Appendix to the Tariff Schedules of the United States, a quantity of up to 612,500 pounds of natural Cheddar cheese, made from unpasteurized milk and aged not less than nine months, which prior to exportation had been certified to meet such requirements by an official of a Government agency of the country where the cheese was produced, which had been exported to the United States or was in bonded warehouse, but not entered for consumption, in the United States prior to the effective date of this proclamation, may be entered without a license, except that the quantity of such cheese produced in Canada which may be entered without a license under headnote 3(a)(i) shall be reduced by the quantity of any such cheese so entered into the United States. Notwithstanding headnote 3(a)(i) of part 3 of such Appendix, import licenses shall not be required for the entry into the United States during the six month period ending June 30, 1969, of articles subject to the quotas provided in items 950.10A and 950.15 and articles imported from New Zealand subject to the quotas provided in item 950.10D.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of January, in the year of our Lord nineteen hundred and sixty-nine and of the Independence of the United States of America the one hundred and ninety-third.



[F.R. Doc. 69-281; Filed, Jan. 6, 1969; 3:28 p.m.]

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Housing and Urban Development

Section 213.3384 is amended to reflect in Schedule C the current title of the Assistant Secretary for Model Cities and Governmental Relations. Effective on publication in the FEDERAL REGISTER, the headnote for paragraph (e) of § 213.3384 is amended as set out below.

§ 213.3384 Department of Housing and Urban Development.

* * * * *

(e) *Office of the Assistant Secretary for Model Cities and Governmental Relations.* * * *

(5 U.S.C. 3301, 3302, E.O. 10577, 19 F.R. 7521, 3 CFR 1954–1958 Comp., p. 218)

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

[F.R. Doc. 69-189; Filed, Jan. 7, 1969; 8:46 a.m.]

Title 7—AGRICULTURE

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

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

Subpart B—Standards

OFFICIAL U.S. STANDARDS FOR GRADES OF LAMB, YEARLING MUTTON, AND MUTTON CARCASSES; SLAUGHTER LAMBS, YEARLINGS, AND SHEEP

On August 16, 1968, a notice was published in the FEDERAL REGISTER (33 F.R. 11663) proposing to amend (1) the standards for grades of lamb, yearling mutton, and mutton carcasses (7 CFR 53.114–53.118), and (2) the standards for grades of slaughter lambs, yearlings, and sheep (7 CFR 53.130–53.134), pursuant to authority conferred by the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624). A 60-day period was provided within which interested persons could submit written data, views, or arguments concerning the proposal.

A subsequent notice, appearing in the FEDERAL REGISTER (33 F.R. 15482) on October 18, 1968, extended the time for filing comments to December 10, 1968.

The comments submitted in response to the above notices as well as all other information available to the Department have been considered in arriving at a decision to promulgate the proposed standards.

Statement of considerations. The Agricultural Marketing Act of 1946 provides for the issuance of official U.S. grade standards to designate different levels of quality and quantity for the voluntary use of producers, buyers, and consumers. Official grading service is also provided under this Act upon request of the applicant and upon payment of a fee to cover the cost of the service.

The present grade standards for lamb, yearling mutton, and mutton carcasses, and for slaughter lambs, yearlings, and sheep became effective in 1960. These standards primarily reflect differences in eating quality and do little to identify differences in cutability or carcass yield of retail cuts. The proposal published in the FEDERAL REGISTER on August 16, 1968, was made to add a system of yield grades—separate from the quality grades—for measuring differences in cutability or carcass yield of retail cuts. The proposal did not change the existing quality grades or their application, but merely added a means of identifying cutability differences for those who wish to use it. Under the proposal, official grading service for lamb and mutton carcasses could be performed on a voluntary basis for quality grade alone as at present, for yield grade alone, or for both the quality and yield grades, at the option of the user.

Much reference has been made to the "consumer-preferred lamb" and the advantages that could accrue to the industry through the increased production of this kind of lamb. However, this is not likely to be accomplished without the use of a grading system which identifies these lambs and their carcasses through the marketing process. This is needed in order that producers can be given the guidance and financial incentives needed to encourage the production of such lambs. Together, the new yield grades and the present quality grades provide that tool, since the consumer-preferred lamb is essentially one that combines thick muscling, a minimum of excess fat, and a high quality of lean.

The ultimate value of carcasses from any of the meat animals—sheep, cattle, and hogs—is dependent almost entirely on two general considerations. These are (1) quality, or the palatability of the lean and (2) cutability, or the proportion of the carcass weight that can be sold as retail cuts.

During the last several years, extensive research was conducted by the Department, several land-grant colleges, and industry on lamb carcass cutability. The information from these studies indicated that carcasses of the same weight and grade could differ widely in their yields of trimmed retail cuts and value. For example, in each of two Department studies reported in 1961 and 1967, there were differences of about 12 percent in the combined yields of bone-in retail cuts from the leg, loin, hotel rack, and shoulder among Choice grade carcasses of the same weight group.

These studies also disclosed that differences in cutability resulted primarily from differences in fatness on the outside of the carcass and in fat deposited on the inside of the carcass, mainly around the kidneys and in the pelvic area. Lamb carcasses having the greatest amounts of these fats were lowest in cutability. It was also found that variations in leg conformation affected the yields of cuts. That is, among lambs of the same degree of fatness, those that had higher leg conformation grades had higher yields of retail cuts.

The Department's yield grade studies were discussed and demonstrated at animal science research meetings and with various grower and other industry groups prior to and during the period for comments. The importance of differences in cutability on the value of lamb carcasses and slaughter lambs was emphasized in a cutting test made early in 1968. The test included cutability evaluations of a group of slaughter lambs and their carcasses and the subsequent cutting of the carcasses into standard bone-in retail cuts in cooperation with a national retail chain. A difference of about $13 per hundredweight in total retail carcass value was found between the highest and lowest yielding carcasses within the Choice grade. Also, based on retail pricing data collected during this and other tests, the range in yields of cuts within a yield grade (1.8 percent) represents a difference in retail sales value of about $3.40 per hundredweight. Further, this test indicated that differences in cutability could be appraised very satisfactorily both in slaughter lambs and lamb carcasses.

In 1964, the National Wool Growers Association requested that the Department of Agriculture develop grade standards that would more accurately measure value differences in lamb carcasses and provide market identification to reflect these differences. At the Association's annual meeting in 1968 a resolution was adopted reaffirming their position of 1964. Meeting later in 1968 the Executive Committee of the Association endorsed the yield grade concept and requested that the Department propose

yield grades as an optional grading system that could supplement but not replace the present quality grading system.

A total of 63 comments on the proposed yield grading system was received from producers and their organizations, marketing agencies, research and educational workers, and general farm organizations. Most of the comments (48) favored immediate adoption of the proposal. Several organizations requested an extension of the period for comments so their members might have an opportunity to further study the proposal. The period was extended nearly 2 months to December 10, 1968.

The National Wool Growers Association expressed approval of the proposed standards, as did three other national organizations—American Sheep Producers Council, National Livestock Producers Association, and the President of the American Meat Science Association, speaking for that organization. In addition, the individual State sheep producer organizations in nine States strongly indicated their support of the yield grades. These States are: Texas, Idaho, Wyoming, New Mexico, Kansas, Washington, Iowa, Ohio, and North Carolina.

Four of the sheep registry associations—American Hampshire Sheep Association, National Suffolk Sheep Association, Continental Dorset Club, and Montadale Sheep Breeders Association—also supported the adoption of yield grades.

The yield grades received strong support from animal science research and extension staff members at 24 colleges and universities. These men supported the proposal as being based upon sound research which indicates that the use of yield grades will accurately identify carcasses according to their ultimate retail or wholesale value.

There were 15 groups or individuals that either opposed or did not fully endorse the proposed standards. Most of these came from California. The California Wool Growers Association and the California Farm Bureau Federation both opposed adoption of the new standards until further studies were made to determine their effects on marketing. One area grower organization requested that no change be made in existing grade standards and two area groups requested a delay. Most of the remaining comments from California asked that the proposed rulemaking period be extended so that additional studies could be made on the effect of yield grades on marketing lambs in the State. One producer from Oregon asked that the existing grade standards not be changed. One additional comment from Oregon and one each from Nevada and Wyoming asked for an extension of time. The directors of a major farm organization, American Farm Bureau Federation, voted at the Federation's annual meeting to recommend a further delay of 120 days to provide an opportunity to reconcile differences of opinion regarding desirability of proposed yield grades for lamb and sheep. They stated that there was a strong difference of opinion revealed on the matter at their annual meeting.

On the basis of the majority of comments received and all other information available to the Department at this time, it is concluded that, with the minor changes noted herein, the adoption of the revised grade standards proposed August 16, 1968, is in the best interest of the lamb and sheep industry and should be implemented beginning March 1, 1969, because:

1. The validity of the research forming the basis for the standards and the fact that yield grades would provide an accurate, objective system of identifying cutability differences in lamb carcasses are widely recognized and accepted.

2. The standards reflect the results of several years of research by the Department, state agricultural experiment stations, and industry. USDA's first study on yield differences in lamb and mutton was initiated in the 1950's and reported in 1961.

3. Cutability or yield grades would be of value to the sheep industry. The best interests of the sheep industry are served by producers clearly understanding the exact desires of consumers; and producers receiving payment for their lambs in line with their actual value. Yield grades could make a distinct contribution to this end.

4. Adoption of the revision on March 1 1969, would make the yield grades available for use at about the time "new crop" lambs begin to come to market in volume. Availability of yield grades during the coming season for those who wish to use them would enable the entire industry to evaluate them under practical conditions. This in itself could serve as the most effective marketing study to determine their usefulness in marketing.

5. Experience in identifying cutability in other species has proven that the approach is practical and that value differences can be recognized throughout the marketing system.

6. There would be no change in the existing quality grade standards and the current grading system would continue to be available.

7. The use of yield grades by the industry would be strictly voluntary.

Therefore, under the authority conferred by the Agricultural Marketing Act of 1946, as amended (7 U.S.C. 1622, 1624), the Official U.S. Standards for Grades of Lamb, Yearling Mutton, and Mutton Carcasses; and Slaughter Lambs, Yearlings, and Sheep appearing in 7 CFR 53.114, et seq., and 7 CFR 53.130, et seq., are revised to read as proposed (F.R. Doc. 68-11663) except for the following changes:

1. Subparagraph (2) of § 53.115(c) is changed by deleting certain references to the thickness of the fat over the rump and at the 5th rib.

2. Each subdivision (ii) of § 53.119 (c), (1), (2), (3), and (4) is changed by deleting the reference to the specific thickness of fat at the 5th rib and over the rump.

These changes from the proposal are the result of additional information developed during the rulemaking period. Further studies in the practical application of fat thickness probes over the rump and at the 5th rib indicated that these measurements do not contribute enough to additional precision of yield grading to merit their inclusion in the standards. It is not intended that these changes should make any material change in the application of the standards from that intended under the proposal. Therefore, in accordance with the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that further rulemaking procedure is unnecessary and impracticable.

1. Section 53.115 is revised to read as follows:

§ 53.115 Application of standards.

(a) *Grade factors.* (1) The grade of an ovine carcass is based on separate evaluations of two general considerations: Palatability-indicating characteristics of the lean and conformation, herein referred to as "quality;" and the estimated percent of closely trimmed, boneless, major retail cuts to be derived from the carcass, herein referred to as "yield." (However, the grade of an ovine carcass when applied by Federal meat graders may consist of an identification for the quality grade, the yield grade, or a combination of both the quality and yield grades.) In previous grade standards for ovine carcasses, the Department used the term "quality" to refer only to the palatability-indicating characteristics of the lean without reference to conformation. Its use herein to include consideration of conformation is not intended to imply that variations in conformation are either directly or indirectly related to differences in palatability.

(2) The grade standards are written so that the quality and yield grade standards are contained in separate sections. The quality section is divided further into three separate sections applicable to carcasses from lambs, yearling mutton, and mutton. There are five quality grades—Prime, Choice, Good, Utility, and Cull—applicable to lamb, yearling mutton, and mutton carcasses, except that mutton carcasses are not eligible for Prime. There are five yield grades applicable to all classes of ovine carcasses, denoted by numbers 1 through 5, with Yield Grade 1 representing the highest degree of cutability.

(3) Carcasses qualifying for any particular grade may vary with respect to the relative development of their individual grade factors, and there will be carcasses which qualify for a particular grade in which the development of some of these individual grade factors will be typical of other grades. Because it is impractical to describe the nearly limitless numbers of such recognizable combinations of characteristics, the standards for each quality and yield grade describe only carcasses which have a relatively similar development of individual factors and which are also representative of the lower limits of each grade. In the quality grade standards, examples of the extent to which superiority in quality may compensate for

deficiencies in conformation, and vice versa, are indicated for each grade. In the Prime and Choice grades certain minimum requirements for external fat covering are also indicated.

(b) *Quality grades.* (1) The quality grade of an ovine carcass is based on separate evaluations of two general considerations: The quality or the palatability-indicating characteristics of the lean and the conformation of the carcass.

(2) Conformation is the manner of formation of the carcass with particular reference to the relative development of the muscular and skeletal systems, although it is also influenced to some extent, by the quantity and distribution of external finish. The conformation of a carcass is evaluated by averaging the conformation of its various component parts, giving consideration not only to the proportion that each cut is of the carcass weight but also to the general desirability of each cut as compared with other cuts. Superior conformation implies a high proportion of edible meat to bone and a high proportion of the weight of the carcass in the more demanded cuts and is reflected in carcasses which are very wide and thick in relation to their length and which have a very plump and full and well-rounded appearance. Inferior conformation implies a low proportion of edible meat to bone and a low proportion of the weight of the carcass in the more demanded cuts and is reflected in carcasses which are very narrow in relation to their length and which have a very angular, thin and sunken appearance. External fat in excess of that normally left on retail cuts is not considered in evaluating conformation.

(3) The quality of the lean flesh is best evaluated by consideration of its texture, firmness, and marbling, as observed in a cut surface, in relation to the apparent maturity of the animal from which the carcass was produced. However, in grading carcasses direct observation of these characteristics is not possible. Therefore, the quality of the lean is evaluated indirectly by giving equal consideration to: The quantity of fat intermingled within the lean between the ribs called "feathering," the streaking of fat within and upon the inside flank muscles, and the firmness of the fat and lean—all in relation to the apparent evidence of maturity.

(4) The ovine quality standards are intended to cover the full range of maturity within which ovines are marketed. The standards for Prime, Choice, and Good grades of lamb specify two general levels of development of the quality-indicating characteristics described in this section, dependent upon the apparent evidences of maturity attained by the lamb at the time of slaughter. The quality standards for Utility and Cull grades of lamb and for each grade of yearling mutton and mutton specify only one general level of development of the quality-indicating characteristics described, and these characteristics apply only to carcasses which are typical in maturity for their class. In order to qualify for a specific grade, yearling mutton or mutton carcasses with evidence of more advanced maturity than typical for their class are required to have a slightly greater development of these characteristics than described in the standards. Conversely, such carcasses with evidence of less maturity than typical for their class may qualify for a given grade with a slightly lesser development of these characteristics.

(5) The quality standards are intended to apply to all ovine carcasses without regard to the apparent sex condition of the animal at time of slaughter. However, carcasses from males which have thick, heavy necks and shoulders typical of uncastrated males are discounted in quality grade in accord with the extent to which these characteristics are developed. Such discounts may vary from less than one-half grade in carcasses from young lambs in which such characteristics are barely noticeable to as much as two full grades in carcasses from mature rams in which such characteristics are very pronounced.

(6) The quality standards for lamb, yearling mutton, and mutton carcasses contained in this subpart together provide for grading carcasses within the full range of maturity of the ovine species. Although the grade standards for this full range of maturity are contained in three separate standards, it is the intent that the three standards be considered as a continuous series. Therefore, in determining the grade of a carcass which has a degree of maturity that is not typical of that specified in one of the three standards, it is necessary to interpolate between the standard for the kind of carcass (lamb, yearling mutton, or mutton) being graded and the standard for the kind of carcass which is most closely adjacent to it in maturity.

(c) *Yield grades.* (1) The yield grade of an ovine carcass is determined by considering three characteristics: The amount of external fat, the amount of kidney and pelvic fat, and the conformation grade of the legs.

(2) The amount of external fat for carcasses with a normal distribution of this fat is evaluated in terms of its actual thickness over the center of the ribeye muscle and is measured perpendicular to the outside surface between the 12th and 13th ribs. On intact carcasses fat thickness is measured by probing. This measurement may be adjusted, as necessary, to reflect unusual amounts of fat on other parts of the carcass. In determining the amount of this adjustment, if any, particular attention is given to the amount of external fat on those parts where fat is deposited at a faster-than-average rate, particularly the rump, outside of the shoulders, breast, flank, and cod or udder. Thus, in a carcass which is fatter over these other parts than is normally associated with the actual fat thickness over the ribeye, the measurement is adjusted upward. Conversely, in a carcass which has less fat over these other parts than is normally associated with the actual fat thickness over the ribeye, the measurement is adjusted downward. In many carcasses no such adjustment is necessary; however, an adjustment in the thickness of fat measurement of 0.05 or 0.10 inch is not uncommon. In some carcasses a greater adjustment may be necessary. As a guide in making these adjustments, the standards for each yield grade include an additional related measurement—body wall thickness, which is measured 5 inches laterally from the middle of the backbone between the 12th and 13th ribs. As the amount of external fat increases, the percent of retail cuts decreases—each 0.05 inch change in adjusted fat thickness over the ribeye changes the yield grade by one-third of a grade.

(3) The amount of kidney and pelvic fat considered in determining the yield grade includes the kidney knob (kidney and surrounding fat) and the lumbar and pelvic fat in the loin and leg which are removed in making closely trimmed retail cuts. The amount of these fats is evaluated subjectively and expressed as a percent of the carcass weight. As the amount of kidney and pelvic fat increases, the percent of retail cuts decreases—a change of 1 percent of the carcass weight in kidney and pelvic fat changes the yield grade by one-fourth of a grade.

(4) The conformation grade of the legs is evaluated as described in the quality standards. The evaluation is made in terms of thirds of grades and coded using 15 for high Prime and 1 for low Cull. An increase in the conformation grade of the legs increases the percent of retail cuts—a change of one-third of a grade changes the yield grade by 5 percent of a grade.

(5) The yield grade descriptions are defined primarily in terms of carcasses. However, the yield grade standards also are applicable to the grading of sides, foresaddles, hindsaddles, forequarters, and hindquarters, and hotel racks, loins, and combinations of regular or trimmed wholesale cuts which include either a hotel rack or a loin.

(6) The standards include an equation for determining yield grade. The application of this equation usually results in a fractional grade. However, in normal grading operations any fractional part of a yield grade is dropped. For example, if the computation results in a yield grade of 3.9, the final yield grade is 3—it is not rounded to 4.

(7) The yield grade standards for each of the first four yield grades list characteristics of a carcass with descriptions of the amount of external fat normally present on various parts of the carcass. These descriptions are not specific requirements—they are included only as illustrations of carcasses which are near the borderline between grades. For example, the characteristics listed for Yield Grade 1 represent a carcass which is near the borderline of Yield Grade 1 and Yield Grade 2. These descriptions facilitate the subjective determination of the yield grade without making detailed measurements and computations. The yield grade for most ovine carcasses can be determined accurately on the basis of a visual appraisal.

2. The headings for §§ 53.116, 53.117, and 53.118 are revised to read:

§ 53.116 Specifications for official U.S. standards for grades of lamb carcasses (quality).

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§ 53.117 Specifications for official U.S. standards for grades of yearling mutton carcasses (quality).

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§ 53.118 Specifications for official U.S. standards for grades of mutton carcasses (quality).

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3. A new section, § 53.119, is added as follows:

§ 53.119 Specifications for official U.S. standards for grades of carcass lamb, yearling mutton, and mutton (yield).

(a) The yield grade of an ovine carcass or side is determined on the basis of the following equation: Yield Grade $=1.66-(0.05\times$ leg conformation grade code$)+(0.25\times$ percent kidney and pelvic fat$)+(6.66\times$ adjusted fat thickness over the ribeye inches).

(b) (1) The yield grade of a hindsaddle, hindquarter, foresaddle, forequarter, or a cut eligible for grading also is determined on the basis of the above equation except that if the portion being graded does not include the leg, the conformation grade of the portion being graded shall be substituted for leg conformation grade. In adition, if the portion being graded does not include kidney and pelvic fat or if the portion is a trimmed cut (cut from which most of the kidney and pelvic fat has been removed), the following standard percentages of kidney and pelvic fat, as applicable to the quality grade of the portion also shall be used in the equation:

Grade	*Kidney and pelvic fat, percent*
Prime	4.5
Choice	3.5
Good	3.0
Utility	2.0
Cull	1.5

(2) For untrimmed hindsaddles and for untrimmed hindsaddle cuts, the quantity of kidney and pelvic fat is estimated as a percent of the carcass weight.

(3) For untrimmed hindquarters and for untrimmed hindquarter cuts, the quantity of kidney and pelvic fat is estimated as a percent of the side weight.

(c) The following descriptions provide a guide to the characteristics of carcasses in each yield grade to aid in determining yield grades subjectively.

(1) *Yield Grade 1*. (i) A carcass in Yield Grade 1 usually has only a thin layer of external fat over the back and loin and slight deposits of fat in the flanks and cod or udder. There is usually a very thin layer of fat over the top of the shoulders and the outside of the legs. Muscles are usually plainly visible on most areas of the carcass.

(ii) A carcass of this yield grade which is near the borderline of Yield Grade 1 and Yield Grade 2 might have 0.1 inch of fat over the ribeye, 1.5 percent of its weight in kidney and pelvic fat, and an average Prime leg conformation grade. Such a carcass with normal fat distribution would also have a body wall thickness of 0.5 inch.

(2) *Yield Grade 2*. (i) A carcass in Yield Grade 2 usually has a slightly thin layer of fat over the back and loin and the muscles of the back are not visible. The top of the shoulders and the outside of the legs have a thin covering of fat and the muscles are slightly visible. There are usually small deposits of fat in the flanks and cod or udder.

(ii) A carcass of this yield grade which is near the borderline of Yield Grade 2 and Yield Grade 3 might have 0.2 inch of fat over the ribeye, 2.5 percent of its weight in kidney and pelvic fat, and a low Prime leg conformation grade. Such a carcass with normal fat distribution would also have a body wall thickness of 0.7 inch.

(3) *Yield Grade 3*. (i) A carcass in Yield Grade 3 usually has a slightly thick covering of fat over the back. The top of the shoulders are completely covered with fat, although the muscles are still barely visible. The legs are nearly completely covered, although the muscles on the outside of the lower legs are visible. There usually are slightly large deposits of fat in the flanks and cod or udder.

(ii) A carcass of this yield grade which is near the borderline of Yield Grade 3 and Yield Grade 4 might have 0.3 inch of fat over the ribeye, 3.5 percent of its weight in kidney and pelvic fat, and a high Choice leg conformation grade. Such a carcass with normal fat distribution would also have a body wall thickness of 0.9 inch.

(4) *Yield Grade 4*. (i) A carcass in Yield Grade 4 usually is completely covered with fat. There usually is a moderately thick covering of fat over the back and a slightly thick covering over the shoulder and legs. There usually are large deposits of fat in the flanks and cod or udder.

(ii) A carcass in this yield grade which is near the borderline of Yield Grade 4 and Yield Grade 5 might have 0.4 inch of fat over the ribeye, 4.5 percent of its weight in kidney and pelvic fat, and an average Choice leg conformation grade. Such a carcass with normal fat distribution would also have a body wall thickness of 1.1 inches.

(5) *Yield Grade 5*. A carcass in Yield Grade 5 usually has more external and kidney and pelvic fat and a lower conformation grade of leg than a carcass in Yield Grade 4.

4. Section 53.132 is revised to read as follows:

§ 53.132 Application of standards.

(a) *Grade factors*. Grades of slaughter ovines are intended to be directly related to the grades of the carcasses they produce. To accomplish this, these slaughter ovine grade standards are based on factors which are directly related to the quality grades and the yield grades of ovine carcasses. The standards are written so that the quality and yield grade standards are contained in separate sections. The quality grade standards are divided into two sections applicable to slaughter lambs and slaughter yearlings and sheep. There are five quality grades—Prime, Choice, Good, Utility, Cull—applicable to slaughter lambs, yearlings, and sheep, except that sheep are not eligible for Prime. Also, there are five yield grades applicable to all classes of slaughter ovines, denoted by numbers 1 through 5, with Yield Grade 1 representing the highest degree of cutability.

(b) *General principles*. (1) The determination of the carcass grade that the slaughter animal will produce requires the exercise of well-regulated judgment. Each animal presents a different combination of the grade-determining factors. Animals frequently have characteristics associated with two or more grades. Therefore, a composite evaluation of all inherent physical characteristics is essential for accuracy in determining grade.

(2) The accurate determination of the grade of a slaughter lamb or sheep requires handling in addition to visual observation. The length and density of the fleece varies greatly with individuals and the thickness and firmness of the flesh covering of wooled lambs and sheep can only be roughly estimated without handling. The technique used in handling usually varies with the degree of precision in mind as well as the experience of the grader. Experienced graders may find one quick handling satisfactory. This usually consists of placing one open hand over the back and ribs in simultaneous motion. The thumb extends just over the backbone, while the fingers, which are held close together, cover the rib section and pressure is applied very lightly with a slight lateral and forward and backward motion. The generally accepted technique of handling sheep where time permits, and especially when noting slight differences between individuals, is to handle forward from the dock to neck with the open hand, fingers together, laid flat and with a slight lateral motion. Both hands may then be used, one on each side, in a similar manner to determine the fleshing over the shoulders, ribs, and hips. Regardless of the method, considerable experience is necessary in handling lambs or sheep to accurately determine the grade.

(c) *Quality grades*. (1) The quality grade of a slaughter lamb or sheep is determined by a composite evaluation of two general considerations which influence carcass excellence: Conformation and quality—fatness, maturity, and other indicators of differences in palatability of the lean flesh.

(2) Conformation refers to the general body proportions of the animal and to the ratio of meat to bone. Although primarily determined by the inherent muscular and skeletal systems, it is also influenced by the degree of fatness. Excellent conformation in slaughter lambs and sheep is denoted by a compact, wide-topped, thick-fleshed individual that has a large plump leg. Fullness and thickness should be especially evident in the por-

tions of the body producing the more desirable cuts of meat—loin, hotel rack, and leg.

(3) In grading slaughter lamb and sheep, quality of the lean flesh must necessarily be evaluated indirectly from consideration primarily of the quantity, distribution, and type of fat or finish in relation to the maturity of the animal being graded. Limited consideration is also given to such factors as character of bone and smoothness and symmetry of body. Finish is evaluated by noting variations in the fullness and apparent thickness of the fat covering over the back, loin, ribs, and legs. A high degree of desirable finish is evidenced by a firm, smooth layer of fat which is uniformly distributed over the body.

(4) Although the market designation of slaughter lambs and sheep is usually made by classes, the quality standards are intended to apply to all classes without regard to sex condition. However, male animals which have thick heavy necks and shoulders typical of uncastrated males are discounted in grade in proportion to the extent to which these characteristics are developed. Such discounts may vary from less than half a grade in young lambs in which such characteristics are barely noticeable to as much as two full grades in mature rams in which such characteristics are very pronounced.

(d) *Yield grades.* (1) The yield grades for slaughter lambs, yearlings, and sheep are based on the same factors used in the official yield grade standards for ovine carcasses. These factors are as follows:

(i) *Thickness of fat over ribeye.* As the amount of external fat increases, the percent of retail cuts decreases and the numerical yield grade increases. Assuming no change in the other factors, each 0.15 inch change in adjusted fat thickness over the ribeye changes the yield grade by a full grade.

(ii) *Percent of kidney and pelvic fat.* As the amount of these fats increases, the percent of retail cuts decreases. A change of 4 percent of the carcass weight in kidney and pelvic fat changes the yield grade by a full grade.

(iii) *Leg conformation grade.* An increase in the conformation grade of the legs increases the percent of retail cuts. A change of two full grades in conformation of the legs changes the yield grade by approximately one-third of a yield grade.

(2) When evaluating slaughter ovines for yield grade, each of these factors can be estimated and the yield grade determined therefrom by using the equation contained in the official standards for yield grades of lamb, yearling mutton, and mutton carcasses. However, a more practical method of appraising slaughter ovines for yield grade is to use only two factors normally considered in evaluating live ovines—leg conformation and degree of fatness. In this approach, the degree of fatness largely accounts for the effects of thickness of fat over the ribeye and the percent of kidney and pelvic fat.

(3) The overall fatness of an animal can be determined best by giving particular attention to those parts on which fat is deposited at a faster-than-average rate. These include the back, loin, rump, flank, brisket, cod or udder. As ovines increase in fatness, these parts become progressively fuller, thicker, and more distended in relation to the thickness and fullness of the other parts, particularly the legs. However, since an animal's thickness of muscling also affects the development of its various parts, this also needs to be considered when evaluating the degree of fatness. In thinly muscled ovines with a low degree of finish, the width of the back usually will be greater than the width through the center of the legs. Conversely, in thickly muscled ovines with a low degree of finish, the thickness through the legs will be greater than through the back and the back will be full and rounded. At an intermediate degree of fatness, ovines which are thinly muscled will be considerably wider through the back than through the leg and will be nearly flat across the back. Thickly muscled ovines that have an intermediate degree of fatness will be about the same width through the legs as through the back and the back will appear only slightly rounded. Very fat ovines will be wider through the back than through the legs, but this difference will be greater in thinly muscled ovines than in those that are thickly muscled. As ovines increase in fatness, they also become deeper bodied because of large deposits of fat in the flanks and brisket and along the underline. In determining yield grade, variations in fatness are very much more important than variations in conformation of the leg.

(e) *Other considerations.* (1) Other factors such as sex, heredity, and management also may affect the development of grade-determining characteristics in slaughter ovines. Although these factors do not lend themselves to descriptions in the standards, the use of factual information of this nature is justified in determining the grade of slaughter ovines. The ability to make proper allowances for the effects of genetic and management factors on the appearance of grade-determining characteristics must be developed through experience.

(2) Slaughter ovines qualifying for any particular grade may vary with respect to the relative development of their individual grade factors. In fact, some will qualify for a particular grade although they have some characteristics more typical of ovines of another grade. Because it is impractical to describe the nearly infinite number of such recognizable combinations of characteristics, the standards describe only ovines which have a relatively similar development of the various quality and yield grade-determining factors and which are near the lower limits of quality or yield for the grade. However, examples of the extent to which superiority in quality-indicating characteristics may compensate for deficiencies in conformation, and vice versa, are indicated for each quality grade. In the quality grade standards, the requirements are given for two maturity groups. In the yield grade standards ovines with two levels of muscling are described and specific examples in terms of carcass characteristics also are included.

5. The headings for §§ 53.133 and 53.134 are revised to read as follows:

§ 53.133 Specifications for official U.S. standards for grades of slaughter lambs (quality).

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§ 53.134 Specifications for official U.S. standards for grades of slaughter yearlings and sheep (quality).

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6. A new section, § 53.135, is added as follows:

§ 53.135 Specifications for official U.S. standards for grades of slaughter lambs, yearlings, and sheep (yield).

(a) *Yield Grade 1.* (1) Yield Grade 1 slaughter lambs, yearlings, and sheep produce carcasses which have very high yields of boneless retail cuts. Ovines with characteristics qualifying them for the lower limits of Yield Grade 1 (near the borderline between Yield Grade 1 and Yield Grade 2) will differ considerably because of inherent differences in the development of their muscling and skeletal systems and related differences in fatness.

(2) Very thickly muscled ovines typical of the minimum of this grade have a high proportion of lean to bone. They are moderately wide and usually the width through the shoulders and legs is greater than through the back. The top is well-rounded with no evidence of flatness and the back and loin are moderately full and plump. The legs are moderately large and plump and the width through the middle part of the legs is greater than through the back. The shoulders and hips are slightly prominent. These ovines have only a thin covering of external fat over the back and loin and a slightly thick covering of fat over the rump and down over the ribs. They are shallow through the flanks and the brisket and cod or udder have little evidence of fullness. In handling, the backbone, ribs, and ends of bones at the loin edge are moderately prominent. A carcass produced from slaughter ovines of this description might have 0.1 inch of fat over the ribeye and a low Prime leg conformation grade.

(b) *Yield Grade 2.* (1) Yield Grade 2 slaughter lambs, yearlings, and sheep produce carcasses with high yields of boneless retail cuts. Ovines with characteristics qualifying them for the lower limits of Yield Grade 2 (near the borderline between Yield Grade 2 and Yield Grade 3) will differ considerably because of inherent differences in the development of their muscling and skeletal systems and related differences in fatness.

(2) Very thickly muscled ovines typical of the minimum of this grade have a high proportion of lean to bone. They are wide through the back and loin and have slightly greater width through the shoulders and legs than through the back. The top is well-rounded with little

evidence of flatness and the back and loin are full and plump. The legs are large and plump and the width through the middle part of the legs is slightly greater than through the back. The shoulders and hips are slightly smooth. These ovines have a slightly thin layer of external fat over the back and loin and a thick covering of fat over the rump and down over the ribs. They are slightly shallow through the flanks and the brisket and cod or udder are slightly full. In handling, the backbone, ribs and ends of bones at the loin edge are readily discernible. A carcass produced from slaughter ovines of this description might have 0.2 inch of fat over the ribeye and an average Prime Leg conformation grade.

(3) Thinly muscled ovines typical of the minimum of this grade have a relatively low proportion of lean to bone. They tend to be slightly narrow over the back, loin, and rump. The legs tend to be slightly small and thin and the width over the back is slightly greater than through the legs. The shoulders and hips tend to be moderately prominent. These ovines have a thin covering of external fat over the back and loin and a moderately thick covering of fat over the rump and down over the ribs. They tend to be slightly shallow through the flanks. The brisket and cod or udder have little evidence of fullness. In handling, the backbone, ribs, and ends of the bones at the loin edge are moderately prominent. A carcass produced from slaughter ovines of this description might have 0.15 inch of fat over the ribeye and high Good leg conformation grade.

(c) *Yield Grade 3.* (1) Yield Grade 3 slaughter lambs, yearlings, and sheep produce carcasses with intermediate yields of boneless retail cuts. Ovines with characteristics qualifying them for the lower limits of Yield Grade 3 (near the borderline between Yield Grade 3 and Yield Grade 4) will differ considerably because of inherent differences in the development of their muscling and skeletal systems and related differences in fatness.

(2) Very thickly muscled ovines typical of the minimum of this grade have a high proportion of lean to bone. They are very wide through the back and loin and are uniform in width from front to rear. The top is nearly flat with only a slight tendency toward roundness. The back and loin are very full and plump. The legs are very large and plump. The shoulders and hips are moderately smooth. These ovines have a slightly thick covering of fat over the back and loin and a very thick covering of fat over the rump and down over the ribs. The flanks are slightly deep and full and the brisket and cod or udder are moderately full. In handling, the backbone, ribs, and ends of bones at the loin edge are moderately discernible. A carcass produced from slaughter ovines of this description might have 0.3 inch of fat over the ribeye and a high Prime leg conformation grade.

(3) Thinly muscled ovines typical of the minimum of this grade have a relatively low proportion of lean to bone. They tend to be slightly wide over the back, loin and rump. The legs tend to be slightly thick and plump. The width over the back is moderately greater than through the legs. The shoulders and hips are slightly prominent. These ovines have a slightly thin covering of external fat over the back and loin and a thick covering of fat over the rump and down over the ribs. The flanks tend to be slightly deep and full. The brisket and cod or udder are slightly full. In handling, the backbone, ribs, and ends of bones at the loin edge tend to be moderately discernible. A carcass produced from slaughter ovines of this description might have 0.25 inch of fat over the ribeye and a low Choice leg conformation grade.

(d) *Yield Grade 4.* (1) Yield Grade 4 slaughter lambs, yearlings, and sheep produce carcasses with moderately low yields of boneless retail cuts. Ovines with characteristics qualifying them for the lower limits of Yield Grade 4 (near the borderline between Yield Grade 4 and Yield Grade 5) will differ considerably because of inherent differences in the development of their muscling and skeletal systems and related differences in fatness.

(2) Very thickly muscled ovines typical of the minimum of this grade have a high proportion of lean to bone. They are extremely wide through the back and loin and are slightly wider over the top than through the shoulders and legs. The back and loin are extremely full and plump. The legs are extremely large and plump. The shoulders and hips are smooth. These ovines have a moderately thick covering of fat over the back and loin, and an extremely thick covering of fat over the rump and down over the ribs. The flanks are moderately deep and full and the brisket and cod or udder are full. In handling, the backbone, ribs, and ends of bones at the loin edge are slightly discernible. A carcass produced from slaughter ovines of this description might have 0.4 inch of fat over the ribeye and a high Prime leg conformation grade.

(3) Thinly muscled ovines typical of the minimum of this grade have a relatively low proportion of lean to bone. They tend to be moderately wide over the back, loin, and rump. The legs tend to be moderately thick and plump. They are wider over the back than through the legs. The shoulders and hips are slightly smooth. These ovines have a slightly thick covering of external fat over the back and loin and a very thick covering of fat over the rump and down over the ribs. The flanks are slightly deep and full. The brisket and cod or udder are moderately full. In handling, the backbone, ribs, and ends of bones at the loin edge tend to be slightly discernible. A carcass produced from slaughter ovines of this description might have 0.35 inch of fat over the ribeye and an average Choice leg conformation grade.

(e) *Yield Grade 5.* Yield Grade 5 slaughter lambs, yearlings, and sheep produce carcasses with low yields of boneless retail cuts. Ovines of this grade consist of those not meeting the minimum requirements of Yield Grade 4 because of either more fat or a lower leg conformation grade or a combination of these characteristics.

The foregoing revision shall become effective March 1, 1969.

Done at Washington, D.C., this 3d day of January 1969.

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

[F.R. Doc. 69-241; Filed, Jan. 7, 1969; 8:51 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 17]

PART 719—RECONSTITUTION OF FARMS, ALLOTMENTS, AND BASES

Miscellaneous Amendments

Basis and purpose. This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended, 7 U.S.C. 1281 et seq.), section 124 of the Soil Bank Act (7 U.S.C. 1812), section 602 of the Food and Agriculture Act of 1965 (7 U.S.C. 1838), and the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590 g–p). This amendment provides that (1) a request that allotments be allocated by the owner-designation method must be made by the transferring owner, (2) the allotments retained on a farm by the owner-designation method shall be used to establish contribution history for all future reconstitutions on the farm, (3) the portion of a farm which is owned less than 3 years shall be constituted separately from that portion which has been owned 3 years or more before using the owner-designation method of reconstituting farms, and (4) barley, flaxseed, and soybeans shall be added to the list of price supported commodities in surplus supply.

Since farms are now being reconstituted, it is essential that this amendment be made effective as soon as possible. It is hereby determined and found that compliance with the notice, public procedure, and 30-day effective date requirements of 5 U.S.C. 553 is impracticable and contrary to the public interest and this amendment shall be effective upon publication in the FEDERAL REGISTER.

The regulations in Part 719, Reconstitution of Farms, Allotments, and Bases (29 F.R. 13370, as amended), are amended as follows:

1. In § 719.8, paragraph (j) is amended to read as follows:

§ 719.8 Rules for determining farm bases, farm allotments, and history acreages where reconstitution is made by division.

* * * * *

(j) *Allocation of allotments other than burley tobacco by land owner.* Notwithstanding any other provision of

this part, except for division of allotments by the estate method under paragraph (e) of this section, if the ownership of a tract of land is transferred from a parent farm and the land was not or could not have been acquired under the right of eminent domain, the county committee shall, at the request of the transferring owner, divide the allotments for the parent farm for all commodities, except burley tobacco (and except feed grain bases), between the remaining part of the parent farm and the tract of land being transferred in the manner designated by the owner of the parent farm subject to the conditions set forth in this paragraph. If the county committee determines that the allotments cannot be divided in the manner designated by the owner because of the conditions set forth in this paragraph, the owner shall be notified and permitted to revise the designation of allotments so as to meet the conditions set forth in this paragraph. If the owner does not furnish a revised designation of allotments within a reasonable time after such notification or if any revised designation of allotments does not meet the conditions set forth in this paragraph, the rules in paragraphs (a) through (i) of this section shall be applied to constitute the farms. If the part of the farm retained by the owner is subsequently combined with other land, the allotments attributable to the part retained shall be used to establish contribution history for that part and shall be used for any future reconstitutions. In applying the provisions of this paragraph, if a parent farm is composed of tracts under separate ownership, each separately owned tract being transferred in part shall be considered a separate farm and shall be constituted separately from the parent farm using the rules in paragraphs (a) through (i) of this section, as applicable, for dividing the allotments prior to application of the provisions of this paragraph. Where the ownership of a part of a farm is being transferred, and the farm contains land which has been owned for a period of less than 3 years, that part which has been owned for less than 3 years shall be considered as a separate farm and allotments shall be assigned to that part using the rule in paragraph (a) or (e) of this section, as applicable. Such apportionment shall be made prior to any designation of allotments with respect to the part which has been owned for 3 years or more.

(1) The amount of a commodity allotment (i) designated for a tract of land for which the ownership is being transferred from a parent farm, or (ii) remaining on a parent farm after transfer of ownership of one or more tracts by the owner of the parent farm shall not be larger than that amount of commodity allotment which is comparable to allotments for such commodity established for similar farms in the same area having allotments of such commodity taking into consideration (*a*) the land, labor, and equipment available for the production of the commodity, (*b*) crop rotation practices, and (*c*) the soil and other physical factors affecting the production of the commodity.

(2) The sum of the allotments and bases divided among the tracts shall not exceed the allotments and bases for the parent farm.

(3) The sum of allotments and bases allocated to an individual tract shall not exceed the cropland in such tract: *Provided*, That in a case where the sum of the allotments and bases for the parent farm is in excess of the total cropland for the parent farm, the sum of the allotments and bases allocated to an individual tract may exceed the cropland in such tract to the extent of such excess.

(4) Provisions of this paragraph shall not be applicable where the land is subject to a deed of trust, lien, or mortgage unless the holder of the deed of trust, mortgagee, or lien holder agree to the division of allotments.

(5) Where the upland cotton allotment designated by the farmowner under this paragraph would otherwise be increased to a minimum farm acreage allotment under section 344(f)(1) of the Agricultural Adjustment Act of 1938, as amended, the upland cotton allotment so designated for the tract divided from the parent farm and so designated for the parent farm shall not be increased under such minimum allotment provisions and the designated allotment shall be used as the minimum allotment.

(6) If the part of the farm from which the ownership is being transferred was owned for a period of less than 3 years, the provisions of this paragraph shall not be applicable to such transfer; *Provided*, That the State committee upon approval of the Deputy Administrator may permit the use of the owner designation method under this paragraph for such farm upon a determination that a division of allotments that would otherwise be applicable under paragraphs (a) through (i) of this section would cause an undue hardship or create inequity.

* * * * *

2. In § 719.15, paragraph (b) is amended to read as follows:

§ 719.15 Federally-owned land under restrictive lease.

* * * * *

(b) *Price-supported commodities in surplus supply*. It has been determined that the following price-supported commodities are in surplus supply: Cotton (upland and extra-long staple), corn, grain sorghum, rice, wheat, peanuts, dry edible beans, barley, flaxseed, soybeans, and tobacco of the kinds for which acreage allotments are in effect.

(Secs. 374, 375, 52 Stat. 65, as amended, 66, as amended; sec. 124, 70 Stat. 198; sec. 602, 79 Stat. 1206; sec. 4, 49 Stat. 164; 7 U.S.C. 1374, 1375, 1812, 1838; 16 U.S.C. 590d)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 2, 1969.

RAY FITZGERALD,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-242; Filed, Jan. 7, 1969; 8:51 a.m.]

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

[Tangelo Reg. 36, Amdt. 2]

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

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

Order. In § 905.508 (Tangelo Reg. 36; 33 F.R. 15243, 18430), paragraph (a)(2) and (3) is deleted and paragraph (a)(1)(ii) is amended to read as follows:

§ 905.508 Tangelo Regulation 36.

(a) * * *

(1) * * *

(ii) During any week of the period December 30, 1968, through July 31, 1969, any tangelos, grown in the production area, which are smaller than $2\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos.

* * * * *

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

Dated: January 3, 1969.

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

[F.R. Doc. 69-244; Filed, Jan. 7, 1969; 8:51 a.m.]

[Tangerine Reg. 36, Amdt. 1]

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

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

Order. In § 905.511 (Tangerine Reg. 36, 33 F.R. 18226) the provisions of paragraph (a)(2)(ii) are amended to read as follows:

§ 905.511 Tangerine Regulation 36.

(a) * * *

(2) * * *

(ii) During any week of the period December 30, 1968, through July 31, 1969, any tangerines, grown in the production area, which are smaller than 2$\frac{1}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangerines smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Tangerines.

* * * * *

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

Dated: January 3, 1969.

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

[F.R. Doc. 69-243; Filed, Jan. 7, 1969; 8:51 a.m.]

[Orange Reg. 62, Amdt. 1]

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

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Murcott Honey oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

Order. In § 905.512 (Orange Regulation 62; 33 F.R. 18227), the provisions of paragraph (a)(2)(vii) are amended to read as follows:

§ 905.512 Orange Regulation 62.

(a) * * *

(2) * * *

(vii) Any Murcott Honey oranges, grown in the production area, which are of a size smaller than 2$\frac{9}{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Murcott Honey oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos.

* * * * *

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

Dated, January 3, 1969, to become effective January 3, 1969.

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

[F.R. Doc. 69-245; Filed, Jan. 7, 1969; 8:51 a.m.]

[Lemon Reg. 354, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(b) *Order, as amended.* The provisions in paragraph (b)(1) (i), (ii), and (iii) of § 910.654 (Lemon Reg. 354, 33 F.R. 19942) are hereby amended to read as follows:

§ 910.654 Lemon Regulation 354.

* * * * *

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

(i) District 1: 25,110 cartons;

(ii) District 2: 92,070 cartons;

(iii) District 3: 152,520 cartons.

* * * * *

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

Dated: January 3, 1969.

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

[F.R. Doc. 69-246; Filed, Jan. 7, 1969; 8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Honey Price Support Regs. for 1968 and Subsequent Crops, Amdt. 3]

PART 1434—HONEY

Subpart—Honey Price Support Regulations

CHATTEL MORTGAGES AND APPROVED STORAGE

The regulations issued by the Commodity Credit Corporation, published in 33 F.R. 5203 and 11705, and setting forth the requirements with respect to price support for the 1968 and each subsequent crop of extracted honey for which a price support program is authorized, are hereby amended as follows:

1. Section 1434.5 is amended to change section title and to redesignate existing paragraph (a) to (b) and paragraph (b) to (c) and to add a new paragraph (a) which reads as follows:

§ 1434.5 Filing or recording of chattel mortgages.

(a) *Security*. The county office shall file and record as required by State law all chattel mortgages which cover honey under loan and stored on leased premises as described in § 1434.9(a)(1). As used in this subpart, the term "Chattel Mortgage" means any security instrument which secures a farm storage loan. Where appropriate, the filing or recordation as required by State law may be made by filing a financing statement which describes the identity, quantity, ownership, and location of the honey placed under loan. The cost of filing and recording shall be for the account of CCC.

* * * * *

2. Paragraph (a)(1) of § 1434.9 is amended to provide that producers may obtain loans on honey stored in leased facilities when the county office has a copy of the lease agreement before the loan is disbursed and reads as follows:

§ 1434.9 Approved storage.

(a) * * *

(1) *Farm storage*. Approved farm storage shall consist of a storage structure located on or off the farm (excluding public or commercial warehouses) which is determined by the county committee to be under the control of the producer and to afford safe storage for honey. Producers may also obtain loans on honey stored on leased space in facilities owned by third parties in which the honey of more than one person is stored if the honey on such leased space to be placed under loan is segregated from all other honey, is identified by markings on each container of honey, and if segregated quantity of honey is identified by a lot number and the name of the producer as owner thereof. A copy of the lease shall be obtained by the county office before a loan is made. The lease shall authorize the producer and any person having an interest in the honey to enter on the premises to inspect and examine the honey and shall permit a reasonable time to such persons to remove the honey from the premises on its termination.

* * * * *

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

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on December 9, 1968.

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

[F.R. Doc. 69-247; Filed, Jan. 7, 1969; 8:51 a.m.]

Title 12—BANKS AND BANKING

Chapter III—Federal Deposit Insurance Corporation

SUBCHAPTER B—REGULATIONS AND STATEMENTS OF GENERAL POLICY

PART 330—CLARIFICATION AND DEFINITION OF DEPOSIT INSURANCE COVERAGE

Public Unit Accounts; Political Subdivision

Effective upon publication in the FEDERAL REGISTER, § 330.8 of the rules and regulations of the Federal Deposit Insurance Corporation (12 CFR Part 330) is amended to add a new paragraph (c) to read as follows:

§ 330.8 Public unit accounts.

* * * * *

(c) *Political subdivision*. The term "political subdivision" includes any subdivision of a public unit, as defined in section 3(m) of the Federal Deposit Insurance Act, or any principal department of such public unit, (1) the creation of which subdivision or department has been expressly authorized by State statute, (2) to which some functions of government have been delegated by State statute, and (3) to which funds have been allocated by statute or ordinance for its exclusive use and control. It also includes drainage, irrigation, navigation, improvement, levee, sanitary, school or power districts, and bridge or port authorities and other special districts created by State statute or compacts between the States. Excluded from the term are subordinate or nonautonomous divisions, agencies, or boards within principal departments.

The purpose of the proposed new section is to define the term "political subdivision" so as to clarify the insurance coverage afforded funds of public units and enable such public units, as well as insured banks, to comply with all legal requirements relating to public fund depositories.

In adopting this amendment to the Corporation's rules and regulations, the Board of Directors has found that (1) for good cause shown prior publication of notice of proposed rule making in the FEDERAL REGISTER and public participation in the making of rules under the provisions of the Administrative Procedure Act (5 U.S.C. 553) and Part 302 of the Corporation's rules and regulations (12 CFR 302.1–302.7) is not required with respect to the adoption of this amendment and such publication is impracticable, unnecessary and contrary to the public interest, and (2) that a delay of not less than 30 days in the effective date of said amendment after its publication is not required by the provisions of the Administrative Procedure Act (5 U.S.C. 553) and Part 302 of the Corporation's rules and regulations (12 CFR 302.1–302.7), since the amendment imposes no substantial additional duties or burdens upon the public and is therefore excepted from the 30-day prior publication before the effective date requirement of the Administrative Procedure Act.

(Sec. 9, 64 Stat. 881; 12 U.S.C. 1819; sec. 3, 80 Stat. 1056; 12 U.S.C. 1813. Interpret or apply secs. 3, 7, 11, 12, 64 Stat. 873; 12 U.S.C. 1813, 1817, 1821, 1822)

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] E. F. DOWNEY,
Secretary.

[F.R. Doc. 69-198; Filed, Jan. 7, 1969; 8:47 a.m.]

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. 22,476]

PART 561—DEFINITIONS

Insurance of Accounts

JANUARY 3, 1969.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of liberalization of the provisions of § 561.5a of the Rules and Regulations for Insurance of Accounts (12 CFR 561.5a) by redefining the term "political subdivision" as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends said § 561.5a as follows, effective upon publication in the FEDERAL REGISTER:

§ 561.5a Political subdivision.

The term "political subdivision" includes any subdivision of a public unit, as defined in § 561.5, or any principal department of such public unit, (a) the creation of which subdivision or department has been expressly authorized by state statute, (b) to which some functions of government have been delegated by state statute, and (c) to which funds have been allocated by statute or ordinance for its exclusive use and control. It also includes drainage, irrigation, navigation, improvement, levee, sanitary, school or power districts and bridge or port authorities and other special districts created by state statute or compacts between the states. Excluded from the term are subordinate or nonautonomous divisions, agencies or boards within principal departments.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, as said amendment only relieves restriction, the Board hereby finds that notice and public

procedure thereon, are unnecessary under the provisions of § 508.12 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 508.12) or section 4(a) of the Administrative Procedure Act, and the Board hereby finds that, as said amendment relieves restriction, the publication of said amendment for the period specified in section 4(c) of said Act prior to the effective date of said amendment is unnecessary.

By the Federal Home Loan Bank Board.

[SEAL] JACK CARTER,
Secretary.

[F.R. Doc. 69-249; Filed, Jan. 7, 1969; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 8992; Amdt. 67-7]

PART 67—MEDICAL STANDARDS AND CERTIFICATION

Reconsideration of Certification Actions

The purpose of this amendment to Part 67 of the Federal Aviation Regulations is to provide that certain FAA officials may on their own initiative reverse the issuance of a medical certificate by an aviation medical examiner, within 60 days after receiving additional medical information establishing the noneligibility of the holder of that certificate, when that information was requested within 60 days of issuance.

This amendment was proposed in Notice 68-14, and published in the FEDERAL REGISTER on July 10, 1968 (33 F.R. 9005).

Four public comments were received on the notice, three of which concurred in the proposal or offered no objections. One comment objected to the proposal, asserting that it would be unfair to keep the airman in a state of suspense for any longer period of time because of FAA "inefficiencies". However, this comment failed to recognize that in many cases the need for more time stems from delays of the airman in providing needed medical information to establish his eligibility or noneligibility for a medical certificate. As stated in the notice, § 67.25(b), as amended by Amendment 67-5, effective July 16, 1966, contains a 60-day time limitation within which FAA officials may reconsider and reverse the issuance of a medical certificate by an aviation medical examiner. However, although the reconsideration may indicate the need for additional medical information to determine whether an error was made by an aviation medical examiner, the authority of the FAA official to fully reconsider the case and reverse the issuance of the certificate, if necessary, could be effectively defeated by the failure (or delay) of the holder of the medical certificate to respond to the request for additional medical information within 60 days from the date the certificate was issued. This could allow operation of aircraft by airmen whose physical qualifications have not been fully determined, and, if necessary, require resort to action under section 609 of the Federal Aviation Act to prevent the airman from further operation of an aircraft until a determination can be made that he can do so safely.

Since the term "medical information" as used in § 67.31—Medical Records (under which information is requested) includes the results of "medical testing", the latter term is not used in the amended rule although it was used in the notice. Also, the amendatory language has been rearranged for the purpose of clarification, but without change in meaning.

In consideration of the foregoing, the third sentence of paragraph (b) of § 67.25 of the Federal Aviation Regulations is stricken out, and the following new sentences are inserted in place thereof, effective February 8, 1969:

§ 67.25 Delegation of authority.

* * * * *

(b) * * * A certificate issued by an aviation medical examiner is considered to be affirmed as issued unless an FAA official named in this paragraph on his own initiative reserves that issuance within 60 days after the date of issuance. However, if within 60 days after the date of issuance that official requests the certificate holder to submit additional medical information, he may on his own initiative reverse the issuance within 60 days after he receives the requested information.

* * * * *

(Secs. 303(d), 313(a), 601, 602, Federal Aviation Act of 1958 (49 U.S.C. 1344, 1354(a), 1421, 1422); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on January 2, 1969.

D. D. THOMAS,
Acting Administrator.

[F.R. Doc. 69-201; Filed, Jan. 7, 1969; 8:47 a.m.]

[Airspace Docket No. 68-SO-90]

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

Alteration of Control Zone and Transition Area

On November 26, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 17662), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Elizabeth City, N.C., control zone and transition area.

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

Subsequent to publication of the notice, the geographic coordinate (lat. 36°15'35" N., long. 76°10'20" W.), for the Coast Guard Air Station, Elizabeth City, N.C., was refined by Coast and Geodetic Survey.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary and action is taken herein to alter the descriptions accordingly.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 6, 1969, as hereinafter set forth.

In § 71.171 (33 F.R. 2058), the Elizabeth City, N.C., control zone is amended to read:

ELIZABETH CITY, N.C.

Within a 5-mile radius of CGAS Elizabeth City (lat. 36°15'35" N., long. 76°10'20" W.); within 2 miles each side of the Elizabeth City VOR 195° radial, extending from the 5-mile radius zone to 8 miles south of the VOR; within 2 miles each side of the Elizabeth City VOR 357° radial, extending from the 5-mile radius zone to 8 miles north of the VOR.

In § 71.181 (33 F.R. 2137), the Elizabeth City, N.C., transition area is amended to read:

ELIZABETH CITY, N.C.

That airspace extending upward from 700 feet above the surface within an 8-mile radius area of CGAS Elizabeth City (lat. 36°15'35" N., long. 76°10'20" W.); within 2 miles each side of the 127° bearing from Weeksville RBN, extending from the 8-mile radius area to 8 miles southeast of the RBN.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on December 31, 1968.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-202; Filed, Jan. 7, 1969; 8:47 a.m.]

[Airspace Docket No. 68-SW-68]

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

Alteration of Federal Airway

On October 23, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 15663) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate a 1,200 foot AGL east alternate to V-71 from Baton Rouge, La., to Natchez, Miss.

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

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 6, 1969, as hereinafter set forth.

Section 71.123 (33 F.R. 2009) is

amended as follows: In V-71 "12 AGL Natchez, Miss.;" is deleted and "12 AGL Natchez, Miss., including a 12 AGL E alternate via INT Baton Rouge 026° and Natchez 156° radials;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on December 30, 1968.

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

[F.R. Doc. 69-169; Filed, Jan. 7, 1969; 8:45 a.m.]

[Airspace Docket No. 68-EA-130]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Lebanon, N.H. 700-foot transition area by changing a latitude coordinate for the center of the airport.

Since the amendment is minor in nature and imposes no additional burden on any person, notice and public procedure herein are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, the amendment is hereby adopted effective upon publication in the FEDERAL REGISTER as follows:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Lebanon, N.H., transition area the coordinate "43°47'35" N." and insert in lieu thereof "43°37'35" N.".

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348))

Issued in Jamaica, N.Y., on December 18, 1968.

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

[F.R. Doc. 69-203; Filed, Jan. 7, 1969; 8:47 a.m.]

[Airspace Docket No. 68-EA-114]

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

Alteration of Transition Area

On page 16602 of the FEDERAL REGISTER for November 14, 1968, the Federal Aviation Administration published a proposed regulation which would alter the Wrightstown, N.J., transition area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted effective 0901 G.m.t., March 6, 1969.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), DOT Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on December 23, 1968.

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

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to insert in the description of the Wrightstown, N.J., 700-foot transition area description following the words "above the surface" the words, "within a 5-mile radius of the center, 40°04'00" N. 74°10'40" W. of Lakewood Airport, Lakewood, N.J.;".

[F.R. Doc. 69-204; Filed, Jan. 7, 1969; 8:48 a.m.]

[Airspace Docket No. 68-EA-101]

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

Alteration of Transition Area

On page 17113 of the FEDERAL REGISTER for November 16, 1968, the Federal Aviation Administration published a proposed regulation which would alter the Norfolk, Va., transition area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t. March 6, 1969.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), DOT Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on December 23, 1968.

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

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Norfolk, Va., transition area by adding in the description of the 700-foot transition area following the words "thence to point of beginning" the words "and within 2 miles southeast and 5 miles northwest of the Runway 7 centerline extended 15 miles northeast of the end of Runway 7."

[F.R. Doc. 69-205; Filed, Jan. 7, 1969; 8:48 a.m.]

[Airspace Docket No. 68-EA-135]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Henderson, Ky., transition area. A recent review of the terminal area indicates the need for a refinement of the coordinates of the Henderson Airport.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure herein are unnecessary and the amendment may be made in less than 30 days.

In view of the foregoing, Federal Aviation Administration having reviewed the airspace requirements in the terminal airspace of Henderson, Ky., the amendment is herewith made effective upon publication in the FEDERAL REGISTER as follows:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the Henderson, Ky., transition area, the coordinates 37°47'30" N., 87°40'50" W., and insert in lieu thereof 37°48'30" N., 87°41'00" W.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), DOT Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on December 23, 1968.

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

[F.R. Doc. 69-206; Filed, Jan. 7, 1969; 8:48 a.m.]

[Airspace Docket No. 68-SO-76]

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

Alteration of Transition Area

On December 13, 1968, F.R. Doc. 68-14881, effective February 6, 1969, was published in the FEDERAL REGISTER (33 F.R. 18478) amending Part 71 of the Federal Aviation Regulations by designating the Vidalia, Ga., transition area.

In the amendment, an extension to the transition area was predicated on the 070° bearing from the Vidalia RBN.

Subsequent to publication of the rule, Coast and Geodetic Survey refined the final approach bearing of the NDB (ADF) RWY 24 SIAP from 070° to 077°. It is therefore necessary to alter the rule accordingly.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, F.R. Doc. 68-14881 is amended as follows: In line five of the Vidalia, Ga., transition area description "* * * 070° bearing * * *" is deleted and "* * * 077° bearing * * *" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348(a)); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in East Point, Ga., on December 27, 1968.

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

[F.R. Doc. 69-170; Filed, Jan. 7, 1969; 8:45 a.m.]

[Airspace Docket No. 68-EA-112]

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

Designation of Transition Area

On page 17113 of the FEDERAL REGISTER for November 16, 1968, the Federal Avia-

tion Administration published a proposed regulation which would designate a 700-foot transition area over Lansdowne Airport, Youngstown, Ohio.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulations are hereby adopted, effective 0901 G.m.t., March 6, 1969.

(Sec. 307(a), Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348); sec. 6(c), DOT Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on December 23, 1968.

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

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Youngstown, Ohio (Lansdowne Airport), transition area described as follows:

YOUNGSTOWN, OHIO (LANSDOWNE AIRPORT)

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center 41°07'50" N., 80°37'10" W. of Lansdowne Airport, Youngstown, Ohio, excluding the portion that coincides with the Youngstown, Ohio 700-foot floor transition area. This transition area is effective from sunrise to sunset, daily.

[F.R. Doc. 69-207; Filed, Jan. 7, 1969; 8:48 a.m.]

[Airspace Docket No. 68-AL-19]

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

PART 75—ESTABLISHMENT OF JET ROUTES

Designation of Controlled Airspace; Postponement of Effective Date

On October 26, 1968, F.R. Doc. 68-13089 was published in the FEDERAL REGISTER (33 F.R. 15860) amending Parts 71 and 75 of the Federal Aviation Regulations by designating certain controlled airspace for the safety of aircraft conducting instrument flight rule operations in the North Slope area of Alaska. These amendments were to become effective December 12, 1968. On December 6, 1968, F.R. Doc. 68-13089 was amended by extending the effective date to January 9, 1969 (33 F.R. 18135). On December 19, 1968, F.R. Doc. 68-13089 was further amended due to the relocation of the Prudhoe Bay RBN (33 F.R. 18930).

Severe weather conditions and technical difficulties have precluded the commissioning of communications facilities necessary to these operations by January 9, 1969.

Accordingly, action is taken herein to further postpone the effective date of F.R. Doc. 68-13089 until January 20, 1969.

Since this amendment is in the interest of safety, the Administrator has determined that notice and public procedure thereon is impracticable.

In consideration of the foregoing, effective immediately, F.R. Doc. 68-13089 (33 F.R. 15860, 18135, 18930) is amended as follows: "effective 0901 G.m.t., January 9, 1969," is deleted and "effective 0901 G.m.t., January 20, 1969," is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Washington, D.C., on January 6, 1969.

T. MCCORMACK,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 69-290; Filed, Jan. 7, 1969; 8:52 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart D—Listing of Color Additives for Food Use Exempt From Certification

Subpart F—Listing of Color Additives for Drug Use Exempt From Certification

CANTHAXANTHIN; LISTING FOR FOOD AND DRUG USE EXEMPT FROM CERTIFICATION

The Commissioner of Food and Drugs, based on consideration given a petition (CAP 47) filed by Hoffmann-La Roche, Inc., Nutley, N.J. 07110, and other relevant material, finds that canthaxanthin, identified below, is safe for use in or on foods and drugs under the conditions prescribed in this order, and that certification is not necessary for the protection of the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706 (b), (c)(2), (d), 74 Stat. 399-403; 21 U.S.C. 376(b), (c)(2), (d)) and under authority delegated to the Commissioner (21 CFR 2.90): *It is ordered*, That Part 8 be amended by adding § 8.326 to Subpart D and § 8.6015 to Subpart F, as follows:

§ 8.326 Canthaxanthin.

(a) *Identity*. (1) The color additive canthaxanthin is β-carotene-4,4'-dione.

(2) Color additive mixtures for food use made with canthaxanthin may contain only those diluents that are suitable and that are listed in this subpart as safe for use in color additive mixtures for coloring foods.

(b) *Specifications*. Canthaxanthin shall conform to the following specifications and shall be free from impurities other than those named to the extent that such other impurities may be avoided by good manufacturing practice:

Physical state, solid.
1 percent solution in chloroform, complete and clear.
Melting range (decomposition), 207° C. to 212° C. (corrected).
Loss on drying, not more than 0.2 percent.
Residue on ignition, not more than 0.2 percent.
Total carotenoids other than trans-canthaxanthin, not more than 5 percent.
Lead, not more than 10 parts per million.
Arsenic, not more than 3 parts per million.
Mercury, not more than 1 part per million.
Assay, 96 to 101 percent.

(c) *Uses and restrictions*. The color additive canthaxanthin may be safely used for coloring foods generally subject to the following restrictions:

(1) The quantity of canthaxanthin does not exceed 30 milligrams per pound of solid or semisolid food or per pint of liquid food.

(2) It may not be used to color foods for which standards of identity have been promulgated under section 401 of the act unless added color is authorized by such standards.

(d) *Labeling*. The label of the color additive and any mixtures prepared therefrom intended solely or in part for coloring purposes shall conform to the requirements of § 8.32.

(e) *Exemption from certification*. Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

§ 8.6015 Canthaxanthin.

(a) *Identity and specifications*. (1) The color additive canthaxanthin shall conform in identity and specifications to the requirements of § 8.326 (a)(1) and (b).

(2) Color additive mixtures for ingested drug use made with canthaxanthin may contain only those diluents that are suitable and that are listed in this subpart as safe in color additive mixtures for coloring ingested drugs.

(b) *Uses and restrictions*. Canthaxanthin may be safely used for coloring ingested drugs generally in amounts consistent with good manufacturing practice.

(c) *Labeling requirements*. The label of the color additive and of any mixtures prepared therefrom intended solely or in part for coloring purposes shall conform to the requirements of § 8.32.

(d) *Exemption from certification*. Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds le-

gally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 706(b), (c)(2), (d), 74 Stat. 399-403; 21 U.S.C. 376(b), (c)(2), (d))

Dated: December 20, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-219; Filed, Jan. 7, 1969; 8:49 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 19—CHEESES, PROCESSED CHEESES, CHEESE FOODS, CHEESE SPREADS, AND RELATED FOODS

Provolone Cheese, Identity Standard; Order Listing Liquid Smoke Product as Optional Ingredient

In the matter of amending the definition and standard of identity for provolone cheese, pasta filata cheese (21 CFR 19.590) to permit the use of liquid smoke product as an optional ingredient:

Eight comments were received in response to the notice of proposed rule making in the above-identified matter that was published in the FEDERAL REGISTER of September 4, 1968 (33 F.R. 12382), and set forth proposals by the Commissioner of Food and Drugs and the National Cheese Institute, 110 North Franklin Street, Chicago, Ill. 60606.

In consideration of the information submitted in the petition, the comments received, and other relevant material, the Commissioner of Food and Drugs concludes that it will promote honesty and fair dealing in the interest of consumers to adopt the proposed amendments with one change, which is that if the provoline cheese is smoked, use of the word "smoked" in connection with the name of the food shall continue to be optional instead of mandatory as proposed.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered,* That § 19.590 (b) and (e) (1) and (3) be revised to read as follows:

§ 19.590 Provolone cheese, pasta filata cheese; identity; label statement of optional ingredients.

* * * * *

(b) Milk, which may be pasteurized or clarified or both, and which may be warmed, is subjected to the action of harmless lactic-acid-producing bacteria, present in such milk or added thereto. Harmless artifical blue or green coloring in a quantity which neutralizes any natural yellow coloring in the curd may be added. Sufficient rennet, rennet paste or extract of rennet paste (with or without purified calcium chloride in a quantity not more than 0.02 percent, calculated as anhydrous calcium chloride, of the weight of the milk) is added to set the milk to a semisolid mass. The mass is cut, stirred, and heated so as to promote and regulate the separation of whey from the curd. The whey is drained off and the curd is matted and cut, immersed in hot water, and kneaded and stretched until it is smooth and free from lumps. Then it is cut and molded. During the molding the curd is kept sufficiently warm to cause proper sealing of the surface. The molded curd is then firmed by immersion in cold water, salted in brine, and dried. Some shapes may be encased in ropes or twine before drying. Provolone cheese may be smoked or it may have added to it a clear aqueous solution prepared by condensing or precipitating wood smoke in water. It is given some additional curing and covered with paraffin or similar wax. A harmless preparation of enzymes of animal or plant origin capable of aiding in the curing or development of flavor of provolone cheese may be added during the procedure in such quantity that the weight of the solids of such preparation is not more than 0.1 percent of the weight of the milk used.

* * * * *

(e)(1) The name "provolone cheese" ("pasta filata cheese") may include the common name of the shape of the cheese, such as "salami provolone." If provolone cheese is not smoked, the name includes the words "not smoked." If a clear aqueous solution prepared by condensing or precipitating wood smoke in water is added to the provolone cheese, the name is immediately followed by the words "with added smoke flavoring" with all words in this phrase of the same type size, style, and color without intervening written, printed, or graphic matter.

* * * * *

(3) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements prescribed by this section, showing the optional ingredient used, shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter, except for the statement "with added smoke flavoring" as set forth in subparagraph (1) of this paragraph.

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

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-220; Filed, Jan. 7, 1969; 8:49 a.m.]

PART 42—EGGS AND EGG PRODUCTS

Dried Eggs, Dried Whole Eggs, Identity Standard; Confirmation of Effective Date of Order Increasing the Percentage of Egg Solids Required

In the matter of amending the standard of identity for dried eggs, dried whole eggs (21 CFR 42.30) to prescribe that the finished food shall contain not less than 95 percent by weight total egg solids:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of October 31, 1968 (33 F.R. 15995). Accordingly, the amendment promulgated by that order will become effective December 30, 1968.

Dated: December 24, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-221; Filed, Jan. 7, 1969; 8:49 a.m.]

PART 42—EGGS AND EGG PRODUCTS

Dried Egg Yolks, Dried Yolks, Identity Standard; Confirmation of Effective Date of Order Regarding Percentage of Egg Solids

In the matter of amending the standard of identity for dried egg yolks, dried yolks (21 CFR 42.60) to prescribe that the finished food shall contain not less than 95 percent by weight total egg solids:

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs.

401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), notice is given that no objections were filed to the order in the above-identified matter published in the FEDERAL REGISTER of October 31, 1968 (33 F.R. 15995). Accordingly, the amendment promulgated by that order will become effective December 30, 1968.

Dated: December 24, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-222; Filed, Jan. 7, 1969; 8:49 a.m.]

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

2-Chloro-1-(2,4,5-Trichlorophenyl) Vinyl Dimethyl Phosphate

A petition (PP 9F0739) was filed with the Food and Drug Administration by the Shell Chemical Co., a division of the Shell Oil Co., 1700 K Street NW., Washington, D.C. 20006, proposing the establishment of a tolerance of 10 parts per million for residues of the insecticide 2-chloro-1-(2,4,5-trichlorophenyl) vinyl dimethyl phosphate including its low melting point isomer in or on the raw agricultural commodity apples.

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

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerance established by this order will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 120 is amended as follows:

1. Section 120.3(e)(5) is amended by alphabetically inserting in the list of cholinesterase-inhibiting pesticides a new item, as follows:

§ 120.3 Tolerances for related pesticide chemicals.

* * * * *

(e) * * *

(5) * * *

2 - Chloro - 1 - (2,4,5 - trichlorophenyl) vinyl dimethyl phosphate.

* * * * *

2. A new section is added to Subpart C as follows:

§ 120.252 2 - Chloro - 1 - (2,4,5 - trichlorophenyl) vinyl dimethyl phosphate; tolerances for residues.

A tolerance of 10 parts per million is established for residues of the insecticide 2 - chloro - 1 - (2,4,5 - trichlorophenyl) vinyl dimethyl phosphate including its related conversion products 2-chloro-1-(2,4,5-trichlorophenyl) vinyl methylphosphoric acid, 2,2',4',5'-tetrachloroacetophenone, and conjugates of the latter two compounds, in or on the raw agricultural commodity apples.

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

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

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

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-224; Filed, Jan. 7, 1969; 8:49 a.m.]

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

Dimethoate

A petition (PP 7F0578) was filed with the Food and Drug Administration by the American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540, proposing the establishment of tolerances for residues of the insecticide dimethoate (*O,O*-dimethyl *S*-(*N*-methylcarbamoylmethyl) phosphorodithioate) and its oxygen analog in or on the raw agricultural commodities melons (except watermelons) at 2 parts per million, and potatoes and watermelons at 0.1 part per million.

Subsequently, the petition was amended by proposing tolerances for residues of dimethoate and its oxygen analog in or on the raw agricultural commodities melons including cantaloups, muskmelons, watermelons at 1 part per million, and in or on potatoes at 0.2 part per million.

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

Based on consideration given the data submitted in the petition, and other relevant material, the Commissioner of Food and Drugs concludes that the tolerances established by this order will protect the public health. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.204 is amended by adding two new paragraphs after the paragraph "2 parts per million * * *," as follows:

§ 120.204 Dimethoate including its oxygen analog; tolerances for residues.

* * * * *

1 part per million in or on melons.
0.2 part per million in or on potatoes.

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

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

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

Dated: December 20, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-223; Filed, Jan. 7, 1969; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in the Feed and Drinking Water of Animals or for the Treatment of Food-Producing Animals

Subpart D—Food Additives Permitted in Food for Human Consumption

DIETHYLSTILBESTROL

A. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 6D1937) filed by Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y. 10017, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use of diethylstilbestrol implants in lambs to in-

crease rate of gain and improve feed efficiency. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.241(b) is amended by revising table 2 to read as follows:

§ 121.241 Diethylstilbestrol.

* * * * *

(b) * * *

TABLE 2—DIETHYLSTILBESTROL IN IMPLANTS

Principal ingredient	Mg. per head per day	Combined with—	Gms. per ton	Limitations	Indications for use
1. Diethylstilbestrol.	3			For lambs as a subcutaneous ear implantation; not for use on breeding animals; implantation should be made at the start of the feeding period or approximately 70 days before marketing.	Increase rate of gain and improve feed efficiency.
2. Diethylstilbestrol.	24 mg. per dose.	Testosterone	120 mg. per dose.	For beef cattle as a subcutaneous ear implantation; one dose per animal; applied in a vehicle of polyethylene glycol 200 and polyethylene glycol 4000 conforming to § 121.259; may be repeated after 60 days; do not use within 21 days of slaughter; may be administered to cattle being fed diethylstilbestrol in accordance with item 1 of table 1 of this paragraph.	Stimulation of growth and of rate of finishing of beef cattle.

* * * * *

B. Based upon the data before him and proceeding under the authority of the act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), delegated as cited above, the Commissioner further concludes that where lambs are treated with the additive in accordance with § 121.241 as amended herein, a tolerance limitation is required to assure that edible tissues from treated lambs are safe for human consumption. Therefore, § 121.1118 is revised to read as follows:

§ 121.1118 Diethylstilbestrol.

A tolerance of zero is established for residues of diethylstilbestrol in the uncooked edible tissues of beef cattle, sheep, and lambs, as determined by the methods of examination prescribed in § 121.241.

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

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

(Sec. 409(c)(1), (4), 72 Stat. 1786; 21 U.S.C. 348(c)(1), (4))

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-225; Filed, Jan. 7, 1969; 8:49 a.m.]

PART 121—FOOD ADDITIVES

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

PHTHALOCYANINE BLUE

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 8R2260) filed by USM Chemical Co., Division of United Shoe Machinery Corp., Middleton, Mass. 01949, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use of pthalocyanine blue as a colorant in adhesives for resin-bonded filters. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2536(d) is amended by adding thereto a new subparagraph, as follows:

§ 121.2536 Filters, resin-bonded.

* * * * *

(d) * * *

(5) *Colorants:*

Phthalocyanine blue (C.I. pigment blue 15, C.I. No. 74160), not to exceed 0.1 percent in thermoplastic adhesives fabricated from components complying with §§ 121.2501 and 121.2570 for use in resin-bonded filters.

* * * * *

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

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

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

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-217; Filed, Jan. 7, 1969; 8:49 a.m.]

SUBCHAPTER C—DRUGS

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

Sodium Ampicillin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), § 146a.119(b) is revised to read as follows to delete from the second sentence references to quantities per container of the subject drug:

§ 146a.119 Sodium ampicillin.

* * * * *

(b) *Packaging.* In all cases the immediate container shall be a tight container as defined by the U.S.P. and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused that are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded. If it is packaged for dispensing, it shall be in immediate containers of colorless, transparent glass. If it is packaged for dispensing, it may be packaged in combination with a container of sterile water for injection U.S.P.

* * * * *

This order removes references to quantities per dispensing container in the packaging paragraph for the subject drug and is nonrestrictive and noncontroversial in nature; therefore, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

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

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

Dated: December 27, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-226; Filed, Jan. 7, 1969; 8:49 a.m.]

PART 147—ANTIBIOTICS INTENDED FOR USE IN THE LABORATORY DIAGNOSIS OF DISEASE

PART 148q—GENTAMICIN

Gentamicin Sulfate Sensitivity Discs; Gentamicin Sulfate Injection

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), the antibiotic drug regulations are amended as follows to provide for certification of gentamicin sulfate sensitivity discs and gentamicin sulfate injection:

§ 147.1 [Amended]

1. Section 147.1 *Antibiotic sensitivity discs; tests and methods of assay; potency* is amended as follows:

a. A new item is alphabetically inserted in the table in paragraph (c)(3), as follows:

Antibiotic	Volume of suspension added to each 100 ml. of seed agar used for test	Suspension number	Medium	
			Base layer	Seed layer
	Ml.			
* * *	* * *	* * *	* * *	* * *
Gentamicin (sulfate)	0.5	3	C	C
* * *	* * *	* * *	* * *	* * *

b. A new item is alphabetically inserted in the table in paragraph (d), as follows:

Antibiotic	Solvent	Standard curve (antibiotic concentration per disc)
* * *	* * *	* * *
Gentamicin (sulfate)	Water	5, 7.1; 10, 14.1 20 µg.
* * *	* * *	* * *

2. Section 147.2(a) is amended by adding thereto a new subparagraph, as follows:

§ 147.2 Antibiotic sensitivity discs; certification procedure.

(a) * * *

(33) Gentamicin: 10µg.

* * * * *

3. Part 148q is amended by adding thereto the following new section:

§ 148q.4 Gentamicin sulfate injection.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Gentamicin sulfate injection is an aqueous solution of gentamicin sulfate and one or more suitable buffers, sequestering agents, and preservatives. Each milliliter contains gentamicin sulfate equivalent to 40 milligrams of gentamicin. Its potency is satisfactory if it contains not less than 90 percent nor more than 125 percent of the number of milligrams of gentamicin that it is represented to contain. It is sterile. It passes the safety test. It is nonpyrogenic. Its pH is not less than 3.0 nor more than 5.5. The gentamicin sulfate used conforms to the standards prescribed therefor by § 148q.1(a)(1). Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 148.3 of this chapter.

(3) *Requests for certification; samples.* In addition to the requirements of § 146.2 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(*a*) The gentamicin sulfate used in making the batch for potency, moisture, pH, specific rotation, content of gentamicins C_1, C_1a, and C_2, and for identity.

(*b*) The batch for gentamicin potency, sterility, safety, pyrogens, and pH.

(ii) Samples required:

(*a*) The gentamicin sulfate used in making the batch: 10 packages, each containing approximately 500 milligrams.

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 12 immediate containers.

(*2*) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation.

(*c*) In case of an initial request for certification, each other ingredient used in making the batch: One package of each containing approximately 5 grams.

(4) *Fees.* $4 for each package in the samples submitted in accordance with subparagraph (3)(ii)(*c*) of this paragraph; $8 for each package in the sample submitted in accordance with subparagraph (3)(ii)(*a*) of this paragraph; $5 for each package or container in the samples submitted in accordance with subparagraph (3)(ii)(*b*)(*1*) of this paragraph; $12 for all containers in the sample submitted in accordance with subparagraph (3)(ii)(*b*)(*2*) of this paragraph and $24 for all containers in the sample submitted for any repeat sterility test, if necessary, in accordance with § 141.2(f) of this chapter.

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed in § 141.110 of this chapter, except prepare the sample for assay as follows: Using 0.1*M* potassium phosphate buffer, pH 8.0, dilute a suitable aliquot to the reference concentration of 0.1 microgram of gentamicin per milliliter.

(2) *Sterility.* Proceed as directed in § 141.2 of this chapter, using the method described in paragraph (e)(1) of that section.

(3) *Safety test.* Proceed as directed in § 148q.1(b)(3).

(4) *Pyrogens.* Proceed as directed in § 148q.1(b)(4).

(5) *pH.* Proceed as directed in § 141.503 of this chapter, using the undiluted solution.

This order provides for certification of the subject antibiotic drugs. Since the manufacturer has supplied adequate information establishing the safety and efficacy of these articles and since it is in the public interest not to delay in providing for their certification, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

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

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

Dated: December 27, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-227; Filed, Jan. 7, 1969; 8:50 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6985]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Medical Expense Deduction

Correction

In F.R. Doc. 68-15361 appearing at page 19810 in the issue of Friday, December 27, 1968, § 1.213-1(e)(4)(i)(*a*)(*1*) should be corrected to read:

(*1*) No amount shall be treated as paid for insurance covering expenses of medical care referred to in subparagraph (1) of this paragraph unless the charge for such insurance is either separately stated in the contract or furnished to the policyholder by the insurer in a separate statement,

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 694—MINIMUM WAGE RATES IN INDUSTRIES IN THE VIRGIN ISLANDS

Pursuant to sections 5 and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 208) and Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and by means of Administrative Order No. 604 (33 F.R. 14077), the Secretary of Labor appointed and convened Special Industry Committee No. 11 for the Virgin Islands, referred to the Committee the question of the minimum rate or rates of wages to be paid under section 6 of the Act to employees in all industries in the Virgin Islands, and gave notice of a hearing to be held by the Committee.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee has filed with the Administrator of the WHPC Divisions of the Department of Labor, a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950, and 29 CFR 511.18, the recommendations of Special Industry Committee No. 11 for the Virgin Islands are hereby published in this order revising 29 CFR Part 694, effective January 24, 1969, in the manner set forth below:

Sec.
694.1 Wage rates.
694.2 Notices.

AUTHORITY: The provisions of this Part 694 issued under secs. 5, 6, 8, 52 Stat. 1062, 1064; 29 U.S.C. 205, 206, 208.

§ 694.1 Wage rates.

Every employer shall pay to each of his employees in the Virgin Islands, who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in any enterprise engaged in commerce or in the production of goods for commerce, as these terrms are defined in section 3 of the Fair Labor Standards Act of 1938, wages at a rate not less than the minimum rate or rates of wages prescribed in this section for the classification in which such employee is engaged.

(a) *Pre-1966 coverage classification.* (1) The minimum wage for this classification is $1.60 an hour.

(2) This classification includes all activities of employees in the Virgin Islands which would have been within the purview of section 6 of the Fair Labor Standards Act of 1938 if they had been performed prior to the effective date of the Fair Labor Standards Amendments of 1966.

(b) *1966 coverage classifications.* The classifications in this paragraph (b) include only those activities of employees in the Virgin Islands which were brought within the purview of section 6 of the Fair Labor Standards Act of 1938 by the Fair Labor Standards Amendments of 1966.

(1) *Agriculture classification.* (i) The minimum wage for this classification is $1.15 an hour for tne period ending January 31, 1969, and $1.30 an hour thereafter.

(ii) This classification is defined as farming in all its branches, including the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, fur bearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including the preparation for market, delivery to storage or to market or to the carriers for transportation to market; processing, handling, packing, storing, compressing, pasteurizing, drying, preparing in their raw or natural state, or canning of agricultural or horticultural commodities for market, or making cheese or butter or other dairy products; the operation of a country elevator, including such an establishment which sells products and services used in the operation of a farm; the ginning of cotton for market; and the transportation and preparation for transportation of fruits and vegetables, whether or not performed by a farmer, from the farm to a place of first processing or first marketing.

(2) *Hotel and motel classification.* (i) The minimum wage for this classification is $1.15 an hour.

(ii) This classification is defined as the operation of hotels, motels, apartment hotels which provide accomodations for transients, and tourist courts, engaged in providing lodging, with or without meals, for the general public, including all activities incidental to any of the foregoing.

(3) *Laundry and cleaning classification.* (i) The minimum wage for this classification is $1.15 an hour for the period ending January 31, 1969, $1.20 an hour for the period beginning February 1, 1969 and ending January 31, 1970, and $1.30 an hour thereafter.

(ii) This classification is defined as the laundering, dry cleaning, and incidental work such as repair of clothing and fabrics on which such work is done and the work done in family and commercial power laundries, linen supply and industrial launderers, diaper services, self-service laundries, hand laundries, cleaning and dyeing plants and rug cleaning and repairing plants.

(4) *Restaurant and food service classification.* (i) The minimum wage for this classification is $1.15 an hour for the period ending January 31, 1969, $1.25 an hour for the period beginning February 1, 1969 and ending January 31, 1970, and $1.35 an hour thereafter.

(ii) This classification is defined as the operation of restaurants and other food service establishments engaged in the preparation or offering of food or beverages for human consumption either on the premises or by such other services as catering, banquet, box lunch, or curb or counter service, to the public, to employees, or to members or guests of members of clubs: *Provided, however,* That the restaurant and food service classification in the Virgin Islands shall not include food service in retail establishments.

(5) *General classification.* (i) The minimum wage for this classification is $1.15 an hour for the period ending January 31, 1969, $1.30 an hour for the period beginning February 1, 1969 and ending January 31, 1970, $1.45 an hour for the period beginning February 1, 1970 and ending January 31, 1971, and $1.60 an hour thereafter.

(ii) This classification is defined as all activities of employees in the Virgin Islands other than those activities included in the Agriculture, Hotel and Motel, Laundry and Cleaning, and Restaurant and Food Service classifications defined in subparagraphs (1), (2), (3), and (4) of this paragraph.

§ 694.2 Notices.

Every employer subject to the provisions of § 694.1 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 694.1 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the U.S. Department of Labor, and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 3d day of January 1969.

CLARENCE T. LUNDQUIST,
Administrator, Wage and Hour and Public Contracts Divisions.

[F.R. Doc. 69-193; Filed, Jan. 7, 1969; 8:47 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 134—THIRD CLASS

Mailing of Merchandise Samples

In the daily issue of Wednesday, November 20, 1968 (33 F.R. 17197), the Department published a notice of proposed rule making consisting of an amendment to § 134.4 of Title 39, Code of Federal Regulations, for the purpose of establishing regulations on the subject of the preparation of merchandise samples for mailing. A detached label procedure was proposed in the cited notice, to be mandatory July 1, 1969, with the procedure to be optional with mailers effective January 15, 1969.

After careful consideration of all comments received, the Department has determined to adopt the proposed regulations as set out in the published notice. Accordingly, the following amendments are hereby adopted, to be effective July 1, 1969; and to be optional with mailers effective January 15, 1969, provided all requirements are met.

In § 134.4 *Preparation—payment of postage*, redesignate present paragraph (d) as paragraph (e); and insert new paragraph (d), reading as follows:

§ 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-quarter 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 for use 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 ¼") 3¼" by 7⅜" and be of a thickness not less than 0.006 of an inch.

(v) The address cards must be presorted, 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) *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. 69-188; Filed, Jan. 7, 1969; 1:49 p.m.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 7—Agency for International Development, Department of State

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter 7 of Title 41 is amended as follows:

PART 7–4—SPECIAL TYPES AND METHODS OF PROCUREMENT

1. Subpart 7–4.53 is deleted in its entirety and the following substituted therefor:

Subpart 7–4.53—Procurement Under the AID Research and Analysis Program

Sec.
7–4.5300 General.
7–4.5301 Unsolicited research and analysis proposals.

AUTHORITY: The provisions of this Subpart 7–4.53 issued under sec. 621, 75 Stat. 445, as amended; 22 U.S.C. 2381.

Subpart 7–4.53—Procurement Under AID Research and Analysis Programs

§ 7–4.5300 General.

(a) AID conducts research and analysis programs that are designed to increase knowledge about the forces and processes related to the economic growth and social modernization of developing countries, to create and explore improved technical materials and methods useful for economic and social development, and to evolve and adapt scientific methods of analysis, using a quantitative approach wherever possible, for predicting and assessing the results of AID programs and for the comparison of alternatives.

(b) The central research and analysis program, authorized under section 241 of the Foreign Assistance Act, is directed and administered by the Director, AID Research and Institutional Grants Staff, Office of the War on Hunger (WOH/RIG), Agency for International Development, Washington, D.C. 20523, from whom further information may be obtained. The procuring activity to which this program is assigned is the Office of Procurement, Contract Services Division, AID/Washington.

(c) Regional Research and Analysis programs are planned and administered by the respective AID regional offices. The procuring activities to which these programs are assigned are located within the regional offices.

§ 7–4.5301 Unsolicited research and analysis proposals.

(a) *Definition.* An unsolicited proposal is a written offer to perform work which does not result from an informal or formal request for proposals from AID.

(b) *Policy.* It is AID's policy to encourage outside organizations and individuals to submit unsolicited proposals which contribute new ideas for accomplishing AID's research and analysis programs.

(c) *Proposal content.* The proposals should include, as a minimum, information such as the full legal name and address of the offeror, brief descriptive title of the proposed research, desired starting date and duration of the work, research plan and objective and its contribution to AID's research and analysis program, available facilities, personnel and equipment, estimated cost including a breakdown of each significant element of cost, and a summary of the offeror's qualifications and past experience.

(d) *Submission.* Unsolicited proposals may be submitted to the Agency for International Development, Washington, D.C. 20523, to the attention of the appropriate AID office, as follows:

(1) For research and analysis into the fields of education economics, political, social and institutional development, and planning and administration: Office of Program and Policy Coordination (PPC/TA/PARD).

(2) For research and analysis into the fields of industry and housing: Office of Private Resources (AA/PRR).

(3) For research and analysis into fields other than cited in subparagraphs (1) and (2) of this paragraph, e.g., agriculture, health, population, nutrition and food from the sea: Office of the War on Hunger (WOH/RIG).

(4) For research and analysis concerned with only one geographic region:

(i) Bureau for Near East and South Asia (NESA/TECH);

(ii) Bureau for Africa (AFR/CS);

(iii) Bureau for East Asia (EA/PROC);

(iv) Bureau for Vietnam (VN/REIR);

(v) Bureau for Latin America (LA/MGT/CTR).

(5) For research and analysis into the fields of International Training: Office of International Training (IT/AD).

(e) *Method of procurement.* It is AID's policy to seek competition to the maximum extent practicable and an offeror who submits an unsolicited proposal is not necessarily entitled to preferential treatment. However, a contract may be awarded to a qualified offeror without consideration of other competitive sources if the unsolicited proposal is the product of original thinking, has significant scientific or technical merit, and contributes to AID's research program objectives. Such an award shall be made upon a written determination by the Contracting Officer.

PART 7–6—FOREIGN PURCHASES

Subpart 7–6.51—U.S. Source Restrictions—Services

1. Section 7–6.5101 is deleted in its entirety and the following substituted therefore:

§ 7–6.5101 Policies and procedures.

M.O. 1412.1, which applies to borrower and grantee procurement, as well as to A.I.D. procurement, is set forth below:

AGENCY FOR INTERNATIONAL DEVELOPMENT MANUAL

Subject: Service Contracting: Geographic Source Requirements.

Order No.: 1412.1.

Transmittal Letter No.: 13:228.

Supersedes: M.O. 1412.1 (TL 13:64).

Effective Date: April 26, 1968.

I. Scope:

A. The basic policy of A.I.D. as set forth in this manual order is to reduce the balance of payments dollar outflow, consistent with the efficient use of A.I.D. program funds and enhancement of the U.S. image abroad.

B. This manual order establishes A.I.D. policy with regard to the order of preference to be accorded firms in the procurement of services (other than ocean and air transportation which are governed by the flag of the carrier) when such services are funded, wholly or partially, in dollars by direct-A.I.D. contract or through A.I.D.-financed borrower/grantee procurement.

C. The order of preference as stated in paragraph III. of this manual order shall be followed for both direct and borrower/grantee contracts and no firm may be accorded a higher degree of preference than provided herein without appropriate determination and waiver. However, action offices may provide in loan or grant agreements that less than the full range of firms listed in paragraph III. may be considered when procuring services hereunder, or that the order of preference shall be followed with respect to firms accorded equal preference hereunder. The order of preference of such firms shall be the order in which they are listed in paragraph III. In addition, if a blanket waiver has been authorized pursuant to paragraph IV.B.2. or IV.B.3. below, to give, for example, local firms equal preference with U.S. and U.S.-controlled local firms, the agreement may limit contracting to only those three types of firms in equal preference.

D. It does not establish (1) policy and procedures in regard to the procurement of services when funded wholly by other than A.I.D. dollars (e.g., Cooley loans), (2) criteria for the determination of what services should be A.I.D.-financed, or (3) policy or procedures for procurement of equipment or commodities.

II. Definitions:

A. *General:*

The definitions contained in this section are controlling for A.I.D.-direct contracts and are recommended for A.I.D.-financed borrower/grantee procurements for capital projects. In the event of any inconsistency between the definitions contained herein and those for borrower/grantee contracts, the definitions in the latter documents shall govern.

B. *Beneficial Ownership:*

1. "Beneficial ownership" of a firm is presumptively established by the bona fide certification of a duly authorized officer of the firm as to the citizenship of the firm's owners.

2. In the case of corporations, the corporate secretary shall certify as to beneficial ownership. He may presume citizenship on the basis of a stockholder's record address, provided he certifies, regarding any stockholder whose holdings are material to the corporation's eligibility hereunder, that he knows of no facts which might rebut that presumption.

C. *Cooperating Country:*

The term "cooperating country" shall mean the country which is the prime beneficiary of the services to be performed as set forth in the authorizing document.

D. *Firms* (*See Guide, Attachment A.*):

1. *United States Firm:*

An entity is a "U.S. firm" if it meets all of the conditions listed in subparagraphs a., b., and c. below as follows:

a. It is incorporated or legally organized in the U.S.

b. It has its principal place of business in the U.S.

c. It is more than 50% beneficially owned by a U.S. firm or firms and/or by U.S. citizens.

2. *U.S.-Controlled Local Firm:* [1]

An entity is a "U.S.-controlled Local Firm" if it meets all of the conditions listed in subparagraphs a., b., c. below as follows:

a. It is incorporated or otherwise legally organized in the cooperating country.

b. It has its principal place of business in the U.S. or in the cooperating country.

c. It is at least 95% beneficially owned by a U.S. firm or U.S. firms and/or U.S. citizens.

3. *Preferred Local Firm:* [1]

An entity is a "preferred local firm" if it meets all of the conditions listed in subparagraphs a., b., c., and d. below as follows:

a. It is incorporated or legally organized in the cooperating country.

b. It has its principal place of business in the cooperating country.

c. It has substantial participation in management by U.S. citizens.

d. It is (1) at least 30 percent beneficially owned by a U.S. firm or firms and/or U.S. citizens and (2) the remaining interest is beneficially owned by a local firm or firms and/or citizens of the cooperating country.

4. *Local Firm:* [1]

An entity is a "local firm" if it meets the conditions listed in subparagraphs a. and b. below and either c. or d. below as follows:

a. It is incorporated or legally organized in the cooperating country.

b. It has its principal place of business in the cooperating country.

c. It is more than 50 percent beneficially owned by a firm or firms of such country and/or by a U.S. firm or firms and/or by citizens of such country and/or U.S. citizens.

d. It is determined by the Mission Director to be an integral part of the local economy.

5. *Limited Free World Firm:*

An entity is a "limited free world firm" if it meets all of the conditions listed in subparagraphs a. and b. below as follows:

a. It is incorporated or legally organized in one of the limited free world countries listed in A.I.D. Geographic Code 901.

b. It has its principal place of business in the cooperating country or in a limited free world country.

6. *Free World Firm:*

An entity is a "free world firm" if it meets all of the conditions listed in subparagraphs a. and b. below as follows:

a. It is incorporated or legally organized in one of the free world countries listed in A.I.D. Geographic Code 899 and not listed in A.I.D. Geographic Code 901.

b. It has its principal place of business in a free world country listed in A.I.D. Geographic Code 899, including any country listed in A.I.D. Geographic Code 901.

7. *Joint Venture:*

A collaborative effort by two or more individual firms for the purpose of performing work under an A.I.D.-financed contract.

III. Order of Preference:

A. The Agency policy for single procurements of services financed by A.I.D. shall be:

1. To procure or authorize the procurement of A.I.D.-financed services from any of the following firms, in equal preference (except as noted in paragraph I.C. above):

a. U.S. firm.

b. U.S.-controlled local firm.

c. Joint venture of the above firms.

2. Selection of other than the above firms shall only be made pursuant to a waiver based upon a written determination by the duly authorized A.I.D. official (See paragraph IV.B. below.) that the proposed procurement will best serve the interests of the U.S. The order of preference for selecting a firm pursuant to such a waiver shall be as follows:

a. Preferred local firm.

b. Joint venture of a U.S. firm, U.S.-controlled local firm, a preferred local firm, or more than one of these firms, joined with a local firm, provided that management control and responsibility for the joint venture rests with one or more of the above firms having principal management by U.S. citizens.

c. Local firms.

d. Joint venture of local firms with limited free world firms or free world firms.

e. Limited free world firm.

f. Free world firm.

IV. Waivers—Determinations (*See Guide, Attachment B.*):

A. *Criteria:*

In deciding upon a written determination, the duly authorized A.I.D. official shall consider any factors, such as the following, which may bear on the justification of a waiver from the policy contained in paragraph III. above.

1. The effect on the U.S. balance of payments.

2. Availability and/or quality of firms to perform the required services.

3. Comparative prices.

4. Nationality of contractor employees.

5. Desired U.S. identification at job sites.

6. Foreign policy objectives.

7. Willingness of contractors to accept a higher proportion of contract payments in the currency of the cooperating country.

B. *Authority:*

1. Written determinations authorizing the procurement of services from those firms listed in paragraph III.A.2. above shall be approved by the Assistant Administrator having responsibility for the project office, without power of redelegation, with respect to each single procurement, regardless of size, except as stated in paragraphs IV.B.2. and IV.B.3. below.

2. Assistant Administrators are also authorized, without power of redelegation, to make continuing written determinations ("blanket" waivers) that the interests of the U.S. are best served by permitting the procurement of services for all or specified categories of procurement from (a) preferred local firms, (b) joint ventures described in paragraph III.A.2.b., or (c) local firms in equal preference with, (d) U.S. firms, (e) U.S.-controlled local firms, or (f) joint ventures of U.S. firms and U.S.-controlled local firms.

a. This authority to issue blanket waivers is limited to procurement contracts of $250,000 or less. It may apply to any program or programs in any countries within the responsibility of the issuing Assistant Administrator.

3. If the Assistant Administrator determines with respect to a particular country that the rules cited in paragraph 2. above would require waivers in all or substantially all cases of procurements in excess of $250,000, the circumstances may be documented and a request for a blanket waiver submitted to the Administrator or his Deputy.

4. Written determinations may be included either in the loan authorization or in a separate document.

C. *Coordination:*

1. In exercise of the authority herein provided, the Assistant Administrators or their designees shall furnish copies of the documents supporting the proposed determina-

[1] Where, under A.I.D. policy, one or more countries in addition to the U.S. and the cooperating country are eligible sources for procurement of services, the term "cooperating country" in the definitions of "local firm," "U.S.-controlled local firm," and "preferred local firm" shall include such additional countries for the purposes of paragraph III. of this manual order.

tion to the following office(s), as appropriate, for comment:

a. *Office of Procurement (A/PROC)*:

In those cases where the availability, quality, or relative costs of U.S. services is at issue.

b. *Office of Engineering (ENGR)*:

In those cases where engineering or construction services are involved.

c. *Office of the War on Hunger (WOH)*:

In those cases in which WOH has an interest (e.g., agriculture, health, population, nutrition, irrigation).

2. The above office(s) shall be allowed at least four working days to submit comments prior to the date the written determination is approved.

V. Subcontracts:

A. The policy contained in paragraph III. is applicable to all A.I.D.-financed subcontracts requiring A.I.D. approval, including any lower-tier subcontracts, and shall be given effect through the prime contract provisions, as appropriate.

B. Waiver of this policy shall be obtained in accordance with the procedures contained in paragraph IV. herein and may be granted to the prime contractor for proposed subcontract(s) either (1) in the terms of his contract or (2) on a case-by-case basis.

VI. Reporting and Control:

A. Every waiver issued, including blanket waivers, is reported and controlled in accordance with the following procedure:

1. All approved waivers shall be consecutively numbered by the office granting the waiver.

2. Waivers shall be returned to the drafting office for distribution of copies to each clearing office, the cognizant Regional Bureau or Office, PC/SRD, EXSEC, A/PROC, C/PRD, ENGR, and other offices, as appropriate.

3. Waivers shall be reported as follows:

a. *Quarterly Waiver Report:*

(1) PC/SRD shall report quarterly all source waivers granted for contract services.

(2) The information reported shall be included in the Quarterly Waiver Report, W-140. (See M.O. 1414.1.1—Source Requirements for Commodities: Waiver Authority and Procedures, for the commodity source waiver portion of the report.)

b. *Semiannual Report of Blanket Waivers:*

(1) A.I.D. officers who approve or sign contracts shall submit a semiannual report to PROC/CSD of all contract actions effected under blanket waivers.

(2) The report shall contain the (a) blanket waiver number, (b) contractor's name, (c) type of firm (See paragraph II.D. above.), (d) contract amount, and (e) contract number and task order number (if appropriate).

(3) The report shall cover the six months periods ending June 30 and December 31, respectively, and shall be submitted within 20 working days after the end of the reporting period.

VII. Contractor Employees:

It shall be the policy of A.I.D. to employ citizens or residents of the U.S. or of the cooperating country in preference to the employment of third-country nationals.

A. Unless the A.I.D. officer who approves or signs the contract determines that the circumstances necessitate recruitment of personnel from a third country, all supervisory personnel and all professional personnel (See paragraphs B. and C. below.) to be employed under the contract, excluding construction contracts (See M.O. 1412.1.2—Service Contracting: Use of Third Country Nationals on A.I.D.-Financed Construction (A.I.D. Regulation 7).), and major subcontracts thereunder, shall be citizens or residents (prior to the time of employment) of the U.S. and/or of the cooperating country. Where it is considered that the services of third-country nationals will be needed and it is determined to be in the best interests of the objectives of the program, a provision authorizing their employment shall be contained in the contract. Where exceptions are not contained in the contract, waivers to permit employment of third-country nationals shall be granted by the A.I.D. officer who approved or signed the contract, on the basis of a written determination that the circumstances necessitates such employment. This requirement shall apply to all firms or joint ventures mentioned in this manual order except when a waiver is granted to procure from a free world or a limited free world firm. Whenever it is necessary to assure U.S. jobsite identification on a particular project, the work statement or other applicable contractual provisions shall require an appropriate degree of management participation by U.S. citizens.

B. For the purposes of this section, an individual shall be considered a professional if he is engaged in providing services requiring specialized training in some liberal art or science, usually involving mental rather than manual work and who is qualified in his field by the standards of the profession, e.g., lawyers, doctors, professors, teachers, engineers, economists, scientists, and research associates.

C. Supervisory personnel are defined as those contractor employees who are assigned the responsibility for an area of work under the contract and the direction of the work of other contractor employees. Generally, with respect to said employees, they are responsible for the employee's selection, orientation, workload organization and scheduling; training, evaluation of performance, and necessary disciplinary action.

VIII. Place of Performance:

Prospective contractors shall be required to indicate in advance, and the contract shall specify, the extent to which work under the contract is to be performed outside the United States and the cooperating country.

ATTACHMENT A

GEOGRAPHIC SOURCE REQUIREMENTS, SERVICES CONTRACTING (AND SUBCONTRACTING)—GUIDE TO DEFINITIONS

Type of firm	Country incorporated in or legally organized	Principal place of business	Beneficial ownership
1. U.S. firm	United States	United States	50 percent or more United States.
2. U.S.-controlled local firm.[1]	Cooperating country	United States or cooperating country.	95 percent or more United States.
3. Preferred local firm [1]	Cooperating country	Cooperating country	30 percent or more United States with remaining interest owned by cooperating country and principal U.S. management.
4. Local firm [1]	Cooperating country	Cooperating country	50 percent or more United States or 50 percent or more cooperating country, or integral part of economy.
5. Limited free world firm.	Limited free world country (Code 901).	Limited free world country or the cooperating country.	
6. Free world firm	Free world country (Code 899).	Free world country (Code 899 or 901).	

[1] May include firms of country other than cooperating country if A.I.D. policy permits.

ATTACHMENT B

GEOGRAPHIC SOURCE REQUIREMENTS, SERVICES CONTRACTING (AND SUBCONTRACTING)—GUIDE TO WAIVER AUTHORITY

Type of firm	M.O. paragraph	Approval
1. U.S. firm	III.A.1.a	No waiver required.
2. U.S.-controlled local firm	III.A.1.b	No waiver required.
3. Joint venture of above firms (Nos. 1 and 2)	III.A.1.c	No waiver required.
4. Preferred local firm	III.A.2.a	Assistant Administrator.[1]
5. Joint venture of firms (Nos. 1-6)	III.A.2.b	Assistant Administrator.[1]
6. Local firm	III.A.2.c	Assistant Administrator.[1]
7. Joint venture of firms (Nos. 6-9)	III.A.2.d	Assistant Administrator.[1]
8. Limited free world firm	III.A.2.e	Assistant Administrator.[1]
9. Free world firm	III.A.2.f	Assistant Administrator.[1]
10. Equal preference of firms (Nos. 4, 5, 6; and 1, 2, 3) (Blanket Waiver).	IV.B.2	Assistant Administrator [1] (limited to single procurements of $250,000 or less).
11. Equal preference of firms (Nos. 4, 5, 6; and 1, 2, 3) (Blanket Waiver).	IV.B.3	Administrator or his Deputy (single procurements in excess of $250,000).

[1] Without power of redelegation.

PART 7-16—PROCUREMENT FORMS

Subpart 7-16.9—Illustrations of Forms

§ 7-16.952 [Amended]

1. Clause 45 of § 7-16.952 is deleted in its entirety, and the following substituted therefor:

45. ORIENTATION AND LANGUAGE TRAINING

(a) Regular employees shall receive a maximum of 2 weeks AID orientation before travel overseas. The dates of orientation shall be selected by the Contractor and approved by the Contracting Officer from the orientation schedule provided by AID.

(b) As either set forth in the contract schedule, or provided in writing by the Contracting Officer, the following may be authorized taking into consideration specific job requirements, an employee's prior overseas experience, or unusual circumstances, in connection with orientation of individual Contractor employees:

(1) Modified orientation.

(2) Language training.

(3) Orientation for regular employee's dependents at Contract expense.

(4) Contractor-sponsored orientation program.

(5) Waiver of orientation for individual Contractor employees.

(c) Transportation costs and travel allowances not to exceed one round trip from regular employee's residence to place of orientation and return will be reimbursed, pursuant to the provisions of the clause of this contract entitled "Travel and Transportation Expenses", if the orientation is

more than 50 miles from the regular employee's residence. Allowable salary costs during the period of orientation are also reimburseable.

(d) Contractor employee participation in AID orientation does not in any way relieve the Contractor of his responsibility for assuring that the employee is properly oriented in all matters related to the administrative, logistical, and technical aspects of his movement to, and tour of duty in, the Cooperating Country as provided for elsewhere in this contract.

§ 7-16.953 [Amended]

2. Clause 9 of § 7-16.953 is deleted in its entirety, and the following substituted therefor:

9. ORIENTATION AND LANGUAGE TRAINING

(a) Regular employees shall receive a maximum of 2 weeks AID orientation before travel overseas. The dates of orientation shall be selected by the Contractor and approved by the Contracting Officer from the orientation schedule provided by AID.

(b) As either set forth in the contract schedule, or provided in writing by the Contracting Officer, the following may be authorized taking into consideration specific job requirements, an employee's prior overseas experience, or unusual circumstances, in connection with orientation of individual Contractor employees:

(1) Modified orientation.

(2) Language training.

(3) Orientation for regular employee's dependents at Contract expense.

(4) Contractor-sponsored orientation program.

(5) Waiver of orientation for individual Contractor employees.

(c) Transportation costs and travel allowances not to exceed one round trip from regular employee's residence to place of orientation and return will be reimbursed, pursuant to the provisions of the clause of this contract entitled "Travel and Transportation Expenses", if the orientation is more than 50 miles from the regular employee's residence. Allowable salary costs during the period of orientation are also reimbursable.

(d) Contractor employee participation in AID orientation does not in any way relieve the Contractor of his responsibility for assuring that the employee is properly oriented in all matters related to the administrative, logistical, and technical aspects of his movement to, and tour of duty in, the Cooperating Country as provided for elsewhere in this contract.

§ 7-16.954 [Amended]

3. Clause 8 of § 7-16.954 is deleted in its entirety and the following substituted therefor:

8. ORIENTATION

(a) Regular employees shall receive a maximum of 2 weeks AID orientation before travel overseas. The dates of orientation shall be selected by the Contractor and approved by the Contracting Officer from the orientation schedule provided by AID.

(b) As either set forth in the contract schedule, or provided in writing by the Contracting Officer, the following may be authorized taking into consideration specific job requirements, an employee's prior overseas experience, or unusual circumstances, in connection with orientation of individual Contractor employees:

(1) Modified orientation.

(2) Language training.

(3) Orientation for regular employee's dependents at Contract expense.

(4) Contractor-sponsored orientation program.

(5) Waiver of orientation for individual Contractor employees.

(c) Transportation costs and travel allowances not to exceed one round trip from regular employee's residence to place of orientation and return will be reimbursed, pursuant to the provisions of the clause of this contract entitled "Travel and Transportation Expenses", if the orientation is more than 50 miles from the regular employee's residence. Allowable salary costs during the period of orientation are also reimbursable.

(d) Contractor employee participation in AID orientation does not in any way relieve the Contractor of his responsibility for assuring that the employee is properly oriented in all matters related to the administrative, logistical, and technical aspects of his movement to, and tour of duty in, the Cooperating Country as provided for elsewhere in this contract.

These amendments are effective upon publication in the FEDERAL REGISTER.

Dated: December 27, 1968.

JAMES M. KEARNS,
Acting Assistant Administrator for Administration.

[F.R. Doc. 69-187; Filed, Jan. 7, 1969; 8:46 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4562]

[LA-0102642]

CALIFORNIA

Renewal of Withdrawal for Department of the Navy

By virtue of the authority contained in the act of September 6, 1963 (77 Stat. 152), it is ordered as follows:

The withdrawal and reservation for use of the Department of the Navy, of the public lands in an area of approximately 252,126 acres within the Chocolate Mountain Aerial Gunnery Range, Imperial County, Calif., as provided by the act of September 6, 1963, supra, is hereby renewed for an additional period of 5 years from and after September 6, 1968.

HARRY R. ANDERSON,
Assistant Secretary of the Interior.

JANUARY 2, 1969.

[F.R. Doc. 69-182; Filed, Jan. 7, 1969; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 201]

ALCOHOL BEVERAGE REGULATIONS

Solids Content of Spirits

Correction

In F.R. Doc. 68-15306 appearing at page 19834 in the issue of Friday, December 27, 1968, the following corrections should be made in § 201.312c:

1. The figure in the eleventh line now reading "40" should read "400".

2. The figure in the twenty-second line now reading "10" should read "100".

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 3]

CERTAIN GASES FOR DRUG USE

Extension of Time for Filing Comments on Proposed Labeling Exemption

The proposed regulation regarding exempting carbon dioxide and other specified gases for drug use from the labeling requirements of 21 CFR 1.106(b) (2) (ii) and (3) (i) under certain conditions, published in the FEDERAL REGISTER of November 6, 1968 (33 F.R. 16283), provided for the filing of comments thereon within 30 days of its publication date.

The Commisioner of Food and Drugs has received a request for an extension of such time and, good reason therefor appearing, the time for filing comments on the subject proposal is extended to January 15, 1969.

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

Dated: December 23, 1968.

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

[F.R. Doc. 69-228; Filed, Jan. 7, 1969; 8:50 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Proposed Change of Name of Colorant

In association with an order published elsewhere in this issue of the FEDERAL REGISTER amending § 121.2536(d) to add phthalocyanine blue, the Commissioner of Food and Drugs concludes that the same colorant listed in other places in Part 121 as "copper phthalocyanine" should be changed to "phthalocyanine blue" for consistency and specificity.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(d), 72 Stat. 1787; 21 U.S.C. 348(d)) and under authority delegated to him (21 CFR 2.120), the Commissioner proposes that Part 121 be amended:

1. In § 121.2514(b) (3) (xxvi), by deleting "Copper phthalocyanine" and alphabetically inserting therefor a new item, as follows:

§ 121.2514 Resinous and polymeric coatings.

* * * * *

(b) * * *

(3) * * *

(xxvi) * * *

Phthalocyanine blue (C.I. pigment blue 15, C.I. No. 74160).

* * * * *

2. In § 121.2522(b), by deleting "Copper phthalocyanine" and alphabetically inserting therefor a new item, as follows:

§ 121.2522 Polyurethane resins.

* * * * *

(b) * * *

List of substances	*Limitations*
* * *	* * *
Phthalocyanine blue (C.I. pigment blue 15, C.I. No. 74160).	As a pigment.
* * *	* * *

* * * * *

3. In § 121.2562, by deleting "Copper phthalocyanine" and alphabetically inserting therefor a new item, as follows:

§ 121.2562 Rubber articles intended for repeated use.

* * * * *

(c) * * *

(4) * * *

(vi) *Colors (total not to exceed 10 percent by weight of rubber product).*

* * * * *

Phthalocyanine blue (C.I. pigment blue 15, C.I. No. 74160).

* * * * *

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

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-218; Filed, Jan. 7, 1969; 8:49 a.m.]

[21 CFR Part 191]

FIREWORKS DEVICES

Proposed Listing as Banned Hazardous Substances and Revocation of Exemption

The Commissioner of Food and Drugs proposes that certain fireworks devices, as described below, be classified as "banned hazardous substances" within the meaning of section 2(q) (1) (B) of the Federal Hazardous Substances Act, as amended, because information gathered from investigations and other sources indicates that the degree and nature of the hazard involved in the presence and use of such devices in or around the household is such that the objective of the protection of the public health and safety can be adequately served only by keeping these substances out of the channels of interstate commerce. In view of the above, the Commissioner also proposes that § 191.65(a) (3), an exemption regarding certain fireworks devices, be revoked.

Therefore, pursuant to the provisions of that act (sec. 2(q) (1) (B), (2), 74 Stat. 372, 80 Stat. 1304-5; 15 U.S.C. 1261) and of the Federal Food, Drug, and Cosmetic Act (sec. 701(e), 52 Stat. 1055, as amended; 21 U.S.C. 371(e)), and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that Part 191 be amended:

1. By adding to § 191.9(a) a new subparagraph as follows:

§ 191.9 Banned hazardous substances.

(a) * * *

(__) Fireworks devices producing audible effects (including, but not limited to, cherry bombs, M-80 salutes, silver salutes and other large firecrackers, aerial bombs, pestcontrol bombs, and other fireworks devices) if the audible effect is produced by a charge of more than 2 grains of pyrotechnic composition.

§ 191.65 [Amended]

2. In § 191.65 *Exemptions from classification as banned hazardous substances*, by revoking paragraph (a) (3).

Any interested person may, within 30 days from the date of publication of this notice in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written com-

ments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: December 24, 1968.

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

[F.R. Doc. 69-229; Filed, Jan. 7, 1969; 8:50 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 9335]

AIRWORTHINESS DIRECTIVE

Schleicher Model Ka6E Gliders, Serial Nos. 1 Through 4232 Except No. 4226

The Federal Aviation Administration is considering amending Part 39 of the FARs by adding an airworthiness directive (AD) applicable to Schleicher Model Ka6E gliders, serial Nos. 1 through 4232 except No. 4226. The Luftfahrt-Bundesamt (LBA) determined that a recent accident of a Schleicher Model Ka6E glider was caused by the failure of the thermos bottle mounting brackets and the subsequent blockage of the main control rod by the thermos bottle. Since this condition is likely to exist or develop in other aircraft of the same type design, this airworthiness directive is being proposed to require installation of new thermos bottle mounting clamps with rubber inserts.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before February 10, 1969, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket, for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

SCHLEICHER. Applies to Schleicher Model Ka6E gliders, Serial Nos. 1 through 4232 except Serial No. 4226.

Compliance required within the next 100 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent the failure of the thermos-bottle mounting brackets, install new mounting clamps with rubber insert, in accordance with Schleicher Technical Note No. 17, dated September 10, 1968, or later LBA-approved issue or an FAA-approved equivalent.

Issued in Washington, D.C., on December 30, 1968.

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

[F.R. Doc. 69-216; Filed, Jan. 7, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-EA-140]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot transition area over Claremont Municipal Airport, Claremont, N.H.

A new NDB (ADF) Runway 29 standard instrument approach procedure has been developed for Claremont Municipal Airport, Claremont, N.H., predicated on the Claremont, N.H., non-Federal radio beacon, and will require designation of a 700-foot transition area to provide airspace protection for aircraft executing the arrival and departure procedures at the airport.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Claremont, N.H., proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Claremont, N.H., transition area described as follows:

CLAREMONT, N.H.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the center, 43°22'15" N., 72°22'05" W., of Claremont Municipal Airport, Claremont, N.H.; and within 5 miles south and 3 miles north of the 097° bearing from the Claremont, N.H., RBN (43°21'50" N., 72°-17'57" W.); extending from the RBN to 10 miles east of the RBN, excluding the portions within the Lebanon, N.H., and Springfield, Vt., transition areas.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), and section 6(c) of the DOT Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on December 23, 1968.

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

[F.R. Doc. 69-209; Filed, Jan. 7, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-EA-134]

CONTROL ZONE

Proposed Designation

The Federal Aviation Administration is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to designate a Fort Devens, Mass., control zone.

With the use of instrument arrival and departure procedures and the operation of the Devens Army Airfield control tower, a control zone is required to assure protection to arriving and departing controlled aircraft.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the

Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Fort Devens, Mass., proposes the airspace action hereinafter set forth:

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to designate a Fort Devens, Mass., control zone described as follows:

FORT DEVENS, MASS.

Within a 4-mile radius of the center, 42°-34'15" N., 71°36'20" W., of Devens AAF, Fort Devens, Mass.; within a 1-mile radius of the center 42°38'30" N., 71°39'15" W., of Groton Airport, Groton, Mass.; within 2 miles each side of the 315° bearing from the Ayer, Mass., RBN (42°34'05" N., 71°36'19" W.), extending from the 4-mile radius zone to 8 miles northwest of the RBN excluding that portion within a 1-mile radius of the center 42°31'-30" N., 71°39'55" W., of Shirley Airport, Shirley, Mass.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 49 U.S.C. 1348), and section 6(c) of the DOT Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on December 23, 1968.

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

[F.R. Doc. 69-210; Filed, Jan. 7, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-EA-133]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration in considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Mansfield, Ohio, control zone and transition area.

A new LOC (BC) 14 standard instrument approach procedure has been authorized for the Mansfield Lahm Municipal Airport, Mansfield, Ohio, and will require alteration of the Mansfield, Ohio, transition area and the Mansfield, Ohio, control zone to provide the additional controlled airspace required to protect aircraft executing the arrival and departure procedures.

A revision to the VOR Runway 14 standard instrument approach procedure and a review of the airspace requirements for the VOR/DME Runway 32 standard instrument approach procedure also requires alteration of the Mansfield, Ohio, transition area.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Mansfield, Ohio, proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the Mansfield, Ohio, control zone, the last period and add the phrase, "and within 2 miles each side of the Mansfield Lahm Municipal Airport localizer northwest course extending from the 5-mile radius zone to 4.5 miles northwest of the localizer."

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the description of the 700 foot Mansfield, Ohio, transition area the bearing "308°" and insert in lieu thereof "307°"; insert following the phrase "12 miles northwest of the VORTAC;" the phrase "within 2 miles each side of the Mansfield Lahm Municipal Airport localizer northwest course, extending from the Mansfield Lahm Municipal Airport 8.5 mile radius area to 14 miles northwest of the localizer; within a 10-mile radius arc of the Mansfield VORTAC, extending clockwise from the Mansfield VORTAC 180° radial to the Mansfield VORTAC 197° radial; within 5 miles southwest and 8 miles northeast of the Mansfield VORTAC 130° radial, extending from 10 miles southeast of the VORTAC to 22 miles southeast of the VORTAC."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), and section 6(c) of the DOT Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on December 23, 1968.

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

[F.R. Doc. 69-211; Filed, Jan. 7, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket 68-EA-132]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot Marshfield, Mass., transition area.

A new VOR instrument approach procedure has been developed for Marshfield Airport, Marshfield, Mass., and will require designation of a 700-foot floor transition area to provide airspace protection for aircraft executing the arrival and departure procedures.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informed conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Marshfield, Mass., proposes the airspace action hereinafter set forth:

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Marshfield, Mass., transition area described as follows:

MARSHFIELD, MASS.

That airspace extending upward from 700 feet above the surface within a 5 mile radius of Marshfield Airport (42°05'45"N., 70°40'25"W.), Marshfield, Mass.; and within 2 miles each side of the centerline of Runway 24 extended from the end of the runway to 5 miles southwest, excluding the portion that coincides with the Boston, Mass. 700-foot floor transition area and excluding the portion outside the United States.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), and section 6(c) of the DOT Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on December 23, 1968.

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

[F.R. Doc. 69-212; Filed, Jan. 7, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-SO-104]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Kosciusko, Miss., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, P.O. Box 18097, Memphis, Tenn. 38118. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

The Kosciusko transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Kosciusko-Attala County Airport; within 2 miles each side of the 142° and 310° bearings from the Kosciusko RBN (lat. 33°05'29" N., long. 89°32'25" W.), extending from the 5-mile radius area to 8 miles southeast and northwest of the RBN; and that airspace extending upward from 1,200 feet above the surface within 5 miles northeast and 8 miles southwest of the 142° and 310° bearings from the Kosciusko RBN, extending from the RBN to 12 miles southeast and northwest; within 5 miles each side of a direct course from the Greenwood, Miss. VORTAC to the Kosciusko RBN, excluding the portion that coincides with V-245 and V-9E.

The proposed transition area is required for the protection of IFR operations in climb from 700 to 1,200 feet above the surface and in descent to 1,000 feet above the surface, and for providing controlled airspace for aircraft transitioning from the Greenwood VORTAC to the Kosciusko RBN.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348 (a)) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)).

Issued in East Point, Ga., on December 31, 1968.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-213; Filed, Jan. 7, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-EA-126]

CONTROL ZONE

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Quonset Point, R.I., control zone.

A standard instrument approach procedure has been developed for Newport State Airport and will require alteration of the Quonset Point, R.I., control zone.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Quonset Point, R.I., proposes the airspace action hereinafter set forth:

Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete the words "a 1-mile radius of Newport Airpark" and insert in lieu thereof "a 4-mile radius of Newport State Airport."

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Jamaica, N.Y., on December 18, 1968.

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

[F.R. Doc. 69-214; Filed, Jan. 7, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-EA-131]

CONTROL ZONE AND TRANSITION AREA

Proposed Designation and Alteration

The Federal Aviation Administration is considering amending §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a control zone for Westmoreland-Latrobe Airport, Latrobe, Pa., and alter the Latrobe, Pa., transition area.

A non-Federal air traffic control tower has been commissioned at Westmoreland-Latrobe Airport, Latrobe, Pa., and operates from 0700 to 2300 hours, local time, daily. Weather observation and reporting requirements will be met as well as air-ground and point-to-point communications requirements for establishment of the control zone.

The proposed control zone will provide additional airspace protection for aircraft executing the arrival and departure procedures at Westmoreland-Latrobe Airport.

The coordinates for the geographic position of the Westmoreland-Latrobe Airport have been refined and we will require alteration of the Latrobe, Pa., transition area to reflect this change.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Westmoreland-Latrobe Airport, Latrobe, Pa., proposes the airspace action hereinafter set forth:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to designate a Latrobe, Pa., control zone described as follows:

LATROBE, PA.

Within a 5-mile radius of the center (40°16'35" N., 79°24'20" W.) of eWstmoreland-Latrobe Airport, Latrobe, Pa.; within 2 miles each side of the airport localizer (40°16'04" N., 79°25'02" W.) northeast course, extending from the 5-mile radius zone to 8 miles northeast of the Latrobe RBN (40°22'32" N., 79°16'19" W.); and within 2 miles each side of a line bearing 264° from a point 40°16'35" N., 79°24'20" W., extending from this point to 6 miles

west. This control zone shall be effective from 0700 to 2300 hours, local time, daily.

2. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Latrobe, Pa., transition area by deleting in the description the coordinates "79°23'56" W." and insert in lieu thereof "79°24'20" W.".

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348), and section 6(c) of the DOT Act (49 U.S.C. 1655(c)).

Issued in Jamaica, N.Y., on December 23, 1968.

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

[F.R. Doc. 69-215; Filed, Jan. 7, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 68-PC-2]

VOR FEDERAL AIRWAYS AND REPORTING POINTS

Proposed Alteration and Designation; Extension of Time for Comments

In a notice of proposed rule making published in the FEDERAL REGISTER on November 26, 1968 (33 F.R. 17662) it was stated that the Federal Aviation Administration (FAA) proposed to alter and designate VOR Federal airways and reporting points in the Hawaiian Islands.

The FAA has received a request from the International Air Transport Association to extend the comment period for Airspace Docket No. 68-PC-2 from December 26, 1968, to January 10, 1969, to permit the submission of written data, views, or arguments to the proposals contained in Airspace Docket No. 68-PC-2.

Such a request appears to be reasonable. Accordingly, in consideration of the foregoing, notice is hereby given that the time within which comments will be received for consideration on Airspace Docket No. 68-PC-2 is extended to January 10, 1969. Communications should be submitted in triplicate to the Director, Pacific Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 4009, Honolulu, Hawaii 96812.

This amendment is proposed under the authority of sections 307(a), 313(a), and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354, 1510) and Executive Order 10854 (24 F.R. 9565), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on January 6, 1969.

T. MCCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 69-291; Filed, Jan. 7, 1969; 8:52 a.m.]

[14 CFR Parts 121, 127]

[Docket No. 9325; Notice 68-38]

PILOT ROUTE QUALIFICATIONS

Notice of Proposed Rule Making

The Federal Aviation Administration is considering an amendment to Part 127 of the Federal Aviation Regulations to increase the time which may elapse before a pilot must re-establish route and heliport qualifications and an editorial amendment to Part 121 to clarify the route and airport qualification requirements and to make the Part 121 route qualification requirements consistent with those in Part 127.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before March 10, 1969, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Under present § 127.181, after becoming qualified on a particular route, a pilot in command must make at least one trip as pilot or other member of a flight crew between terminals into which he is scheduled to fly each 90 days to maintain route qualification. If a pilot is absent from a route for more than a 90-day period, he must re-establish his qualifications under § 127.179. The 90-day period was established when scheduled air carriage by helicopter was a new mode of transportation. Most operations were conducted with single-engine helicopters; and criteria for routes, obstruction lighting, and emergency landing sites were being developed. Today, engine reliability has improved, multiengine helicopters are operated on many routes, and some helicopters are equipped for IFR flight and can navigate without ground reference. Experience has shown that the number of emergency landings has been less than anticipated. Many carriers operate several routes in a small area, and a pilot can remain familiar with weather characteristics, navigation facilities, terrain, congested areas, and communication procedures in the area even though he may not have made a trip on a particular route for some time.

This amendment would increase the period within which a pilot must make a trip to remain qualified on a route from 90 days to 12 calendar months if he is scheduled to fly a multiengine helicopter. In view of the greater possibility of forced landing in a single-engine helicopter and the resulting need for greater route familiarity in single-engine helicopter operations, it is proposed to increase the 90-day period to 6 calendar months for single-engine helicopter operations.

Inasmuch as § 121.447 of Part 121 contains similar route and airport qualifications applicable to domestic and flag air carriers, the FAA proposes an editorial revision to § 121.447 to assure that §§ 121.447 and 127.181 may be consistently applied.

This amendment is also intended to clarify §§ 121.447 and 127.181. Paragraph (a) of present §§ 121.447 and 127.181, when read alone, appears to allow an air carrier to schedule a pilot as pilot in command on a route at any time after initial route qualification if he has made a trip as a flight crewmember over the route within a specified period before the day on which he is scheduled to fly. However, when read in conjunction with paragraph (b) of these sections, it is apparent that a pilot cannot become eligible for use on a route merely by riding the route as a flight crewmember other than pilot in command if there has been any period, of the length specified, during which he has not maintained his route qualifications. The proposed amendment is intended to make it clear that a pilot must make at least one flight in each 6 or 12 month period, as specified, to maintain route qualification and he must maintain route qualification or re-establish his qualification to be eligible for use on the route.

In consideration of the foregoing, it is proposed to amend Parts 121 and 127 of the Federal Aviation Regulations as follows:

1. By amending § 121.447 to read as follows:

§ 121.447 Maintenance and re-establishment of pilot route and airport qualifications: domestic and flag air carriers.

(a) A domestic or flag air carrier may not use a pilot as pilot in command on a route unless that pilot has maintained his route qualification in accordance with paragraph (b) of this section or re-established his route qualification under the appropriate provisions of § 121.443.

(b) To maintain route qualification a pilot must make at least one trip as a flight crewmember between terminals on the route and, if § 121.443(e) applies to the route, comply with that section during each consecutive 12 month period after the month in which he establishes his qualification for the route under § 121.443.

2. By amending § 127.181 to read as follows:

§ 127.181 Maintenance and re-establishment of pilot route and heliport qualifications.

(a) An air carrier may not use a pilot as pilot in command on a route unless

that pilot has maintained his qualification on that route in accordance with paragraph (b) or (c) of this section or reestablished his qualification under § 127.179.

(b) To maintain route qualification for use as a single-engine helicopter pilot, a pilot must make at least one trip as a flight crewmember between terminals on the route during each consecutive 6 month period after the month in which he establishes his route qualification under § 127.179.

(c) To maintain route qualification for use as a multiengine helicopter pilot, a pilot must make at least one trip as a flight crewmember between terminals on the route during each consecutive 12 month period after the month in which he establishes his route qualification under § 127.179.

This amendment is proposed under the authority of sections 313(a), 601, and 604 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1424), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on December 30, 1968.

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

[F.R. Doc. 69-172; Filed, Jan. 7, 1969; 8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[New Mexico 4827]

NEW MEXICO

Notice of Classification

JANUARY 2, 1969.

Pursuant to section 2 of the Act of September 19, 1964 (43 U.S.C. 1412), the lands described below are hereby classified for disposal through exchange under section 8 of the Act of June 28, 1934 (48 Stat. 1272; 43 U.S.C. 315g), as amended, for lands within Hidalgo County, N. Mex.

One protest has been received following the publication of notice of proposed classification (33 F.R. 15561). This protest proportly is based on the loss of tax base lands in the county if the privately-owned lands are transferred into Government ownership. No comments were received on the public lands going into private ownership.

The lands affected by this classification are located in Eddy, DeBaca, Guadalupe and Lea Counties, N. Mex., and are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 5 N., R. 16 E.,
Sec. 11, E½SE¼;
Sec. 12, S½;
Sec. 13;
Sec. 14, E½E½;
Sec. 24, E½, N½NW¼, and SW¼NW¼.
T. 4 N., R. 17 E.,
Sec. 11, SE¼SE¼;
Sec. 12, S½S½SW¼.
T. 5 N., R. 17 E.,
Sec. 17, S½;
Sec. 20;
Sec. 21, W½E½W½, and W½W½.
T. 2 N., R. 19 E.,
Sec. 26, S½N½ and S½;
Sec. 35.
T. 4 N., R. 19 E.,
Sec. 6, lots 3, 4, 5, 6, and E½SW¼;
Sec. 7;
Sec. 10, W½;
Sec. 11, S½;
Sec. 13, NE¼;
Sec. 14, E½;
Sec. 15, W½;
Sec. 17;
Sec. 20, NE¼, and E½NW¼;
Sec. 22, E½SW¼, SW¼SW¼, and SE¼;
Sec. 23, E½;
Sec. 24, NW¼;
Sec. 25, N½S½;
Sec. 26;
Sec. 27, NW¼NW¼.
T. 1 N., R. 20 E.,
Secs. 5 and 6;
Sec. 7, lots 1, 2, NE¼, and E½NW¼;
Sec. 8;
Sec. 10, SW¼NW¼;
Sec. 17, E½, and E½W½;
Sec. 20, E½, and E½W½;
Sec. 21, SE¼NE¼, and N½S½;
Sec. 28, S½N½, and S½;
Sec. 29, E½, and E½W½.
T. 2 N., R. 20 E.,
Sec. 31, lots 1, 2, 3, 4, W½E½, and E½W½.
T. 4 N., R. 20 E.,
Sec. 7, lots 3, 4, E½SW¼, and SE¼;
Secs. 19 and 20;
Sec. 29, W½, and NW¼SE¼;
Sec. 30, lots 1, 2, 3, 4, and E½W½;
Sec. 31, lots 1, 2, NE¼, and E½NW¼.
T. 1 S., R. 20 E.,
Sec. 4;
Sec. 6, lot 5;
Sec. 7, lot 6;
Sec. 9, N½, and N½S½;
Sec. 10;
Sec. 19, lot 1.
T. 17 S., R. 29 E.,
Sec. 24, SW¼NE¼SE¼, SE¼NW¼SE¼, N½NE¼SW¼SE¼, and N½NW¼SE¼SE¼.
T. 17 S., R. 32 E.,
Sec. 21, E½SE¼SW¼, E½E½NW¼SE¼SW¼, and W½W½SW¼SE¼;
Sec. 28, NW¼NW¼NW¼NE¼, and N½NE¼NE¼NW¼.
T. 19 S., R. 32 E.,
Sec. 19, W½NW¼NE¼, N½NE¼NW¼, and N½S½NE¼NW¼.
T. 23 S., R. 37 E.,
Sec. 29, S½.

The areas described aggregate 18,465.92 acres.

For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LLM, 721, Washington, D.C. 20240 (43 CFR 2411.12 (d)).

W. J. ANDERSON,
State Director.

[F.R. Doc. 69-200; Filed, Jan. 7, 1969; 8:47 a.m.]

Fish and Wildlife Service

[Docket No. B-446]

ROBERT M. NICKERSON

Notice of Loan Application

JANUARY 2, 1969.

Robert M. Nickerson, Box 24, Katie Ford Road, West Chatham, Mass. 02669, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 44.8-foot, registered wood vessel to engage in the fishery for groundfish and halibut.

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. 69-192; Filed, Jan. 7, 1969; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

January Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The U.S. Department of Agriculture announced the prices at which CCC commodity holdings are available for sale beginning at 3 p.m., e.s.t., on December 31, 1968, and, subject to amendment, continuing until superseded by the February Monthly Sales List.

The following commodities are available: Cotton (upland and extra long staple), wheat, corn, oats, barley, flaxseed, rye, rice, grain sorghum, peanuts, tung oil, butter, cheese, and nonfat dry milk.

Information on the availability of commodities stored in CCC bin sites may be obtained from Agricultural Stabilization and Conservation Service State offices shown at the end of the sales list, and for commodities stored at other locations from ASCS commodity and grain offices also shown at the end of the list.

Corn, oats, barley, or grain sorghum, as determined by CCC, will be sold for unrestricted use for "Dealers' Certificates" issued under the emergency livestock feed program. Grain delivered against such certificates will be sold at the applicable current market price, determined by CCC.

In the following listing of commodities and sale prices or method of sales, "unrestricted use" applies to sales which permit either domestic or export use and "export" applies to sales which require export only. CCC reserves the right to determine the class, grade, quality, and available quantity of commodities listed for sale.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or ex-

port use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Commodity Operations Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Interest rates per annum under the CCC Export Credit Sales Program (Announcement GSM-3 or 4) for December 1969 are 6 percent for U.S. bank obligations and 7 percent for foreign bank obligations. Commodities now eligible for financing under the CCC Export Credit Sales Program include oats, wheat, wheat flour, barley, bulgur, corn, cornmeal, grain sorghum, upland and extra long staple cotton, milled and brown rice, tobacco, cottonseed oil, soybean oil, dairy products, tallow, lard, breeding cattle, and rye. Commodities purchased from CCC may be financed for export as private stocks under Announcement GSM-4.

Information on the CCC Export Credit Sales Program and on commodities available under Title I, Public Law 480, private trade agreements, and current information on interest rates and other phases of these programs may be obtained from the Office of the General Sales Manager, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, GSM-4.

The following commodities are currently available for new and existing barter contracts: Oats, cotton (upland and extra long staple), and tobacco. Wheat and grain sorghum are also available under conditions noted in the individual commodity listings. In addition, private stocks of corn, grain sorghum, barley (other than malting barley), oats, wheat, and wheat flour, and milled and brown rice, under Announcement PS-1, as amended; tobacco under Announcement PS-3; cottonseed oil and soybean oil under Announcement PS-2; and upland and extra long staple cotton under Announcement PS-4; are eligible for programing in connection with barter contracts covering procurement for Federal agencies that will reimburse CCC. (However, Hard Red Winter 13 percent protein or higher, Hard Red Spring 14 percent protein or higher, Durum wheats, and flour produced from these wheats may not be exported under barter through west coast ports.) Further information on private-stock commodities may be obtained from the Office of Barter and Stockpiling, Foreign Agricultural Service, USDA, Washington, D.C. 20250.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where sales are for export, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchase from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C. 20250, with respect to all commodities or—for specified commodities—with the designated ASCS commodity office.

Commodity Credit Corporation reserves the right to amend from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

CCC reserves the right to refuse to consider an offer, if CCC does not have adequate information of financial responsibility of the offerer to meet contract obligations of the type contemplated in this announcement. If a prospective offerer is in doubt as to whether CCC has adequate information with respect to his financial responsibility, he should either submit a financial statement to the office named in the invitation prior to making an offer, or communicate with such office to determine whether such a statement is desired in his case. When satisfactory financial responsibility has not been established, CCC reserves the right to consider an offer only upon submission by offerer of a certified or cashier's check, a bid bond, or other security, acceptable to CCC, assuring that if the offer is accepted, the offerer will comply with any provisions of the contract with respect to payment for the commodity and the furnishing of performance bond or other security acceptable to CCC.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to U.S. Government agencies, with only minor exceptions, will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or reexportation by anyone of any commodities under this program to Cuba, the Soviet Bloc, or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Viet Nam except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporter should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

SALES PRICE OR METHOD OF SALE

WHEAT, BULK

Unrestricted use.

A. *Storable.* All classes of wheat in CCC inventory are available for sale at market price but not below 115 percent of the 1968 price-support loan rate for the class, grade, and protein of the wheat plus the markup shown in C below applicable to the type of carrier involved.

B. *Nonstorable.* At not less than market price, as determined by CCC.

C. *Markup and examples (dollars per bushel in-store).*[1]

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.13	$0.10½	Minneapolis—No. 1 DNS ($1.56) 115 percent +$0.10½; $1.90½. Portland—No. 1 SW ($1.44) 115 percent +$0.10½; $1.76½. Kansas City—No. 1 HRW ($1.44) 115 percent +$0.10½; $1.76½. Chicago—No. 1 RW ($1.46) 115 percent +$0.10½; $1.78½.

Export.

A. CCC will sell limited quantities of Hard Red Winter and Hard Red Spring wheat at west coast ports at domestic market price levels for export under Announcement GR-345 (Revision IV, Oct. 30, 1967, as amended) as follows:

(1) Offers will be accepted subject to the purchasers' furnishing the Portland ASCS Branch Office with a Notice of Sale containing the same information (excluding the subsidy acceptance number) as required by exporters who wish to receive an export pay-

See footnotes at end of document.

ment under GR-345. The Notice of Sale must be furnished to the Commodity Office within 5 calendar days after the date of purchase.

(2) Sales will be made only to fill dollar market sales abroad and exporter must show export from the west coast to a destination west of the 170th meridian, west longitude, and east of the 60th meridian, east longitude, and to countries on the west coast of Central and South America.

B. CCC will sell wheat for export under Announcement GR-261 (Revision II, Jan. 9, 1961, as amended and supplemented) subject to the following:

(1) All classes will be sold subject to offers which include the price at which the buyer proposes to purchase the wheat.

(2) All classes will be sold to fill dollar market sales abroad and exporter must show export from the west coast to a destination within the geographical limitation shown in A(2) above.

(3) All classes will be sold for application to barter contracts entered into pursuant to invitations for barter offers dated prior to August 26, 1966. However, CCC-owned wheat will not be sold for barter at west coast ports.

C. Announcement GR-262 (Revision II, Jan. 9, 1961, as amended) for export as flour as follows: All classes will be sold for application to barter contracts entered into pursuant to invitations for barter offers dated prior to August 26, 1966. However, sales for barter will not be made at west coast ports.

D. CCC will not sell wheat under Announcement GR-346 until further notice.

Available. Chicago, Kansas City, Minneapolis, and Portland ASCS offices.

CORN, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of corn as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The price at which corn shall be valued for such dispositions shall be the market price as determined by CCC, but not less than 115 percent of the applicable 1968 price-support loan rate [2] for the class, grade, and quality of the corn plus the markup shown in C of this unrestricted use section.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable corn as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1968 price-support rate [2] (published loan rate plus 19 cents per bushel) for the class, grade, and quality of the corn, plus the markup shown in C of this unrestricted use section.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per bushel in-store [1] basis No. 2 yellow corn 14 percent M.T. 2 percent F.M.).*

Markup in-store	Examples
$0.08½	Feed grain program domestic PIK certificate minimums: McLean County, Ill. ($1.09+$0.02½) 115 percent +$0.08½; $1.37½. Agricultural Act of 1949; stat. minimums: McLean County, Ill. ($1.09+$0.02½ +$0.19); 105 percent +$0.08½; $1.45½.

Available. Chicago, Kansas City, Minneapolis, and Portland ASCS grain offices.

See footnotes at end of document.

Export. Limited quantities of corn at east coast and eastern gulf ports for cash at the market price, as determined by CCC, for export under Announcement GR-212 (Revision 2, Jan. 9, 1961). The statutory minimum price referred to in GR-212 is computed in accordance with B1 of the unrestricted use section for corn.

Available. Kansas City ASCS Commodity Office.

GRAIN SORGHUM, BULK

Unrestricted use.

A. *Redemption of domestic payment-in-kind certificates.* Such CCC dispositions of grain sorghum as CCC may designate will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, as determined by CCC, but not less than 115 percent of the applicable 1968 price-support loan rate [2] for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

B. *General sales.*

1. *Storable.* Such CCC dispositions of storable grain sorghum as CCC may designate as general sales will be made during the month at market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1968 price-support rate [2] (published loan rate plus 34 cents per hundredweight) for the class, grade, and quality of the grain sorghum, plus the markup shown in C of this unrestricted use section applicable to the type of carrier involved.

2. *Nonstorable.* At not less than market price as determined by CCC.

C. *Markups and examples (dollars per hundredweight in-store [1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.14¾	$0.10¼	Feed grain program domestic PIK certificate minimums: Hale County, Tex. ($1.63) 115 percent +$0.14¾; $2.02¾. Kansas City, Mo. ($1.81) 115 percent +$0.10¼; $2.19¼. Agricultural Act of 1949; stat. minimums: Hale County, Tex. ($1.63+$0.34); 105 percent +$0.14¾; $2.21¾. Kansas City, Mo. ($1.81+$0.34); 105 percent +$0.10¼; $2.36¼.

Export.

Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section C. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in C of the unrestricted use section for grain sorghum. Sales will be made pursuant to the following announcement:

A. Announcement GR-212 (Revision 2, Jan. 9, 1961) for application to barter contracts entered into pursuant to invitations for barter offers dated prior to August 26, 1966, and for cash or other designated sales.

Available. Kansas City, Chicago, Minneapolis, and Portland ASCS grain offices.

BARLEY, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than 115 percent of the applicable 1968 price-support rate [2] for the class, grade, and quality of the barley plus the applicable markup.

B. *Markups and examples (dollars per bushel in-store [1] No. 2 or better).*

Markup in-store received by—		Examples
Truck	Rail or barge	
$0.13	$0.10½	Cass County, N. Dak. ($0.86); 115 percent +$0.13; $1.13. Minneapolis, Minn. ($1.10); 115 percent +$0.10½; $1.37½.

C. *Nonstorable.* At not less than market price as determined by CCC.

Export.

Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section B. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for barley. Sales will be made pursuant to the following announcement:

A. Announcement GR-212 (Revision 2, Jan. 9, 1961) for cash or other designated sales.

Available. Chicago, Kansas City, Minneapolis, and Portland grain offices.

OATS, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than 115 percent of the applicable 1968 price-support rates [2] for the class, grade, and quality of the oats plus the markup shown in B below.

B. *Markup and example (dollars per bushel in-store [1] Basis No. 2 XHWO).*

Markup in-store	Example
$0.013	Redwood County, Minn. ($0.60+$0.03 quality differential); 115 percent +$0.13; $0.86.

C. *Nonstorable.* At not less than the market price as determined by CCC.

Export. Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section B. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcements is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for oats. Sales will be made pursuant to the following announcement.

A. Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to barter contracts and for cash or other designated sales.

Available. Kansas City, Chicago, Minneapolis, and Portland ASCS grain offices.

RYE, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 115 percent [2] of the applicable 1968 price-support rate for the class, grade, and quality of the grain plus the markup shown in B below applicable to the type of carrier involved.

B. *Markups and examples (dollars per bushel in-store*[1] *No. 2 or better).*

Markup in-store received by—		Examples—Agricultural Act of 1949: Stat. minimum
Truck	Rail or barge	
$0.13	$0.10½	Rollete County, N. Dak. ($0.89); 115 percent +$0.13; $1.16. Minneapolis, Minn. ($1.23); 115 per cent +$0.10½; $1.52½.

C. *Nonstorable.* At not less than market price as determined by CCC.

Export.

Sales are made at the higher of the domestic market price, as determined by CCC, or 115 percent of the applicable 1968 price-support loan rate plus carrying charges in section B. The statutory minimum price referred to in the price adjustment provisions of the following export sales announcement is 105 percent of the applicable price-support rate plus the markup referred to in B of the unrestricted use section for rye. Sales will be made pursuant to the following announcement:

A. Announcement GR-212 (Revision 2, Jan. 9, 1961) for cash or other designated sales.

Available. Chicago, Kansas City, Portland, and Minneapolis ASCS grain offices.

RICE, ROUGH

Unrestricted use.

Market price but not less than 1968 loan rate plus 5 percent plus 28 cents per hundredweight, basis in store.

Export.

As milled or brown under Announcement GR-369, Revision III, as amended, Rice Export Program.

Available. Prices, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office.

COTTON, UPLAND

Unrestricted use.

A. Competitive offers under the terms and conditions of Announcement NO-C-32 (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price-support programs will be sold at the highest price offered but in no event at less than the higher of (a) 110 percent of the 1968 loan rate for such cotton, or (b) the market price for such cotton, as determined by CCC.

B. Competitive offers under the terms and conditions of Announcement NO-C-31 (Disposition of Upland Cotton—In Redemption of Payment-In-Kind Certificates or Rights in Certificate Pools, In Redemption of Export Commodity Certificates, Against the "Shortfall," and Under Barter Transactions), as amended. Cotton may be acquired at its current market price, as determined by CCC, but not less than a minimum price determined by CCC, which will in no event be less than 120 points (1.2 cents) per pound above the 1968 loan rate for such cotton.

Export.

CCC disposals for barter. Competitive offers under the terms and conditions of Announcements CN-EX-28 (Acquisition of Upland Cotton for Export Under the Barter Program), and NO-C-31, as amended, at the prices described in the preceding paragraph B.

COTTON, EXTRA LONG STAPLE

Unrestricted use.

Competitive offers under the terms and conditions of Announcements NO-C-6, (Revised July 22, 1960), as amended, and NO-C-10, as amended. Under these announcements extra long staple cotton (domestically grown) will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC.

Export.

CCC disposals for barter. Competitive offers under the terms and conditions of Announcement CN-EX-29 (Acquisition of American-Egyptian Cotton for Export Under the Barter Program), and NO-C-6 (Revised), as amended, at not less than the market price, as determined by CCC.

COTTON, UPLAND OR EXTRA LONG STAPLE

Unrestricted use.

Competitive offers under the terms and conditions of Announcement NO-C-20 (Sale of Special Condition Cotton). Any such cotton (Below Grade, Sample Loose, Damaged Pickings, etc.) owned by CCC will be offered for sale periodically on the basis of samples representing the cotton according to schedules issued from time to time by CCC.

Availability information.

Sale of cotton will be made by the New Orleans ASCS Commodity Office. Sales announcements, related forms and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and location may be obtained for a nominal fee from that office.

PEANUTS, SHELLED OR FARMERS STOCK

Restricted use sales.

When stocks are available in their area of responsibility, the quantity, type, and grade offered are announced in weekly lot lists or invitations to bid issued by the following:

GFA Peanut Association, Camilla, Ga.
Peanut Growers Cooperative Marketing Association, Franklin, Va.
Southwestern Peanut Growers' Association, Gorman, Tex.

Terms and conditions of sale are set forth in Announcement PR-1 of July 1, 1966, as amended, and the applicable lot list.

1. Shelled peanuts of less than U.S. No. 1 grade may be purchased for foreign or domestic crushing.

2. Farmers stock: Segregation 1 may be purchased and milled to produce U.S. No. 1 or better grade shelled peanuts which may be exported. The balance of the kernels including any graded peanuts not exported must be crushed domestically. Segregation 2 and 3 peanuts may be purchased for domestic crushing only.

Sales are made on the basis of competitive bids each Wednesday by the Producer Associations Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250, to which all bids must be sent.

TUNG OIL

Unrestricted use.

Sales are made periodically on a competitive bid basis. Bids are submitted to the Producer Association Division, Agricultural Stabilization and Conservation Service, Washington, D.C. 20250.

The quantity offered and the date bids are to be received are announced to the trade in notices of Invitations to Bid, issued by the National Tung Oil Marketing Cooperative, Inc., Poplarville, Miss. 39470.

Terms and conditions of sale are as set forth in Announcement NTOM-PR-4 of April 6, 1967, as amended, and the applicable Invitation to Bid.

Bids will include, and be evaluated on the basis of, price offered per pound f.o.b. storage location. For certain destinations, CCC will as provided in the Announcement, as amended, refund to the buyer a "freight equalization" allowance.

Copies of the Announcement or the Invitation may be obtained from the Cooperative or Producer Associations Division, ASCS, Telephone Washington, D.C., area code 202, DU 8-3901.

FLAXSEED, BULK

Unrestricted use.

A. *Storable.* Market price, as determined by CCC, but not less than 105 percent of the applicable 1968 price-support rate[2] for the grade and quality of the flaxseed plus the applicable markup.

B. *Markups and example (dollars per bushel in-store No. 1, 9.1-9.5 percent moisture).*

Markup per bushel received by—		Example of minimum prices—terminal and price
Truck	Rail or barge	
$0.12	$0.07¾	Minneapolis, Minn. ($3.16) 105 percent + $0.07¾; $3.39¾.

C. *Nonstorable.* At not less than domestic market price as determined by CCC.

Available. Through the Minneapolis ASCS Branch Office.

DAIRY PRODUCTS

Sales are in carlots only in-store at storage location of products.

Submission of offers.

Submit offers to the Minneapolis ASCS Commodity Office.

NONFAT DRY MILK

Unrestricted use.

Announced prices, under MP-14: Spray process, U.S. Extra Grade, 25.40 cents per pound packed in 100-pound bags and 25.65 cents per pound packed in 50-pound bags.

Export.

Announced prices, under MP-23, pursuant to invitations issued by Minneapolis ASCS Commodity Office. Invitations will indicate the type of export sales authorized, the announced price and the period of time such price will be in effect.

BUTTER

Unrestricted use.

Announced prices, under MP-14: 74 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 73.25 cents per pound—Washington, Oregon, and California. All other States 73 cents per pound.

CHEDDAR CHEESE (STANDARD MOISTURE BASIS)

Unrestricted use.

Announced prices, under MP-14: 52.750 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 51.750 cents per pound.

FOOTNOTES

[1] The formula price delivery basis for binsite sales will be f.o.b.

[2] Round product up to the nearest cent.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Kansas City ASCS Commodity Office, 8930 Ward Parkway (Post Office Box 205), Kansas City, Mo. 64141, Telephone: Area Code 816, Emerson 1-0860.

See footnotes at end of document.

Alabama, Alaska, Arizona, Arkansas, Colorado, Florida, Georgia, Hawaii, Kansas, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Wyoming (domestic and export); California (domestic only). Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia (export only).

Branch Office—Chicago ASCS Branch Office, 226 West Jackson Boulevard, Chicago, Ill. 60606. Telephone: Area Code 312, 353-6581.

Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, and West Virginia (domestic only).

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn. 55415. Telephone: Area Code 612, 334-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin (domestic and export).

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg. 97205. Telephone: Area Code 503, 226-3361.

Idaho, Oregon, Utah, and Washington (domestic and export sales), California (export sales only).

PROCESSED COMMODITIES OFFICE (ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn. 55435. Telephone: Area Code 612, 334-3200.

COTTON OFFICE (ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La. 70112. Telephone: Area Code 504, 527-7766.

GENERAL SALES MANAGER OFFICES

Representative of General Sales Manager, New York Area: Joseph Reidinger, Federal Building, Room 1759, 26 Federal Plaza, New York, N.Y. 10007. Telephone: Area Code 212, 264-8439, 8440, 8441.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Appraisers' Building, Room 802, 630 Sansome Street, San Francisco, Calif. 94111. Telephone: Area Code 415, 556-6185.

ASCS STATE OFFICES

Illinois, Room 232, U.S. Post Office and Courthouse, Springfield, Ill. 62701. Telephone: Area Code 217, 525-4180.

Indiana, Room 110, 311 West Washington Street, Indianapolis, Ind. 46204. Telephone: Area Code 317, 633-8521.

Iowa, Room 937, Federal Building, 210 Walnut Street, Des Moines, Iowa 50309. Telephone: Area Code 515, 284-4213.

Kansas, 2601 Anderson Avenue, Manhattan, Kans. 66502. Telephone: Area Code 913, JE 9-3531.

Michigan, 1405 South Harrison Road, East Lansing, Mich. 48823. Telephone: Area Code 517, 372-1910.

Missouri, I.O.O.F. Building, 10th and Walnut Streets, Columbia, Mo. 65201. Telephone: Area Code 314, 442-3111.

Minnesota, Room 230, Federal Building and U.S. Courthouse, 316 Robert Street, St. Paul, Minn. 55101. Telephone: Area Code 612, 228-7651.

Montana, Post Office Box 670, U.S.P.O. and Federal Office Building, Bozeman, Mont. 59715. Telephone: Area Code 406, 587-4511, Ext. 3271.

Nebraska, Post Office Box 793, 5801 O Street, Lincoln, Nebr. 68501. Telephone: Area Code 402, 475-3361.

North Dakota, Post Office Box 2017, 15 South 21st Street, Fargo, N. Dak. 58103. Telephone: Area Code 701, 237-5205.

Ohio, Room 202, Old Federal Building, Columbus, Ohio 43215. Telephone: Area Code 614, 469-5644.

South Dakota, Post Office Box 843, 239 Wisconsin Street SW., Huron, S. Dak. 57350. Telephone: Area Code 605, 352-8651, Ext. 321 or 310.

Wisconsin, Post Office Box 4248, 4601 Hammersley Road, Madison, Wis. 53711. Telephone: Area Code 608, 254-4441, Ext. 7535.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105, 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, 307, 76 Stat. 614-617; 7 U.S.C. 1441 (note))

Signed at Washington, D.C., on December 31, 1968.

LIONEL C. HOLM,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 69-145; Filed, Jan. 7, 1969; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

SERVICE TRADE, CAPITAL EXPENDITURES, CHANGES IN FIXED ASSETS, AND RENTAL PAYMENTS

Notice of Consideration

Notice is hereby given that the Bureau of the Census is considering a proposal to repeat in 1969 the Service Capital Expenditures Survey which has been conducted every 5 years under title 13, United States Code, sections 181, 224, and 225. This survey, covering the year 1968, is designed to collect data on capital expenditures, changes in fixed assets, and rental payments. These items are included in 1968 as supplemental data for the 1967 Census of Business. Since only national statistics are required for these subjects, they can be obtained more efficiently on a sample rather than on a complete census basis.

This survey, covering 1968, will provide important information on capital expenditures data, which are collected as part of the Economic Census program at five-year intervals, as well as provide a continuation on a similar classification basis with the capital expenditures data collected as part of the 1963 Census of Business.

On the basis of information and recommendations received by the Bureau of the Census, the data will have significant application to the needs of the public, the distributive trades, and government agencies, and are not publicly available from nongovernment or other government sources.

Such a survey, if conducted, shall begin not earlier than 30 days after the publication of this notice in the FEDERAL REGISTER.

Reports will be required only from a selected sample of service establishments in the United States. The sample will provide, with measurable reliability, statistics on the subjects specified above. Reports will be requested from sample establishments on the basis of their receipts size, selection in Census list sample mail panel, and location in Census sample areas.

Copies of the proposed forms and a description of the collection methods are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

Any suggestions or recommendations concerning the subject matter of the proposed survey, submitted in writing to the Director of the Bureau of the Census within 30 days after the date of this publication, will receive consideration.

Dated: December 24, 1968.

A. ROSS ECKLER,
Director, Bureau of the Census.

[F.R. Doc. 69-168; Filed, Jan. 7, 1969; 8:45 a.m.]

Maritime Administration

[Report 93]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through December 26, 1968, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP	*Gross tonnage*
Total, all flags (187 ships)	1,325,975
British (50 ships)	398,221
Antarctica	8,785
Arctic Ocean	8,791
Athelcrown (tanker)	11,149
Athellaird (tanker)	11,150
Athelmere (tanker)	7,524
Athelmonarch (tanker)	11,182
Avisfaith	7,868
Baxtergate	8,813
Changpaishan	8,929
Cheung Chau	8,566
Chiang Kiang	10,481
East Sea	9,679
Eastfortune	8,789
Eastglory	8,995
Fortune Enterprise	7,696
Hemisphere	8,718
Ho Fung	7,121
Huntsland	9,353
Huntsville	9,486
Inchstuart	7,043
**Jeb Lee (trip to Cuba under ex-name Garthdale—British)	7,542
Jollity	8,819

See footnotes at end of table.

Flag of Registry and Name of Ship	Gross tonnage
British—Continued	
**Kali Elpis (trips to Cuba under ex-name Ardmore—British)	4,664
**Kelso trip to Cuba under ex-name Ardgem—British)	6,981
Kinross	5,388
Magister	2,239
**Meadow Court (trip to Cuba under ex-name Ardrossmore—British)	5,820
Nancy Dee	6,597
Nebula	8,907
Newglade	7,368
Newheath	7,643
Newmoat	7,151
Oceantramp	6,185
Oceantravel	10,419
Peony	9,037
Red Sea (previous trip to Cuba under ex-name Grosvenor Mariner—British)	7,026
**Rosetta Maud (trips to Cuba under ex-name Ardtara—British)	5,795
Ruthy Ann	7,361
Sea Amber	10,421
Sea Coral	10,421
Sea Empress	9,841
Seasage	4,330
Shienfoon	7,127
**Shun Wah (trips to Cuba under ex-name Vercharmian—British)	7,265
Southgate (previous trips to Cuba under ex-name Arlington Court—British)	9,662
**Tetrarch (trips to Cuba under ex-name Ardrowan—British)	7,300
Venice	8,611
Vergmont	7,381
Yungfutary	5,388
Yunglutaton	5,414
Cypriot (39 ships)	291,403
Acme	7,173
Aegis Hope (previous trips to Cuba under ex-name Huntsmore—British)	5,678
Agenor	7,139
Aiolos II (previous trips to Cuba—Lebanese)	7,256
Akmeon (tanker)	11,105
*Alda	7,292
Alice (previous trips to Cuba—Greek)	7,189
Amfithea (previous trip to Cuba under ex-name Antonia—Greek)	5,171
Angeliki	8,482
Anka	7,314
Antonia II (previous trip to Cuba under ex-name Stylianos N. Vlassopulos—Greek)	7,281
Apollonian	7,229
Areti (previous trips to Cuba—Lebanese)	7,176
Captain Papalios (tanker)	11,676
Claire (previous trips to Cuba—Lebanese)	5,411
*Degedo	9,000
Dolphin	3,550
Dorine Papalios (previous trips to Cuba under ex-name Formentor—British)	8,424
E. D. Papalios	9,431
El Toro	5,949
Free Navigator (previous trips to Cuba under ex-name Newdene—British)	7,165
Free Trader (previous trips to Cuba—Lebanese)	7,061
Gloria	7,277
Huntsfield (previous trips to Cuba—British)	9,483

See footnotes at end of table.

Flag of Registry and Name of Ship	Gross Tonnage
Cypriot—Continued	
Johnny	9,689
Katerina (previous trips to Cuba—Lebanese)	9,357
**Laurel (trips to Cuba under ex-name Ioannis Aspiotis—Lebanese)	7,297
Marika (previous trip to Cuba—Lebanese)	7,290
Mery (previous trips to Cuba—Greek)	7,258
Newforest (previous trips to Cuba—British)	7,189
Newgate (previous trips to Cuba—British)	6,743
**Newlane (trips to Cuba—British)	7,043
Newmoor (previous trips to Cuba—British)	7,168
Olga (previous trips to Cuba—Lebanese and Greek)	7,265
Protoklitos	6,154
*Suerte	7,267
Sunrise (previous trips to Cuba under ex-name Anatoli—Greek)	7,216
Tina (previous trips to Cuba—Greek)	7,362
Vassiliki (previous trips to Cuba—Lebanese)	7,192
Polish (21 ships)	150,590
Baltyk	6,984
Bialystok	7,173
Bytom	5,967
Chopin	9,231
Chorzow	7,237
Energetyk	10,876
Grodziec	3,379
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,179
Huta Zgoda	6,840
Hutnik	10,847
Kopalnia Bobrek	7,221
Kopalnia Czladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Narwik	7,065
Piast	3,184
Rejowiec	3,401
Transportowiec	10,854
Lebanese (16 ships)	107,334
Antonis	6,259
Astir	5,324
Atticos	7,257
Giannis	5,270
Giorgos Tsakiroglou	7,240
Ilena	5,925
Mantric	7,255
Marichristina	7,124
Mousse	9,307
Noelle	7,251
San Spyridon	7,260
Stevo	7,066
**Tania (trip to Cuba under ex-name Al Fares—Lebanese)	1,143
Tony	7,176
Toula	6,426
Yanxilas	10,051
Greek (12 ships)	80,730
Agios Therapon	7,205
**Aliartos (trip to Cuba under ex-name Loradore—British)	8,078
Andromachi (previous trips to Cuba under ex-name Penelope—Greek)	6,712
**Anna Maria (trips to Cuba under ex-name Helka—British)	2,111
Barbarino	7,084
Eftyhia	9,844

Flag of Registry and Name of Ship	Gross tonnage
Greek—Continued	
**Gold Land (trip to Cuba under ex-name Amfred—Swedish)	2,838
Irena	7,232
**Lambros M. Fatsis (trips to Cuba under ex-name La Hortensia—British)	9,486
Nicolaos F. (previous trip to Cuba under ex-name Nicolaos Frangistas—Greek)	7,199
Redestos	5,911
Sophia	7,030
Yugoslav (8 ships)	53,292
*Agrum	2,449
Bar	8,776
Kolasin	7,217
Mojkovac	7,142
Piva	7,519
Plod	3,657
Subicevac	9,033
Tara	7,499
Panamanian (7 ships)	45,065
**Ampuria (trips to Cuba under ex-name Roula Maria—Greek)	10,608
**Avranchoise (trips to Cuba under ex-name Avranches—French)	7,199
**Chung Thai (trip to Cuba under ex-name Somalia—Italian)	3,352
**Renown Trader (trips to Cuba under ex-name Suva Breeze—British)	4,996
**Robertina (trips to Cuba under ex-name Anacreon—Greek)	6,935
**Tynlee (trip to Cuba under ex-name Ardenode—British)	7,036
**Yu Lee (trips to Cuba under ex-name Dairen—British)	4,939
French (6 ships)	19,316
**Atlanta (trip to Cuba under ex-name Enee—French)	1,232
Circe	2,874
Foulaya	3,739
Mungo	4,820
Nelee	2,874
Penja	3,777
Italian (5 ships)	34,870
Elia (tanker)	11,021
**Graziella Zeta (trips to Cuba under ex-name Montiron—Italian)	1,595
San Francesco	9,284
Santa Lucia	9,278
Somalia	3,692
Finnish (4 ships)	27,976
Augusta Paulin	7,096
Jytte Paulin	7,010
Ragni Paulin	6,823
Verna Paulin	7,047
Maltese (4 ships)	27,097
Amalia (previous trips to Cuba—British)	7,304
Ispahan	7,169
Soclyve (previous trips to Cuba—British)	7,291
Timios Stavros (previous trips to Cuba—British and Greek)	5,333
Moroccan (4 ships)	32,746
Atlas	10,392
Marrakech	3,214
Mauritanie	10,392
Toubkal	8,748

FLAG OF REGISTRY AND NAME OF SHIP

	Gross tonnage
Somali (5 ships)	30, 680
Aragon	7, 248
*Aria	5, 059
**Atlas (trip to Cuba—Finish)	3, 916
Erato (previous trips to Cuba under ex-name Eretria—Greek)	7, 199
Thios Costas	7, 258
Netherlands (2 ships)	1, 615
Meike	500
Tempo	1, 115
Guinean (1 ship)	852
**Drame Oumar (trip to Cuba under ex-name Neve—French)	852
Japanese (1 ship)	8, 627
Chokyu Maru	8, 627
Pakistani (1 ship)	8, 708
**Maulabaksh (trip to Cuba under ex-name Phoenician Dawn and East Breeze—British)	8, 708
Singapore (1 ship)	6, 854
**Glaisdale (trip to Cuba—British)	6, 854

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuban trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessel under their control will thenceforth be employed in the Cuban trade, except as provided in paragraph (c) ; and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuban trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP

a. Since last report:

	Gross tonnage
Somali (1 ship)	14, 659
Sandoval	14, 659

b. Previous reports:

	Number of ships
Flag of registry (total)	122
British	44
Cypriot	3
Danish	1
Finnish	4
French	1
German (West)	1
Greek	30
Israeli	1

FLAG OF REGISTRY AND NAME OF SHIP

Flag of registry—Continued	*Number of ships*
Italian	12
Japanese	1
Kuwaiti	1
Lebanese	9
Liberian	1
Norwegian	5
Spanish	6
Swedish	1
Yugoslav	1

SEC. 3. The following number of vessels have been removed from this list, since they have been broken up, sunk, etc.

FLAG OF REGISTRY AND NAME OF SHIP

Flag of registry:	*Broken up, sunk or wrecked*
British	13
Cypriot	14
Finnish	1
French	1
Greek	13
Italian	4
Lebanese	29
Maltese	1
Monaco	1
Moroccan	1
Norwegian	1
Pakistan	1
Panamanian	2
South African	2
Swedish	1
Yugoslav	5
Total	90

SEC. 4. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through December 26, 1968.

Flag of registry	Number of trips												
						1968							
	1963	1964	1965	1966	1967	Jan. thru June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
British	133	180	126	101	78	29	7	5	4	8	3		674
Lebanese	64	91	58	25	16	11		1	1				267
Greek	99	27	23	27	29	3	1			2			211
Cypriot		1	17	27	42	31	4	6	7	9	4	1	149
Italian	16	20	24	11	11	3	2		1	2			90
Yugoslav	12	11	15	10	14	3	1	1	1	1	1		70
French	8	9	9	10	10	1		2			1		50
Finnish	1	4	5	11	12	3		2	1		1		40
Spanish	8	17											25
Norwegian	14	10											24
Moroccan	9	13	1										23
Maltese		2	6	1	4	4	1	1	1				20
Somali					2	4	1	1		2	1		11
Netherlands		4	2										6
Swedish	3	3											6
Kuwaiti		2	1										3
Israeli			2										2
Japanese	1					1							2
Danish	1												1
German (West)	1												1
Haitian			1										1
Monaco				1									1
Subtotal	370	394	290	224	218	93	17	19	16	24	11	1	1, 677
Polish	18	16	12	10	11	5		1	1				74
Grand total	388	410	302	234	229	98	17	20	17	24	11	1	1, 751

NOTE: Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data becomes available.

*Added to Rept. 92, appearing in the FEDERAL REGISTER issue of November 9, 1968.

**Ships appearing on the list which have made no trips to Cuba under the present registry.

Dated: December 27, 1968.

By order of the Acting Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 69-141; Filed, Jan. 7, 1969; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMERICAN PETROLEUM INSTITUTE

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 9B2357) has been filed by American Petroleum Institute, 1271 Avenue of the Americas, New York, N.Y. 10020, proposing the issuance of a food additive regulation (21 CFR Part 121) to provide for the safe use of paraffinic hydrocarbons in the production of food-contact articles. The proposed paraffinic hydrocarbons are described as mixtures of liquid hydrocarbons that (1) are primarily *n*-paraffins with smaller quantities of isoparaffins and naphthenes, (2) have boiling points in the range 75°–500° F., and (3) meet the ultraviolet and nonvolatile residues specifications prescribed in § 121.1154(a).

The petition also proposes that such a regulation provide for use of all light petroleum hydrocarbons, including light petroleum hydrocarbons identified in §§ 121.2558 and 121.2594, permitted for

use in the production of food-contact articles.

The petition further proposes that all references to "kerosine," "mineral spirits," and "naphtha" be deleted wherever they appear in §§ 121.2519, 121.2520, 121.2535, 121.2556, and 121.2557, and that provision for such use of these additives be included in the proposed regulation under a separate listing of light petroleum hydrocarbons identified as follows:

The additive is a mixture of liquid hydrocarbons derived from petroleum or synthesized from petroleum gases. The additive is chiefly paraffinic, isoparaffinic, naphthenic, or aromatic in nature, meeting the following specifications: Boiling point 75°–550° F., as determined by ASTM Method D-86; nonvolatile residue 0.005 gram per 100 milliliters, maximum; Saybolt color 20 minimum, as determined by ASTM Method D-156; and aromatics, 32 percent maximum.

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-230; Filed, Jan. 7, 1969; 8:50 a.m.]

CHEMAGRO CORP.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition (PP 9F0774) has been filed by Chemagro Corp., Post Office Box 4913, Kansas City, Mo. 64120, proposing the establishment of tolerances (21 CFR Part 120) for residues of the insecticide *O,O*-dimethyl *O*-[4-(methylthio)-*m*-tolyl] phosphorothioate and its cholinesterase-inhibiting metabolites in or on the raw agricultural commodities: Alfalfa hay and grass hay at 18 parts per million; alfalfa and grass at 5 parts per million; rice straw at 0.5 part per million; and rice grain at 0.1 part per million.

The analytical method proposed in the petition for determining residues of the insecticide is a procedure in which the residues are extracted, oxidized to the oxygen analog sulfone, and determined by a gas chromatographic technique using a phosphorous-sensitive detector.

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-234; Filed, Jan. 7, 1969; 8:50 a.m.]

ENJAY POLYMER LABORATORIES

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348 (b)(5)), notice is given that a petition (FAP 9B2355) has been filed by Enjay Polymer Laboratories, Post Office Box 45, Linden, N.J. 07036, proposing that § 121.2501 *Olefin polymers* (21 CFR 121.2501) be amended in paragraph (d)(6) by changing "and at 260° F. for all other olefin" to "and at 212° F. or 260° F. for all other olefin".

Dated: December 23, 1968.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 69-235; Filed, Jan. 7, 1969; 8:50 a.m.]

GEIGY CHEMICAL CORP.

Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), notice is given that a petition (PP 9F0779) has been filed by Geigy Chemical Corp., Ardsley, N.Y. 10502, proposing the establishment of a tolerance (21 CFR Part 120) of 5 parts per million for residues of the insecticide isopropyl 4,4'-dibromobenzilate in or on the raw agricultural commodity apples.

The analytical method proposed in the petition for determining residues of the insecticide is an electron-capture gas chromatographic procedure.

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-237; Filed, Jan. 7, 1969; 8:50 a.m.]

MONSANTO CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 9B2371) has been filed by Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166, proposing the issuance of a food additive regulation (21 CFR Part 121) to provide for the safe use of polyamine-epichlorohydrin resins as components of paper and paperboard for food-contact use.

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-238; Filed, Jan. 7, 1969; 8:51 a.m.]

ONYX CHEMICAL CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 9H2358) has been filed by Onyx Chemical Co., Division of Millmaster Onyx Corp., 190 Warren Street, Jersey City, N.J. 07302, proposing an amendment to § 121.2547 *Sanitizing solutions* (21 CFR 121.2547) to provide for the safe use of *n*-alkyl dimethylbenzyl ammonium chloride as a sanitizing solution for food-processing equipment and utensils and other food-contact articles.

Dated: December 23, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-239; Filed, Jan. 7, 1969; 8:51 a.m.]

[Docket No. FDC-D-117; NDA No. 15-497]

VASCULAR PHARMACEUTICAL CO., INC.

Cothyrobal; Notice of Opportunity for Hearing

Notice is hereby given to Vascular Pharmaceutical Co., Inc., 432 Mineola Boulevard, Williston Park, Long Island, N.Y. 11596, that the Commissioner of Food and Drugs proposes to issue an order refusing approval, with prejudice to future referral by the applicant to the application, of new-drug application No. 15-497, submitted by Vascular Pharmaceutical Co., Inc., for the drug Cothyrobal, on the grounds that the new-drug application fails to establish that the drug is safe and effective for the uses prescribed, recommended, or suggested in the labeling submitted for the drug, in that:

1. The nature of the proposed indications for Cothyrobal have not been clearly defined by applicant. There is a question as to whether the indications are to be limited to replacement therapy in hypothyroidism, whether the drug is to be promoted "in diseases complicated or initiated by the atherosclerotic process," and whether the drug is to be recommended for such conditions as diabetic retinopathy. While a letter of April 17, 1968, from applicant's counsel quotes the indications from other drugs, no labeling of that type has been submitted, and the applicant in a letter dated August 12, 1968, states that the drug is intended for retinopathy.

2. Upon the basis of the information submitted to the Food and Drug Administration as part of the application and other information available with respect to such drug, there is insufficient information to determine whether the drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling submitted for the drug.

3. The reports of investigations included with the application do not include adequate tests by all methods reasonably applicable to show whether or not the drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling submitted for the drug.

a. The investigative reports do not contain sufficiently detailed clinical cases on a sufficient number of individ-

uals to be considered reasonably applicable to establish whether or not the drug is safe for its proposed uses.

b. Inadequate evidence has been submitted to confirm the thesis that the addition of vitamin B_{12} to L-thyroxine diminishes the physiologic or adverse effects that may be induced by the administration of the hormone alone.

c. The investigative reports do not include animal data which would be considered reasonably applicable to establish that the drug is safe.

4. The results of tests included in the application do not show that the drug is safe for use under the conditions prescribed, recommended, or suggested in the proposed labeling submitted for the drug. In particular, the tests are inadequate and do not include soundly documented clinical investigations that would reasonably establish that Cothyrobal is safe for use as proposed.

5. The information in the application establishes that the methods used in and the facilities and controls used for the manufacture, processing, and packing of the drug are inadequate to preserve its identity, strength, quality, and purity.

a. There is inconsistency in the application regarding the composition of Cothyrobal lyophilized powder and no full statement of the quantitative composition and representative batch formula for the Cothyrobal diluent; therefore, the identity of the product is not defined and the adequacy of the methods and controls used in the manufacture, processing, and packing cannot be determined.

b. The methods, facilities, and controls used in the manufacture, processing, and packing of the Cothyrobal diluent have not been described.

c. The methods used in the synthesis, extraction, isolation, or purification of sodium L-thyroxine have not been described.

d. The methods of testing and specifications for acceptance of all raw materials are either inadequate, inadequately described, or not described at all.

e. The adequacy of the testing of raw materials and finished products done for Kemworth Laboratories by Jason Laboratories and South Mountain Laboratories cannot be established in the absence of signed statements from these firms fully describing the methods, facilities, and controls used in their parts of the operation.

f. Laboratory test procedures and acceptance specifications described in the application for the finished products Cothyrobal and its diluent are either lacking or are inadequate to assure their identity, strength, quality, and purity.

g. Data in the application do not establish the stability of the lyophilized product. No data has been submitted to show that the Cothyrobal diluent is stable.

h. The application contains no evidence which substantiates reference in the labeling to the ability of gelatin to react amphoterically "with the other two ampholytes comprising the therapeutically active ingredients."

i. The analytical methods must be regarded as inadequate since the applicant has not submitted required samples of the new-drug substances and all of the proposed dosage forms and the results of all assays performed on them, including those for the Cothyrobal diluent.

j. Methods and controls must be regarded as inadequate in that the application inadequately describes, or fails to describe: The manner of use of raw material serial numbers, use and maintenance of batch records, checking of final volumes of solutions, packaging and labeling procedures, and determination and evaluation of final yields.

6. Upon the basis of information submitted as part of the application and other information before the Food and Drug Administration with respect to such drug, there is lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the proposed labeling submitted for the drug.

a. Adequate evidence has not been submitted that demonstrates that the addition of vitamin B_{12} to L-thyroxine has its claimed effect.

b. Evidence has not been submitted that supports the administration of Cothyrobal "in disease states associated with atherosclerosis" or for other conditions for which it is recommended by the promotional material submitted in the new-drug application.

c. There is a lack of evidence that Oxytropin and Lipotropin when used with Cothyrobal injections make a contribution to the claimed or intended effect of the drug.

The proposal to issue an order refusing to approve the application with prejudice to future use by the applicant is made because the information is disorganized and contains conflicting material that has led to confusion for both the applicant and the Food and Drug Administration. Such refusal would not prevent the applicant from resubmitting in a future new-drug application any material of scientific value previously submitted in new-drug application No. 15-497.

In accordance with the provisions of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Part 130), the Commissioner will give the applicant an opportunity for a hearing at which time the applicant may produce evidence and arguments on the question of whether the application is approvable.

Within 30 days from the date of publication of this notice in the FEDERAL REGISTER, the applicant is required to file with the Hearing Clerk, Department of Health, Education, and Welfare, Office of the General Counsel, Food, Drug, and Environmental Health Division, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, a written appearance electing whether:

1. To avail itself of the opportunity for a hearing; or

2. Not to avail itself of the opportunity for a hearing.

If the applicant elects not to avail itself of the opportunity for a hearing, the Commissioner without further notice will enter a final order refusing to approve the application, with prejudice to future referral by the applicant to the application. Failure of the applicant to file such a written appearance of election within 30 days following the date of publication of this notice in the FEDERAL REGISTER will be construed as an election by the applicant not to avail itself of the opportunity for a hearing.

The hearing contemplated by this notice will be open to the public, except that any portion of the hearing that concerns a method or process which the Commissioner finds is entitled to protection as a trade secret will not be open to the public, unless the respondent specifies otherwise in his appearance.

If the applicant elects to avail itself of the opportunity for a hearing by filing a timely written appearance of election, a hearing examiner will be named by the Commissioner and he shall issue a written notice of the time and place for the hearing.

This notice is issued under the authority contained in the Federal Food, Drug, and Cosmetic Act (sec. 505, 52 Stat. 1052, as amended; 21 U.S.C. 355), and delegated to the Commissioner (21 CFR 2.120).

Dated: December 24, 1968.

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

[F.R. Doc. 69-240; Filed, Jan. 7, 1969; 8:51 a.m.]

BU-CHLORIN

Drugs for Veterinary Use; Drug Efficacy Study Implementation Announcement

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation: Bu-chlorin containing *n*-butyl chloride 94.04 percent weight-to-weight and marketed by Pitman-Moore, Division of Dow Chemical Co., Research Center, Zionsville, Ind. 46077.

The Food and Drug Administration concurs in the conclusions of the Academy that this drug is reasonably reliable for the removal of ascarids and hookworms from dogs, but that the drug's efficacy in the removal of whipworms is too low to warrant recommendation of the drug for this purpose.

The labeling for the new-drug application for the above preparation should be limited to the claims and present the conditions of use substantially as follows:

INDICATIONS

For the removal of ascarids (*Toxocara canis* and *Toxascaris leonia*) and hookworms (*Ancylostoma caninum*, *Ancylostoma braziliense*, and *Uncinaria stenocephala*) from dogs.

DOSAGE AND ADMINISTRATION

Following an 18-24 hour fast, administer orally per dog weighing:

Under 5 lbs	1 cc.
5-10 lbs	2 cc.
10-20 lbs	3 cc.
20-40 lbs	4 cc.
Over 40 lbs	5 cc.

Administer a mild cathartic 30-60 minutes following treatment. Dog may be returned to normal rations 4-8 hours after medication.

SIDE EFFECTS

Vomiting will occur in some dogs.

Caution: Consult a veterinarian before using in severely debilitated dogs.

This announcement is published (1) to inform the holders of new-drug applications of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles may be marketed provided they are the subject of approved new-drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

The holder of the new-drug application for which labeling is not adequate, in that it differs from the labeling presented above, is provided 6 months from the date of publication of this announcement in the FEDERAL REGISTER to submit revised labeling or adequate documentation in support of the labeling used.

Written comments regarding this announcement, including request for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

The holder of the new-drug application for the drug listed above has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to the drug listed in this announcement or any other interested person may obtain a copy of the NAS-NRC report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: December 27, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-232; Filed, Jan. 7, 1969; 8:50 a.m.]

CARICIDE

Drugs for Veterinary Use; Drug Efficacy Study Implementation Announcement

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation: Caricide containing 400 milligrams of diethylcarbamazine citrate per tablet and marketed by American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540.

The Academy's report states that this drug is probably not effective as a treatment against filariasis. More information is needed regarding the dosage level to support claims for prevention of filariasis. The drug is efficacious in the treatment of ascarids in dogs and cats. The Food and Drug Administration concurs in the evaluation.

Supplemental new-drug applications are invited to revise the labeling provided in new-drug applications for this drug to limit the claims and present the conditions of use substantially as follows:

INDICATIONS

As an aid in the treatment of ascarids in dogs and cats.

DOSAGE AND ADMINISTRATION

Dogs and cats—treatment: Administer 25-50 milligrams per pound body weight. A repeat dose should be given in 10-20 days.

Caution: Consult your veterinarian before using in severely debilitated animals; do not use in dogs that may be harboring adult heartworms. Keep out of reach of children.

This announcement is published (1) to inform the holders of new-drug applications of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles may be marketed provided they are the subject of approved new-drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of the new-drug applications for which labeling is not adequate in that it differs from the labeling presented above are provided 6 months from the date of publication of this announcement in the FEDERAL REGISTER to submit revised labeling or adequate documentation in support of the labeling used.

Written comments regarding this announcement, including request for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

The holder of the new-drug application for the drug listed above has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to the drug listed in this announcement or any other interested person may obtain a copy of the NAS-NRC report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: December 26, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-233; Filed, Jan. 7, 1969; 8:50 a.m.]

FOMENE

Drugs for Veterinary Use; Drug Efficacy Study Implementation Announcement

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following preparation: Fomene; containing soya oil fractions, mineral oil, isopropyl alcohol (15 percent), and alkylated aryl polyether alcohol; marketed by Norden Laboratories, Inc., 601 West Oak, Lincoln, Nebr. 63501.

The Academy evaluated this drug as "probably not effective" for treatment of bloat in ruminants. The data submitted are not sufficient to justify the claim. The Food and Drug Administration concurs in the Academy's evaluation.

This evaluation of the drug is concerned only with its effectiveness and safety to the animal to which it is administered. It does not take into account the safety for food use of food derived from drug-treated animals. Nothing in this announcement will constitute a bar to further proceedings with respect to questions of safety of the drug or its metabolites as residues in food products derived from treated animals.

This announcement is published (1) to inform all holders of new-drug applications of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles to be marketed must be the subject of approved new-drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of the new-drug applications are provided 6 months from the date of publication of this announcement in the FEDERAL REGISTER to submit adequate documentation in support of the labeling being used.

Written comments regarding this announcement, including request for an informal conference, may be addressed to the Bureau of Veterinary Medicine, Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204.

The holder of the new-drug application for the drug listed above has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to the drug listed in this announcement or any other interested person may obtain a copy of the NAS-NRC report by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53, as amended; 21 U.S.C. 352, 355) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: December 20, 1968.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69-236; Filed, Jan. 7, 1969; 8:50 a.m.]

2-AMINOBUTANE

Notice of Further Extension of Temporary Tolerance

Elanco Products Co., a Division of Eli Lilly and Co., Indianapolis, Ind. 46206, was granted an extension to December 15, 1968, of a temporary tolerance of 20 parts per million for residues of the fungicide 2-aminobutane in or on the raw agricultural commodities lemons and oranges (extension notice was published in the FEDERAL REGISTER of Apr. 3, 1968; 33 F.R. 5320).

In order to obtain additional data on short and long term shipping and storage stability of 2-aminobutane-treated fruit, the firm has requested a further extension of the temporary tolerance for 1 year. The Commissioner of Food and Drugs has determined that such extension of the temporary tolerance will protect the public health.

A condition under which this temporary tolerance is extended is that the fungicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Elanco Products Co. name.

As extended, this temporary tolerance expires on December 15, 1969.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: December 19, 1968.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-231; Filed, Jan. 7, 1969; 8:50 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN THE REPUBLIC OF KOREA

Entry and Withdrawal From Warehouse for Consumption

JANUARY 2, 1969.

On December 11, 1967, the Government of the United States, in furtherance of the objectives of, and under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded a bilateral cotton textile agreement with the Republic of Korea, concerning exports of cotton textiles and cotton textile products from the Republic of Korea to the United States. Under this agreement the Republic of Korea has undertaken to limit its exports to the United States of certain cotton textiles and cotton textile products to specified annual amounts. Among the provisions of the agreement are those applying specific export limitations to Categories 7, 9, 18-19, 22, part of 26 (duck only), parts of 26 (other than duck), 31 (wiping cloth only), 34, 45, 46, 49, 50, 51, 52, 54, 60, parts of 64 (tablecloths and napkins only), and part of 64 (zipper tapes only), for the third agreement year beginning January 1, 1969.

There is published below a letter of December 27, 1968, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amounts of cotton textiles and cotton textile products in the above Categories produced or manufactured in the Republic of Korea which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning January 1, 1969, be limited to the designated levels. The letter published below and the actions pursuant thereto are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

STANLEY NEHMER,
Chairman, Interagency Textile Administrative Committee, and Deputy Assistant Secretary for Resources.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

DECEMBER 27, 1968.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of December 11, 1967, between the United States and the Republic of Korea, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed, effective January 1, 1969, and for the 12-month period extending through December 31, 1969, to prohibit entry into the United States for consumption and withdrawal from warehouse for consumption, of cotton textiles and cotton textile products in Categories 7, 9, 18-19, 22, 26, 31 (T.S.U.S.A. No. 366.2740 only), 34, 45, 46, 49, 50, 51, 52, 54, 60, and 64 (T.S.U.S.A. Nos.: 366.4500, 366.4600, 366.4700, and 347.-3340 only), produced or manufactured in the Republic of Korea, in excess of the following 12-month levels of restraint:

Category	12-month level of restraint
7 ---------------square yards--	551, 250
9 -----------------------do----	2, 756, 250
18-19 -------------------do----	2, 094, 750
22 ----------------------do----	882, 000
26 (duck only)[1] -----------do----	12, 127, 500
26 (other than duck) -----do----	1, 047, 375
31 (only T.S.U.S.A. No. 366.2740) pieces ----------------------	1, 048, 478
34 ----------------------do----	98, 123
45 -------------------dozen--	33, 075
46 ----------------------do----	26, 460
49 ----------------------do----	27, 563
50 ----------------------do----	46, 305
51 ----------------------do----	62, 843
52 ----------------------do----	33, 075
54 ----------------------do----	49, 613
60 ----------------------do----	28, 665
64 (only T.S.U.S.A. Nos.: 366.-4500, 366.4600, and 366.4700) pounds--	503, 843
64 (only T.S.U.S.A. No. 347.3340) pounds--	61, 740

[1] Only T.S.U.A. No.:
320---01 through 04, 06, 08
321---01 through 04, 06, 08
322---01 through 04, 06, 08
326---01 through 04, 06, 08
327---01 through 04, 06, 08
328---01 through 04, 06, 08

In carrying out this directive, entries of cotton textiles and cotton textile products in the above categories, produced or manufactured in the Republic of Korea, which have been exported to the United States from the Republic of Korea prior to January 1, 1969, shall, to the extent of any unfilled balances be charged against the level of restraint established for such goods for the 12-month period begining January 1, 1968, and extending through December 31, 1968. In the event that the level of restraint for the 12-month period ending December 31, 1968, has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

The levels of restraint set forth above are subject to adjustment pursuant to the provisions of the bilateral agreement of December 11, 1967, between the Governments of the United States and the Republic of Korea which provides in part that within the aggregate and applicable group limits, limits on certain categories may be exceeded by not more than 5 percent; for the limited carryover of shortfalls in certain categories to the next agreement year; and for administrative arrangements. Any appropriate adjustments pursuant to the provisions of the bilateral agreement referred to above, will be made to you by letter from the Chairman of the Interagency Textile Administrative Committee.

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of the Republic of Korea and with respect to imports of cotton textiles and cotton textile products from the Republic of Korea have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. II, 1965-66). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

C. R. SMITH,
Secretary of Commerce, Chairman, President's Cabinet, Textile Advisory Committee.

[F.R. Doc. 69-199; Filed, Jan. 7, 1969; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI69-334, etc.]

GAS PROPERTIES, INC., ET AL.

Order Accepting Contract Amendments, Providing for Hearings on and Suspension of Proposed Changes in Rates, and Permitting Increased Rate Filing To Be Withdrawn and Terminating Related Proceeding [1]

DECEMBER 27, 1968.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

[1] Does not consolidate for hearing or otherwise dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf	
									Rate in effect	Proposed increased rate
RI69-334..	Gas Properties, Inc., c/o The Lehman Corp., 1 South William St., New York, N.Y. 10004.	1	[2] 7	United Gas P/L Co. (Burnell-North Pettus Field, Karnes, Bee, and Goliad Counties, Tex., RR. District No. 2).	....	11-27-68	[3] 12-28-68	(Accepted)	....	....
		1	8		$6,780	11-27-68	[4] 1-1-69	6-1-69	[5][6] 14.0	[5][7][8] 16.0
RI69-335..	Atlantic Richfield Co., Post Office Box 2819, Dallas, Tex. 75221, Attention: Richard M. Young, Esq.	44	[2] 16	......do......		12-5-68	[3] 1-5-69	(Accepted)	....	....
		44	17		986	12-5-68	[3] 1-5-69	6-5-69	[5][9] 15.485	[5][7][8] 16.0
RI69-336..	Midhurst Oil Corp., 1030 Bank of the Southwest Bldg., Houston, Tex., Attention: Mr. L. R. Metcalf.	21	[2] 6	......do......		12-9-68	[3] 1-9-69	(Accepted)	....	....
		21	7		474	12-9-68	[3] 1-9-69	6-9-69	[5][10] 15.485	[5][7][8] 16.0
RI69-337..	American Petrofina Co. of Texas (Operator) et al., Post Office Box 2159, Dallas, Tex. 75221, Attention: Walker W. Smith, Esq.	60	11	Tennessee Gas P/L Co., a division of Tenneco Inc. (West Magnolia City Field, Jim Wells County, Tex., RR. District No. 4).	480	12-9-68	[3] 1-9-69	6-9-69	[5][6][11] 15.6	[5][6][12] 16.6
RI69-338..	Amerada Petroleum Corp., Post Office Box 2040, Tulsa, Okla. 74102.	23	16	Colorado Interstate Gas Co. (Greenwood Field, Morton County, Kans.).	2,147	12-2-68	[3] 1-2-69	6-2-69	[5][13][14] 17.0	[5][12][14] 18.0
		52	7	Colorado Interstate Gas Co. (Hugoton Field, Kearney County, Kans.).	91	12-2-68	[3] 1-2-69	6-2-69	[5][6][13] 13.5	[5][6][12] 14.5
		42	14	Colorado Interstate Gas Co. (Greenwood Field, Morton, Kansas, and Baca Counties, Colo.).	4,358	12-2-68	[3] 1-2-69	6-2-69	[5][13][15] 17.0	[5][12][13] 18.0
RI69-339..	Ashland Oil & Refining Co., Post Office Box 18695, Oklahoma City, Okla. 73118.	178	6	Colorado Interstate Gas Co. (Greenwood Field, Morton County, Kans.).	221	11-29-68	[4] 1-1-69	6-1-69	[5][16][17] 17.0	[5][12][18] 18.00375
	......do......	187	5	Natural Gas P/L Co. of America (Camrick Field, Texas County, Okla., Panhandle area).	128	11-29-68	[4] 1-23-69	6-23-69	[5][6] 18.415	[5][12] 18.615
		189	[19] 6	Colorado Interstate Gas Co. (Mocane Field, Beaver County, Okla., Panhandle area).	....	12-2-68	[4] 2-1-69	(Accepted)	....	....
		189	7		227	12-2-68	[4] 2-1-69	7-1-69	[5][19][20][21] 17.525	[5][7][20][21] 18.555
		126	8	Colorado Interstate Gas Co. (Sparks Field, Stanton County, Kans.).	487	11-29-68	[4] 1-1-69	6-1-69	[5][22][23] 17.17	[5][12][23] 18.18375
		110	11	Colorado Interstate Gas Co. (Keyes and Northwest Eva Fields, Texas and Cimarron Counties, Okla., Panhandle area).	2,980	11-29-68	[4] 1-1-69	6-1-69	[5][24][25] 17.015	[5][12][24] 18.015
		123	7	Colorado Interstate Gas Co. (Keyes Field, Texas and Cimarron Counties, Okla., Panhandle area).	590	11-29-68	[4] 1-1-69	6-1-69	[5][22][26] 17.015	[5][26] 18.015
RI69-340..	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	404	1	Natural Gas P/L Co. of America (Northeast Custer City Field, Custer County, Okla., Other area).	15,685	11-29-68	[4] 12-30-68	5-30-69	[21][27][28] 15.32	[21][27][29] 17.36
	......do......	8	10	Lone Star Gas Co. (Doyle Field, Stephens County, Okla., Other area).	4,335	12-5-68	[4] 1-5-69	6-5-69	[27][28] 11.66	[12][27][30] 12.68
RI69-341..	Northern Natural Gas Producing Co. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	20	2	Northern Natural Gas Co. (Fellsburg Field, Edwards County, Kans.).	438	11-29-68	[4] 12-30-68	5-30-69	[5][27] 16.087	[5][12][27] 17.093
RI69-342..	Northern Natural Gas Co..	29	2	Northern Natural Gas Co. (North Mammouth Creek Field, Lipscomb County, Texas RR. District No. 10).	964	11-29-68	[4] 12-30-68	5-30-69	[5][27] 17.093	[5][12][27] 18.098
RI69-343..	Hunt Oil Co. (Operator) et al., 1401 Elm St., Dallas, Tex. 75202.	49	7	Northern Natural Gas Co. (East Camerick Field, Beaver County, Okla., Panhandle area).	2,000	11-29-68	[4] 1-1-69	6-1-69	[5][6][30] 17.515	[5][6][12] 18.515
RI69-344..	Texaco, Inc., Post Office Box 3109, Midland, Tex. 79701.[31]	216	6	Natural Gas P/L Co. of America (Hansford Morrow Field, Hansford County, Tex. RR. District No. 10).	264	11-29-68	[3] 12-30-68	5-30-69	[5][6][32] 16.5	[5][6][32] 17.5
RI69-345..	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	21	16	Mississippi River Transmission Corp. (Woodlawn Field, Harrison County, Tex. RR. District No. 6).	1,030	12-6-68	[4] 1-27-69	6-27-69	[5][6][34] 15.1440	[5][6][12] 15.6488
		425	5	Panhandle Eastern P/L Co. (Selling Field, Dewey County, Okla., Other area).	360	12-6-68	[4] 1-6-69	6-6-69	[5][32][33] 15.0	[5][32][33][35] 17.0
RI69-346..	Humble Oil & Refining Co. (Operator) et al.	337	59	Arkansas Louisiana Gas Co. (Arkoma area, Latimer and Le Flore Counties, Okla., Other area).	1,828	12-6-68	[4] 1-6-69	6-6-69	[5][27] 15.0	[5][12][27][36] 16.01556

See footnotes at end of table.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf	
									Rate in effect	Proposed increased rate
RI69-347..	Mobil Oil Corp. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	9	8	Lone Star Gas Co. (Fox-Graham Field, Carter Co., Okla., Other area).	$16,516	12-5-68	[4] 1-5-69	6-5-69	[27] [43] 10.67	[12] [27] [43] 11.67
RI69-348..	Harper Oil Co., 904 High Tower Bldg., Oklahoma City, Okla. 73102.[41]	7	3	Northern Natural Gas Co. (Mocane-Laverne Field, Beaver County, Okla. Panhandle area).	6,628	12-6-68	[4] 1-6-69	6-6-69	[35] [27] [42] 16.99	[12] [35] [27] [42] 18.04

[2] Provides, among other things, for a 16-cent rate for the 5-year period beginning Oct. 1, 1968, with 1-cent increases every 5 years thereafter, deletes redetermination provisions, and provides for B.t.u. adjustment and seller's right to file for any higher applicable area rate established by the Commission.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] The stated effective date is the effective date requested by Respondent.
[5] Pressure base is 14.65 p.s.i.a.
[6] Rate increase to 15.485 cents per Mcf (designated as Supplement No. 6 to Gas Properties, Inc., FPC Gas Rate Schedule No. 1) is suspended in Docket No. RI66-150, but was not made effective subject to refund. Respondent requests said Supplement No. 1 be withdrawn.
[7] Renegotiated rate increase.
[8] Subject to downward B.t.u. adjustment.
[9] Effective subject to refund in Docket No. RI68-90.
[10] Effective subject to refund in Docket No. RI67-185.
[11] Effective subject to refund in Docket No. RI64-377.
[12] Periodic rate increase.
[13] Effective subject to refund in Docket No. RI65-334.
[14] Base rate subject to upward and downward B.t.u. adjustment from 1,000 B.t.u./cf. (Present content is 980 B.t.u./cf.)
[15] Base rate subject to upward and downward B.t.u. adjustment from 1,000 B.t.u./cf. (Present content is 989 B.t.u./cf.)
[16] Includes base rate of 17 cents before increase and base rate of 18 cents plus 0.00375-cent tax reimbursement after increase. Base rate subject to upward and downward B.t.u. adjustments from 1,000 B.t.u./cf.
[17] Rate in effect subject to refund in Docket No. RI67-224.
[18] Provides for 17 cents from June 1, 1967 to Aug. 31, 1968, 18 cents from Sept. 1, 1968 to May 31, 1972, and a 1-cent increase for each successive 5-year period thereafter.
[19] Rate currently suspended in Docket No. RI69-56 until Jan. 31, 1969. Respondent has filed motion to place rate in effect.
[20] Includes base rate of 17 cents plus 0.510-cent upward B.t.u. adjustment (1,030 B.t.u. gas) plus 0.015-cent tax reimbursement before increase and base rate of 18 cents plus 0.54-cent upward B.t.u. adjustment plus 0.015-cent tax reimbursement after increase.
[21] Base rate is subject to upward and downward B.t.u. adjustments.
[22] Rate in effect subject to refund in Docket No. RI67-219.
[23] Includes base rate of 17 cents plus 0.17-cent upward B.t.u. adjustment (1,010 B.t.u. gas) before increase, and base rate of 18 cents plus 0.18-cent upward B.t.u. adjustment plus 0.00375-cent tax reimbursement. Base rate subject to upward and downward B.t.u. adjustments.
[24] Subject to upward and downward B.t.u. adjustment from base of 1,000 B.t.u./cf. (Present B.t.u. content of gas is 949 B.t.u./cf.)
[25] Rate in effect subject to refund in Docket No. RI68-42.
[26] Subject to upward and downward B.t.u. adjustments from base of 1,000 B.t.u./cf. (Present B.t.u. content of gas is 952 B.t.u./cf.)
[27] Pressure base is 14.73 p.s.i.a.
[28] Includes base rate of 15.08 cents plus 0.24 cent upward B.t.u. adjustment before increase and base rate of 17.09 cents plus 0.27 cent upward B.t.u. adjustment after increase.
[29] Filing from initial certificated rate to initial contract rate.
[30] Rate in effect subject to refund in Docket No. RI68-85.
[31] cc: Texaco, Inc., Post Office Box 52332, Houston Tex. 77052, Attention: Mr. R. E. Wright and Mr. R. W. Slye.
[32] Settlement rate as approved by Commission order issued Dec. 30, 1963, in Dockets Nos. G-8969 et al. Moratorium on filing increased rates expired Mar. 1, 1966.
[33] Fractured rate increase.
[34] Rate in effect subject to refund in Docket No. RI68-584.
[35] Applicable to acreage added by Supplement No. 3.
[36] Seller is filing from conditioned certificated rate to initial contract rate.
[37] Applicable to acreage added by Supplement No. 56.
[38] Includes 0.01556 cent tax reimbursement.
[39] Settlement rate as approved by Commission order issued May 5, 1964, in Dockets Nos. G-12193 et al. Moratorium on increased rate filings expires Jan. 1, 1967.
[40] Includes 0.01 cent tax reimbursement.
[41] cc: Mr. Ralph E. Boggess, attorney at law, 300 Hightower Building, Oklahoma City, Okla. 73102.
[42] Includes base rate of 16.09 cents plus 0.80 cent upward B.t.u. adjustment plus tax reimbursement before increase and base rate of 17.09 cent plus 0.85 cent upwards B.t.u. adjustment plus tax reimbursement after increase.
[43] Rate in effect subject to refund in Docket No. RI68-200.

Certain respondents have requested effective dates for which adequate notice has not been given. Since good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit earlier effective dates for these filings, such requests are denied.

We believe that it would be in the public interest to accept for filing, as we have heretofore designated in this order, four contract amendments to become effective on the respective dates of the expiration of statutory notice, but not the proposed rates contained therein which are suspended as hereinafter ordered.

Gas Properties, Inc., requests that it be permitted to withdraw Supplement No. 6 to its FPC Gas Rate Schedule No. 1, which it has not placed in effect, and that the related suspension proceeding in Docket No. RI66-150 be terminated. Good cause exists for permitting said Supplement No. 6 to be withdrawn and for terminating the related suspension proceeding in Docket No. RI66-150.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission further finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered (except for the supplements relating to the contract amendments which are hereinafter specifically accepted).

The Commission orders:

(A) Supplement No. 7 to Gas Properties, Inc., FPC Gas Rate Schedule No. 1, Supplement No. 16 to Atlantic Richfield Co.'s FPC Gas Rate Schedule No. 44, Supplement No. 6 to Midhurst Oil Corp.'s FPC Gas Rate Schedule No. 21, and Supplement No. 6 to Ashland Oil & Refining Co.'s FPC Gas Rate Schedule No. 189 are accepted for filing and permitted to become effective on December 28, 1968, January 5, 1969, January 9, 1969, and February 1, 1969, respectively, which are the respective dates of expiration of the statutory notice period.

(B) Supplement No. 6 to Gas Properties, Inc., FPC Gas Rate Schedule No. 1 is permitted to be and is considered withdrawn and the proceeding in Docket No. RI66-150 is terminated.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements (except those supplements involved in ordering paragraph (A) above).

(D) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(E) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(F) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 17, 1969.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

[F.R. Doc. 69-70; Filed, Jan. 7, 1969; 8:45 a.m.]

[Docket No. RI69-349 etc.]

PAN AMERICAN PETROLEUM CORP. ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

DECEMBER 27, 1968.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate sched-

[1] Does not consolidate for hearing or dispose of the several matters herein.

ules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 17, 1969.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf[1] Rate in effect[2]	Cents per Mcf[1] Proposed increased rate
RI69-349..	Pan American Petroleum Corp., Post Office Box 1410, Forth Worth, Tex. 76101.	52	8	Northern Natural Gas Co. (Hugoton Field, Haskell County, Kans.).	$301	12-2-68	[3] 1-2-69	6-2-69	[4] 11.0	[4][5] 13.0
	.....do.....	38	8	.....do.....	1,490	12-2-68	[3] 1-2-69	6-2-69	[4] 11.0	[4][5] 13.0
	.....do.....	239	13	Colorado Interstate Gas Co. (Mocane Field, Beaver County, Okla., Panhandle).	15,824	12-2-68	[3] 1-2-69	6-2-69	[4][5][6] 16.71	[4][7][5][6] 18.97056
					660	12-2-68	[3] 1-2-69	6-2-69	[4][10] 16.5	[4][5][10] 18.0
					178	12-2-68	[3] 1-2-69	6-2-69	[4][11][12] 16.48	[7][4][11][12] 17.52556
	.....do.....	200	4	Cities Service Gas Co. (McGuire-Goeman Field, Barber County, Kans.).	260	12-2-68	[3] 1-2-69	6-2-69	[4] 12.0	[4] 14.0
	.....do.....	161	5	Natural Gas P/l Co. of America (South Forgun Field, Beaver County, Okla., Panhandle Area).	322	12-2-68	[3] 1-2-69	6-2-69	[13] 15.5	[7][13][14] 17.51556
	.....do.....	134	6	Panhandle Eastern P/L Co. (Southeast Liberal Field, Seward County, Kans.).	16,600	12-2-68	[3] 1-2-69	6-2-69	[4] 11.0	[4] 16.0
	.....do.....	50	7	Northern Natural Gas Co. (Hugoton Field, Seward County, Kans.).	460	12-2-68	[3] 1-2-69	6-2-69	[4] 11.0	[4][5] 13.0
	.....do.....	196	7	Panhandle Eastern P/L Co. (Greenwood Field, Morton County, Kans.).	1,751	12-2-68	[3] 1-2-69	6-2-69	[4][15] 15.45	[4][15] 17.51
	.....do.....	212	7	Panhandle Eastern P/L Co. (Northwest Kismet Field, Seward County, Kans.).	580	12-2-68	[3] 1-2-69	6-2-69	[4][16] 16.125	[4][16] 18.275
	.....do.....	245	4	Colorado Interstate Gas Co. (Greenwood Field, Morton County, Kans.).	440	12-2-68	1-2-69	6-2-69	[4] 16.0	[4][7] 18.0
	.....do.....	256	4	Michigan Wisconsin P/L Co. (Laverne Field, Harper County, Okla., Panhandle Area).	2,290	12-2-68	1-2-69	6-2-69	[4][17] 18.10	[4][5][17] 19.10
	.....do.....	269	4	Northern Natural Gas Co. (West Wata Field, Ochiltree County, Tex. District No. 10).	480	12-2-68	1-2-69	6-2-69	[4] 15.5	[4][7] 17.5
	.....do.....	229	2	Northern Natural Gas Co. (West Elmwood Field, Beaver County, Okla., Panhandle Area).	2,385	12-2-68	1-2-69	6-2-69	[18] 17.25	[7][18] 19.56556
	.....do.....	170	4	Colorado Interstate Gas Co. (Greenwood Field, Morton County, Kans.).	611	12-2-68	1-2-69	6-2-69	[4] 15.0	[4][19] 18.0
	.....do.....	276	4	Panhandle Eastern P/L Co. (Mocane Field, Beaver County, Okla., Panhandle Area).	6,813	12-2-68	1-2-69	6-2-69	[4][20] 18.53	[4][5][20] 19.62
	.....do.....	277	8	Cimarron Transmission Co., (West Enville Field, Love County, Okla., Other Area).	560	12-2-68	1-2-69	6-2-69	[4][21][22] 15.90	[4][19][21][22] 18.56827
	.....do.....	285	10	Michigan Wisconsin P/L Co. (Lovedale Field, Harper County, Okla., Panhandle Area).	7,520	12-2-68	1-2-69	6-2-69	[4][23] 17.15	[4][5][23] 18.15
	.....do.....	298	6	Colorado Interstate Gas Co. (Southwest Camp Creek Field, Beaver County, Okla., Panhandle Area).	530	12-2-68	1-2-69	6-2-69	[4] 17.0	[4][5] 18.0
	.....do.....	305	8	El Paso Natural Gas Co. (Highland Field, Beaver County, Okla., Panhandle Area).	130	12-2-68	1-2-69	6-2-69	17.0	[4] 18.0
	.....do.....	310	11	Lone Star Gas Co. (Southeast Durant Field, Bryan County, Okla., Other Area).	8,910	12-2-68	1-2-69	6-2-69	15.0	[4] 18.0
	.....do.....	314	5	Northern Natural Gas Co. (Chunn & Bernstein Fields, Hansford and Ochiltree Counties, Tex., RR. District No. 10).	4,800	12-2-68	1-2-69	6-2-69	[4] 15.5	[4][7] 17.5
	.....do.....	323	3	Northern Natural Gas Co. (Northeast Gate Lake Field, Harper County, Okla., Panhandle Area).	1,670	12-2-68	1-2-69	6-2-69	[4] 17.0	[4][19] 18.0
	.....do.....	324	2	Northern Natural Gas Co. (Six Mile Field, Beaver County, Okla., Panhandle Area).	2,520	12-2-68	1-2-69	6-2-69	[4] 17.0	[4][19] 18.0
	.....do.....	336	7	Northern Natural Gas Co. (Mocane Gas Area, Beaver County, Okla., Panhandle Area).	33,820	12-2-68	1-2-69	6-2-69	[4] 17.0	[4][19] 18.0
	.....do.....	339	8	Michigan Wisconsin P/L Co. (Laverne Gas Area, Harper County, Okla., Panhandle Area).	20	12-2-68	1-2-69	6-2-69	[4][24] 18.5	[4][5][24] 19.5
	.....do.....	340	4	Michigan Wisconsin P/L Co. (Lovedale Field, Harper County, Okla., Panhandle Area).	100	12-2-68	1-2-69	6-2-69	[4][25] 17.85	[4][5][25] 18.85
	.....do.....	342	9	Michigan Wisconsin P/L Co. (Woodward Gas Area, Major County, Okla., Other Area and Woodward County, Okla., Panhandle Area).	4,830	12-2-68	1-2-69	6-2-69	[4][25][26] 15.85	[4][5][25][26] 18.85
					140	12-2-68	1-2-69	6-2-69	[4][25][27] 17.85	[4][5][25][27] 18.85
	.....do.....	343	8	Michigan Wisconsin P/L Co. (Woodward Gas area, Major County, Okla., Other Area).	2,820	12-2-68	1-2-69	6-2-69	[4][28] 15.75	[4][5][28] 18.75
	.....do.....	390	6	Natural Gas P/L Co. of America (Boonesville Field, Jack County, Tex., RR. District No. 9).	607	12-2-68	1-2-69	6-2-69	[4][29] 15.36	[4][14][29] 17.21
	.....do.....	392	5	Michigan Wisconsin P/L Co. (Woodward Gas area, Woodward County, Okla., Panhandle Area).	2,700	12-2-68	1-2-69	6-2-69	[4][30] 17.5	[4][5][30] 18.5
	.....do.....	395	17	Arkansas Louisiana Gas Co. (North Cooper, Star and Lacey Fields, Blaine and Kingfisher Counties, Okla., Other Area).	20,976	12-2-68	1-2-69	6-2-69	15.0	[19][31] 17.81556
	.....do.....	398	4	Lone Star Gas Co. (Southeast Durant Field, Bryan County, Okla., Other Area).	60	12-2-68	1-2-69	6-2-69	15.0	[4] 18.0

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf[1] Rate in effect[3]	Cents per Mcf[1] Proposed increased rate
	....do....	399	5	Michigan Wisconsin P/L Co. (Woodward Gas area, Woodward County, Okla., Panhandle Area).	$260	12-2-68	1-2-69	6-2-69	[2, 22] 18.0	[4, 5, 22] 19.0
	....do....	403	6	Michigan Wisconsin P/L Co. (Laverne Gas area, Harper County, Okla., Panhandle Area).	480	12-2-68	1-2-69	6-2-69	[23] 17.0	[5, 23] 18.0
	....do....	355	9	Northern Natural Gas Co. (Various acreage in Texas RR. District No. 10 and Beaver County, Okla., Panhandle Area).	37,000	12-2-68	1-2-69	6-2-69	[4] 17.0	[4, 12] 18.0
	....do....	364	5	Arkansas Louisiana Gas Co. (Arkoma Field, Latimer County, Okla., Other Area).	914	12-2-68	1-2-69	6-2-69	15.0	[14] 16.01556
	....do....	366	3	Northern Natural Gas Co. (acreage in Lipscomb and Ochiltree Counties, Tex., RR. District No. 10).	24,000	12-2-68	1-2-69	6-2-69	[4] 17.0	[4, 13] 18.0
	....do....	368	8	Colorado Interstate Gas Co. (Mocane Gas area, Beaver County, Okla., Panhandle Area).	1,711	12-2-68	1-2-69	6-2-69	[34] 16.1250	[34] 18.29056
	....do....	375	7	Colorado Interstate Gas Co. (Hugoton Field, Finney and Kearney Counties, Kans.).	12,350	12-2-68	1-2-69	6-2-69	[9] 11.0	[9, 19] 14.5
	....do....	380	12	Arkansas Louisiana Gas Co. (Star Field, Blaine County, Okla., Other Area).	4,223	12-2-68	1-2-69	6-2-69	[35] 15.0	[19, 35] 17.81556
	....do....	383	5	Cities Service Gas Co. (Southeast Guymon Field, Texas County, Okla., Panhandle Area).	920	12-2-68	1-2-69	6-2-69	16.0	17.0
	....do....	412	3	Transwestern P/l Co. (Mocane Gas area, Beaver County, Okla., Panhandle Area).	750	12-2-68	1-2-69	6-2-69	[4] 17.0	[4, 5] 18.0
	....do....	466	3	Colorado Interstate Gas Co. (Northeast Lemon Field, Haskell County, Kans.).	180	12-2-68	1-2-69	6-2-69	[9] 16.0	[9, 19] 17.0
RI69-350..	Pan American Petroleum Corp. (Operator) et al.	192	17	Northern Natural Gas Co. (Hansford & Bernstein Fields, Hansford, Roberts, and Ochiltree Counties, Tex., RR. District No. 10).	91,005	12-2-68 12-2-68	1-2-68 1-2-69	6-2-69 6-2-69	[30] 16.5 [22, 31] 17.0	[5, 30] 18.00 [5, 30] 18.0
	....do....	47	15	Northern Natural Gas Co. (Hugoton Field, Haskell and Seward Counties, Kans.).	12,814	12-2-68	1-2-69	6-2-69	[4] 11.0	[4, 5] 13.0
	....do....	221	9	Panhandle Eastern P/L Co. (Enns Camrick Field, Texas County, Okla., Panhandle Area).	16,980	12-2-68	1-2-69	6-2-69	16.0	[33] 18.0
	....do....	130	7	Colorado Interstate Gas Co. (Keyes Field, Cimarron County, Okla., Panhandle Area).	4,190	12-2-68	1-2-69	6-2-69	[9] 15.0	[9, 14] 17.01556
	....do....	194	4	Panhandle Eastern P/L Co. (Richfield Field, Morton County, Kans.).	25,080	12-2-68	1-2-69	6-2-69	16.0	[7] 18.0
	....do....	273	25	Michigan Wisconsin P/L Co. (Laverne Gas area, Harper County, Okla., Panhandle Area).	22,500	12-2-68	1-2-69	6-2-69	[9, 20] 18.22	[5, 9, 20] 19.22
	....do....	246	12	Panhandle Eastern P/L Co. (South Fargan and Mocane Fields, Beaver County, Okla., Panhandle Area).	1,900	12-2-68	1-2-69	6-2-69	16.0	[7] 18.0
	....do....	232	3	Northern Natural Gas Co. (Northeast Gate Lake Field, Harper County, Okla., Panhandle Area).	23,164	12-2-68	1-2-69	6-2-69	[40] 16.5	[7, 40] 18.88556
	....do....	238	6	Michigan Wisconsin P/L Co. (Laverne Gas area, Harper County, Okla., Panhandle Area).	28,820	12-2-68	1-2-69	6-2-69	[41] 18.5	[5, 41] 19.5
	....do....	224	3	Northern Natural Gas Co. (South Glenwood Field, Beaver County, Okla., Panhandle Area).	705	12-2-68	1-2-69	6-2-69	[42] 16.95	[7, 42] 19.22556
	....do....	331	10	Michigan Wisconsin P/L Co. (Laverne Gas area, Harper County, Okla., Panhandle Area).	1,450	12-2-68	1-2-69	6-2-69	[9, 24] 18.5	[5, 9, 24] 19.5
	....do....	344	14	Michigan Wisconsin P/L Co. (Woodward Gas area, Major County, Okla., Other area and Woodward County, Okla., Panhandle Area).	240 980	12-2-68 12-2-68	1-2-69 1-2-69	6-2-69 6-2-69	[9, 43, 44] 16.7 [9, 43, 45] 18.7	[5, 9, 43] 19.7 [5, 9, 43] 19.7
	....do....	345	22	....do....	4,580	12-2-68 12-2-68	1-2-69 1-2-69	6-2-69 6-2-69	[23, 44] 16.0 [23, 45] 18.0	[5, 23] 19.0 [5, 23] 19.0
	....do....	349	5	Michigan Wisconsin P/L Co. (Laverne Gas area, Harper County, Okla., Panhandle Area).	40	12-2-68	1-2-69	6-2-69	[46] 18.3	[5, 46] 19.3
	....do....	350	3	....do....	230	12-2-68	1-2-69	6-2-69	[47] 18.2	[5, 47] 19.2
	....do....	351	7	....do....	200	12-2-66	1-2-69	6-2-69	[48] 18.1	[5, 48] 19.1
	....do....	381	10	Arkansas Louisiana Gas Co. (North Cooper Field, Blaine County, Okla., Other Area).	4,646	12-2-68	1-2-69	6-2-69	15.0	[49, 50] 17.81556

[1] Pressure base is 14.65 p.s.i.a.
[2] Rate provided by company-wide settlement order issued Apr. 13, 1966, in dockets Nos. G-9279 et al.
[3] The stated effective date is the first day after expiration of the statutory notice.
[4] Subject to downward B.t.u. adjustment.
[5] Fractured rate increase.
[6] Applicable to basic contract and all supplements except Supplements Nos. 7 and 8.
[7] A two-step periodic increase.
[8] Includes basic rate of 15 cents plus 1.71-cents upward B.t.u. adjustment (1,115 B.t.u. gas) before increase and basic rate of 17 cents plus 1.955-cents upward B.t.u. adjustment plus 0.01556-cent tax reimbursement after increase.
[9] Subject to upward and downward B.t.u. adjustment.
[10] Applicable to Supplement No. 7 only.
[11] Applicable to Supplement No. 8 only.
[12] Includes basic rate of 16 cents plus 0.48-cent upward B.t.u. adjustment (1,030 B.t.u. gas) before increase and basic rate of 17 cents plus 0.51-cent upward B.t.u. adjustment plus 0.01556-cent tax reimbursement after increase.
[13] Includes 0.5-cent upward B.t.u. adjustment. Base rate is subject to upward and downward B.t.u. adjustments.
[14] Includes 0.01556-cent tax reimbursement.
[15] Includes base rate of 15 cents plus 0.45-cent upward B.t.u. adjustment (1,030 B.t.u. gas) before increase and a base rate of 17 cents plus 0.51-cent upward B.t.u. adjustment after increase.
[16] Includes base rate of 15 cents plus 1.125-cent upward B.t.u. adjustment (1,075 B.t.u. gas) before increase and a base rate of 17 cents plus 1.275-cents upward B.t.u. adjustment after increase.
[17] Includes base rate of 17 cents plus 1.10-cent B.t.u. adjustment (1,110 B.t.u. gas) and a base rate of 18 cents plus 1.10 cents B.t.u. adjustment after increase.
[18] Includes base rate of 15 cents plus 2.25 cents B.t.u. adjustment (1,150 B.t.u. gas) before increase and base rate of 17 cents plus 2.55-cent B.t.u. adjustment plus 0.01556-cent tax reimbursement after increase. Base rate is subject to upward and downward B.t.u. adjustment.
[19] Periodic rate increase.
[20] Includes base rate of 17 cents plus upward B.t.u. adjustment before increase and base rate of 18 cents plus upward B.t.u. adjustment after increase (1,090 B.t.u. gas).
[21] Includes base rate of 15 cents plus upward B.t.u. adjustment before increase and base rate of 17.5 cents plus upward B.t.u. adjustment (1,060 B.t.u. gas) plus 0.01827-cent tax reimbursement after increase.
[22] 0.75 cent deducted by buyer for treating gas.
[23] Includes 0.15-cent upward B.t.u. adjustment.
[24] Includes 1.5-cent upward B.t.u. admustment.
[25] Includes 0.85-cent upward B.t.u. adjustment.
[26] Major County, Oklahoma Other Area production.
[27] Woodward County, Oklahoma Panhandle Area production.
[28] Includes 0.75-cent upward B.t.u. adjustment.
[29] Includes settlement rate of 14.5 cents plus upward B.t.u. adjustment before increase and base rate of 16 cents plus upward B.t.u. adjustment plus 0.25-cent dehydration charge to buyer after increase.
[30] Includes 0.5-cent upward B.t.u. adjustment.
[31] Includes 0.01556-cent tax reimbursement.
[32] Includes 1-cent upward B.t.u. adjustment.
[33] Includes 1-cent upward B.t.u. adjustment. Base rate is subject to upward and downward B.t.u. adjustment.
[34] Includes base rate of 15 cents plus upward B.t.u. adjustment (1,075 B.t.u. gas) before increase and base rate of 17 cents plus 1.29056 cents upward B.t.u. adjustment plus 0.01556-cent tax reimbursement after increase. Base rate is subject to upward and downward B.t.u. adjustments.
[35] Includes base rate of 15 cents before increase and base rate of 17.8 cents plus 0.01556-cent tax reimbursement after increase.
[36] Includes 1 cent paid by buyer to seller for seller foregoing its right to recover liquefiable hydrocarbons.
[37] Applicable to gas covered by Supplement No. 14.
[38] 10-step periodic increase.
[39] Includes base rate of 17 cents plus 1.22 cents upward B.t.u. adjustment (1,122 B.t.u. gas) before increase and a base rate of 18 cents plus 1.22 cents upward B.t.u. adjustment after increase.
[40] Includes base rate of 15 cents plus 1.5 cents upward B.t.u. adjustment (1,100 B.t.u. gas) before increase and base rate of 17 cents plus 1.87 cents upward B.t.u. adjustment plus 0.01556-cent tax reimbursement after increase. Base rate is subject to upward and downward B.t.u. adjustment.
[41] Includes base rate of 17 cents plus 1.5 cents upward B.t.u. adjustment (1,150 B.t.u. gas) before increase and base rate of 18 cents plus 1.5 cents upward B.t.u. adjustment after increase. Base rate subject to upward B.t.u. adjustment.
[42] Includes base rate of 15 cents plus 1.95 cents B.t.u. adjustment (1,130 B.t.u. gas) before increase and base rate of 17 cents plus 2.21 cents B.t.u. adjustment plus 0.01556-

cent tax reimbursement after increase. Base rate is subject to upward and downward B.t.u. adjustments.

[43] Includes 1.7 cents upward B.t.u. adjustment.

[44] Applicable to Major County, Oklahoma sales.

[45] Applicable to Woodword County, Oklahoma sales.

[46] Includes 1.3 cents upward B.t.u. adjustment. Base rate is subject to upward and downward B.t.u. adjustments.

[47] Includes 1.2 cents upward B.t.u. adjustment. Base rate is subject to upward and downward B.t.u. adjustments.

[48] Includes 1.1 cents upward B.t.u. adjustment. Base rate is subject to upward and downward B.t.u. adjustments.

[49] Rate increased from certificated rate at 15 cents to first periodic increase plus tax reimbursement.

[50] Includes 0.01556-cent tax reimbursement.

Respondents' request that their proposed rate increases be permitted to become effective on January 1, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for such filings and such requests are denied.

Respondents' proposed increased rates to Arkansas Louisiana Gas Co. (Arkla) include 0.015 cent partial reimbursement of the increase in the Oklahoma excise tax from 0.02 cent to 0.04 cent effective July 1, 1967. In addition, such increased rates reflect the inclusion of 0.0056 cent for partial reimbursement of increased taxes based on the application of the existing 5 percent Oklahoma production tax to the increase in the excise tax. Arkla previously has protested the inclusion of the 0.0056 cent tax reimbursement in other producers' rate increases contending that there is no contractual authorization for such reimbursement. Accordingly, the hearing with respect to these proposed rates will pertain to the contractual question involved in the 0.0056 cent tax reimbursement as well as the question as to the justness and reasonableness of the proposed increased rates.

All of the Respondents' proposed increased rates and changes exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 69-71; Filed, Jan. 7, 1969; 8:45 a.m.]

[Docket No. RI69-331, etc.]

UNION PRODUCING CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 27, 1968.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 14, 1969.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-331..	Union Producing Co. (Operator) et al.	44	6	United Gas Pipe Line Co. (Bethany Field, Panola County, Tex.) (RR. District No. 6).	$1,515	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	45	6	......do......	953	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	46	6	......do......	156	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	47	7	......do......	3,380	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	48	6	......do......	3,838	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	49	7	......do......	2,764	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	51	6	......do......	3,741	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	52	6	......do......	945	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	53	6	......do......	[7] 0	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	55	6	......do......	[7] 0	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	57	6	......do......	2,332	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	59	8	......do......	2,038	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	60	10	......do......	1,926	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	65	16	United Gas Pipe Line Co. (Carthage Field, Panola County, Tex.) (RR. District No. 6).	162,048	11-27-68	[2] 12-31-68	[3] 1-1-69	[4] 10.8876	[4 5] 11.9004	
	......do......	76	15	United Gas Pipe Line Co. (Greenwood-Waskom Field, Caddo Parish, La.) (North Louisiana Area).	17,000	11-27-68	[2] 12-31-68	[3] 1-1-69	[4 8] 12.25 [8 10] 11.75	[4 5 8] 13.25 [4 8 10] 12.75	
	......do......	86	18	United Gas Pipe Line Co. (Lisbon Field, Claiborne Parish, La.) (North Louisiana Area).	872	11-27-68	[2] 12-31-68	[3] 1-1-69	[4 9] 12.5252	[4 5 9] 13.5508	

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
	do	88	13	United Gas Pipe Line Co. (Logansport Field, De Soto Parish, La.) (North Louisiana Area).	$821	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][9] 12.5252	[4][5][9] 13.5508	
	do	89	11	do	1,687	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][9] 12.5252 [6][10] 12.0252	[4][5][9] 13.5508 [4][5][10] 13.0508	
	do	181	14	United Gas Pipe Line Co. (Monroe Field, Morehouse, Union and Ouachita Parishes, La.) (North Louisiana Area).	280	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	207	21	United Gas Pipe Line Co. (Sligo Field, Bossier Parish, La.) (North Louisiana Area).	11,666	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][9][11] 12.5252 [6][12][13] 12.0757	[4][5][9][11] 13.5508 [4][5][12][13] 13.0508	
	do	240	8	United Gas Pipe Line Co. (Willow Springs Field, Gregg County, Tex.) (RR. District No. 6).	8,507	11-27-68	[2] 12-31-68	[3] 1-1-69	[6] 10.8876	[4][5] 11.9004	
	do	241	12	United Gas Pipe Line Co. (N. Jacksonville and Barkley Fields, Cherokee County, Tex.) (RR. District No. 6).	[7] 0	11-27-68	[2] 12-31-68	[3] 1-1-69	[6] 10.8876	[4][5] 11.9004	
	do	242	8	United Gas Pipe Line Co. (Mt. Selman Field, Cherokee County, Tex.) (RR. District No. 6).	[7] 0	11-27-68	[2] 12-31-68	[3] 1-1-69	[6] 10.8876	[4][5] 11.9004	
	do	[14] 245	7	United Gas Pipe Line Co. (Fox Field, Refugio County, Tex.) (RR. District No. 2).	1,760	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][15] 13.2002	[4][15][16] 14.0	
RI69-332	Union Producing Co. et al.	54	7	United Gas Pipe Line Co. (Bethany Field, Panola County, Tex.) (RR. District No. 6).	154	11-27-68	[2] 12-31-68	[3] 1-1-69	[6] 10.8876	[4][5] 11.9004	
RI69-333	Union Producing Co.	50	6	do	147	11-27-68	[2] 12-31-68	[3] 1-1-69	[6] 10.8876	[4][5] 11.9004	
	do	58	18	do	[7] 0	11-27-68	[2] 12-31-68	[3] 1-1-69	[6] 10.8876	[4][5] 11.9004	
	do	61	5	do	[7] 0	11-27-68	[2] 12-31-68	[3] 1-1-69	[6] 10.8876	[4][5] 11.9004	
	do	64	7	United Gas Pipe Line Co. (Carthage Field, Panola County, Tex.) (RR. District No. 6).	525	11-27-68	[2] 12-31-68	[3] 1-1-69	[6] 10.8876	[4][5] 11.9004	
	do	82	7	United Gas Pipe Line Co. (Joaquin Field, Shelby County, Tex.) (RR. District No. 6).	3,544	11-27-68	[2] 12-31-68	[3] 1-1-69	[6] 10.8876	[4][5] 11.9004	
	do	67	12	United Gas Pipe Line Co. (Cotton Valley Field, Webster Parish, La.) (North Louisiana Area).	11,282	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][11] 13.06076	[4][5][11] 14.07636	
	do	77	10	United Gas Pipe Line Co. (Greenwood-Waskom Field, Caddo Parish, La.) (North Louisiana Area).	1,046	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][9] 12.5252	[4][5][9] 13.5508	
	do	97	19	United Gas Pipe Line Co. (Monroe Field, Morehouse, Union, and Ouachita Parishes, La.) (North Louisiana Area).	4,830	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	98	13	do	330	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	99	15	do	60	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	100	14	do	450	11-27-68	[2] 12-31-68	[3] 1-1-66	[6][11] 11.0	[4][5][11] 12.0	
	do	101	13	do	213	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	102	13	do	171	11-27-68	[2] 12-31-68	[3] 1-1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	103	14	do	351	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	104	13	do	14	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	105	13	do	224	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	106	13	do	294	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	107	13	do	32	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	108	14	do	337	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	109	16	do	131	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	110	14	do	2,871	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	111	17	do	3,464	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	112	13	do	21	11-27-68	[2] 12-31-68	[3] 1-1 -69	[6][11] 11.0	[4][5][11] 12.0	
	do	113	15	do	20,390	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	114	13	do	397	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	115	18	do	1,600	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	117	14	do	188	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	118	13	do	380	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	119	13	do	235	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	120	13	do	258	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	122	13	do	256	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	123	14	do	257	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	124	13	do	294	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	125	14	do	227	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	126	13	do	150	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	127	14	do	206	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	128	14	do	449	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	129	13	do	445	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	130	14	do	104	11-27-28	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	131	16	do	79	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	132	14	do	137	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	133	13	do	154	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	134	14	do	699	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	135	13	do	363	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	137	13	do	[7] 0	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	138	15	do	123	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	139	15	do	324	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	140	14	do	181	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	141	15	do	69	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	142	14	do	68	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	143	13	do	566	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	144	14	do	387	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	145	13	do	[7] 0	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	146	13	do	252	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	147	14	do	1,214	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	148	13	do	175	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	149	14	do	7	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	150	14	do	[7] 0	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	
	do	151	13	do	25	11-27-68	[2] 12-31-68	[3] 1- 1-69	[6][11] 11.0	[4][5][11] 12.0	

See footnotes at end of table.

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
	Union Producing Co.—Cont.	152	14	do	[7] 0	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	153	13	do	86	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	154	13	do	57	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	155	13	do	330	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	156	13	do	67	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	157	14	do	859	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	158	15	do	130	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	159	15	do	57	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	160	14	do	363	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	161	14	do	235	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	162	14	do	357	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	163	15	do	90	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	164	15	do	33	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	165	17	do	507	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	166	15	do	[7] 0	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	167	13	do	154	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	168	14	do	286	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	169	13	do	86	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	170	13	do	86	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	171	13	do	1,033	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	172	13	do	210	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	173	14	do	445	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	174	13	do	78	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	175	15	do	547	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	176	17	do	1,489	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	177	14	do	101	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	178	13	do	181	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	179	13	do	128	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	180	14	do	161	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	182	15	do	854	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	183	13	do	322	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	184	13	do	166	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	185	14	do	554	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	186	13	do	717	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	187	14	do	1,262	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	188	14	do	486	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	189	13	do	71	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	190	16	do	4,607	11-27-66	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	206	14	United Gas Pipe Line Co. (Sibley Field, Webster Parish, La.) (North Louisiana Area).	718	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,9,12] 12.5232 [6,12,13,17] 12.0752	[4,5,9,12] 13.5508 [4,5,12,13,17] 13.0508	
	do	255	11	United Gas Pipe Line Co. (Monroe Field, Ouachita Parish, La.) (North Louisiana Area).	324	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	256	10	do	188	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	257	11	do	284	11-27-68	[2] 12-31-68	[3] 1-1-69	[6,11] 11.0	[4,5,11] 12.0	
	do	211	6	United Gas Pipe Line Co. (Waskom Field, Harrison County, Tex.) (RR. District No. 6).	35	11-27-68	[2] 12-31-68	[3] 1-1-69	[8] 10.8876	[4,8] 11.9004	
	do	212	7	do	2,492	11-27-68	[2] 12-31-68	[3] 1-1-69	[8] 10.8876	[4,8] 11.9004	
	do	213	7	do	2,066	11-27-68	[2] 12-31-68	[3] 1-1-69	[8] 10.8876	[4,8] 11.9004	
	do	243	6	United Gas Pipe Line Co. (Tecula Field, Cherokee County, Tex.) (RR. District No. 6).	2,532	11-27-68	[2] 12-31-68	[3] 1-1-69	[8] 10.8876	[4,8] 11.9004	
	do	238	5	United Gas Pipe Line Co. (Hynes Ranch Field, Refugio County, Tex.) (RR. District No. 2).	1,600	11-27-68	[2] 12-31-68	[3] 1-1-69	[8,15] 13.2002	[8,15,16] 14.0	

[2] The stated effective date is the effective date requested by Respondent.
[3] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[5] Pressure base is 14.65 p.s.i.a.
[6] Settlement rate in Union's company-wide settlement in Dockets Nos. G-13811 and G-18354 et al. Settlement order issued Dec. 23, 1964. Moratorium on increases in excess of area ceiling expired on Dec. 1, 1967.
[7] No production at present time.
[8] Pressure base is 15.025 p.s.i.a.
[9] Includes 1.5-cent tax reimbursement.
[10] Rate for "deficient" wells which includes 1-cent tax reimbursement.
[11] Includes 1-cent tax reimbursement.
[12] Buyer deducts 0.75 cent from rate shown for compressing gas.
[13] Includes 1-cent tax reimbursement for deficient wells.
[14] Contract dated after Sept. 28, 1960, the date of issuance of the Statement of general policy No. 61-1 and the proposed rate does not exceed the initial guideline rate of 16 cents per Mcf.
[15] "Fractured" rate. Contractually due a rate of 14.2156 cents (14 cents plus 0.2156-cent tax reimbursement).
[16] Subject to a downward B.t.u. adjustment.
[17] All wells covered by Rate Schedule No. 206 are presently deficient.

Union Producing Co., Union Producing Co. (Operator), et al., and Union Producing Co. et al. (all referred to herein as Union), propose rate increases for on system sales to its affiliate United Gas Pipe Line Co. (United). Both Union and United are wholly owned subsidiaries of Penzoil United, Inc. All of the proposed increases are equal to or below the applicable area increased rate ceilings as announced in the Commission's statement of general policy No. 61-1, as amended.

With the exception of the proposed increases contained in Supplements Nos. 11, 10, and 11 to Union's FPC Gas Rate Schedules Nos. 255, 256, and 257, respectively, all of the proposed increases are filed under rate schedules which were included under Union's company-wide settlement order issued December 23, 1964, in Dockets Nos. G-13811 and G-18354, et al., and Union is filing from the settlement rates. The moratorium on rate increases in excess of the area increased rate ceilings expired on December 1, 1967.

Supplements Nos. 5 and 7 to Union's FPC Gas Rate Schedules Nos. 238 and 245, respectively, contain "fractured" rate increases. Union is fracturing its contractually due rates of 14.2156 cents per Mcf and is proposing rates of 14 cents per Mcf. Union did not submit a waiver of its right to file for the remaining increment of its contractually due rates.

The contract related to the fractured rate increase contained in Supplement No. 7 to Union's FPC Gas Rate Schedule No. 245 was executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed increased rate of 14 cents per Mcf does not exceed the initial guideline rate of 16 cents per Mcf.

Although the proposed rates do not exceed the area increased rate ceilings, consistent with prior Commission action in suspending for 1-day sales to affiliates which would be otherwise acceptable (at or below the area ceiling) we conclude that Union's proposed rate increases should be suspended for 1 day from December 31, 1968, the proposed effective date.

[F.R. Doc. 69-72; Filed, Jan. 7, 1969; 8:45 a.m.]

[Docket No. RI69-402, etc.]

AZTEC OIL & GAS CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

DECEMBER 30, 1968.

The Respondents named herein have filed proposed changes in rates and

[1] Does not consolidate for hearing or dispose of the several matters herein.

charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedule sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 14, 1969.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary*.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI69-402..	Aztec Oil & Gas Co., 2000 First National Bank Bldg., Dallas, Tex. 75202, Attention: Quilman B. Davis, Vice president and general attorney.	22	3	El Paso Natural Gas Co. (Basin Dakota Pool, San Juan County, N. Mex.) (San Juan Basin Area).	$900	11-25-68	[1] 1-1-69	[2] 1-2-69	[5] 13.0	[4][5][6] 14.0	
RI69-403..	Amerada Petroleum Corp., Post Office Box 2040, Tulsa, Okla. 74102.	[7] 121	1	El Paso Natural Gas Co. (Ignacio Field, La Plata County, Colo.).	670	12-2-68	[8] 1-2-69	[2] 1-3-69	13.0	[4][5] 14.0	
RI69-404..	Southern Union Production Co., Fidelity Union Tower, Dallas, Tex. 75201, Attention: K. J. Kepke, Esq.	[9] 6	7	Southern Union Gathering Co. (San Juan Basin Area, San Juan County, N. Mex.) (San Juan Basin Area).	532	11-25-68	[1] 1-1-69	[2] 1-2-69	[10] 12.0509	[4][5] 13.0	RI64-504.
	.....do.....	[9] 8	8	.....do.....	33	11-25-68	[1] 1-1-69	[2] 1-2-69	12.0	[4][5] 13.0	

[1] The stated effective date is the effective date requested by Respondent.
[2] The suspension period is limited to 1 day.
[4] Periodic rate increase.
[5] Pressure base is 15.025 p.s.i.a.
[6] Includes 1 cent per Mcf minimum guarantee for liquids.
[7] Contract dated after Sept. 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1.
[8] The stated effective date is the first day after expiration of the statutory notice.
[9] Southern Union Production Co. is an affiliate of Southern Union Gathering Co.
[10] The tax reimbursement portion of this rate previously was reported as 0.0515 cent per Mcf.

Amerada Petroleum Corp. (Amerada) requests that its proposed rate increase be permitted to become effective on January 1, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided by section 4(d) of the Natural Gas Act to permit an earlier effective date for Amerada's rate filing and such request is denied.

The contract related to the rate filing of Amerada was executed subsequent to September 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1, as amended, and the proposed increased rate of 14 cents per Mcf exceeds the area increased rate ceiling of 13 cents per Mcf for Colorado, but does not exceed the initial service ceiling established for the area involved. We believe, in this situation, Amerada's proposed rate filing should be suspended for 1 day from January 2, 1969, the date of expiration of the statutory notice.

Aztec Oil & Gas Co.'s (Aztec) proposed 13 cents to 14 cents per Mcf rate increase exceeds the applicable area rate ceiling only by the amount of the 1 cent per Mcf liquid guarantee. Consistent with prior Commission action in such cases, we conclude that Aztec's proposed 14 cents per Mcf rate should be suspended for 1 day from January 1, 1969, the proposed effective date.

Southern Union Production Co. (Production Company) proposes two periodic rate increases of 13 cents per Mcf to its affiliate, Southern Union Gathering Co., in the San Juan Basin Area. Consistent with prior Commission action in suspending for 1 day sales to affiliates which would be otherwise acceptable (at or below the area ceiling), we conclude that Production Company's proposed 13 cents per Mcf rates, even though they do not exceed the area increased rate ceiling for the San Juan Basin Area, should be suspended for 1 day from January 1, 1969, the proposed effective date.

[F.R. Doc. 69-173; Filed, Jan. 7, 1969; 8:45 a.m.]

[Project No. 2144]

CITY OF SEATTLE, WASH.

Order Approving Revised Exhibit K Drawings, Approving Buffer Zone Agreement and Vacating Power Withdrawals

DECEMBER 30, 1968.

City of Seattle, licensee for constructed Project No. 2144, located on the Pend Oreille River, in Pend Oreille County, Wash., and affecting navigable waters, National Forest lands and other lands of the United States filed on January 19, 1968, and supplemented April 5 and September 25, 1968, an application for approval of revised Exhibit K drawings pursuant to Articles 37 and 50 of its license (26 FPC 54, 57, and 28 FPC 330).

Licensee's revised Exhibit K drawings show the project boundary for Project No. 2144. The boundary downstream from Metaline Falls would extend 200 feet horizontal measurement from the high water level of the reservoir and would extend approximately 500 feet vertical measurement below the bed of the reservoir. This area is shown on one of the Exhibit K maps (FPC No. 2144-80) filed for approval by the Licensee.

In our order issuing license we noted that the establishment of the buffer zone between any future mining developments and the reservoir assures "the protection of the mines and emphasizes the unlikelihood of any danger from the construction of the boundary development under this license" (26 FPC 54, 57). Accordingly, by Article 37 of the order is-

suing license we required the Licensee to file revised Exhibit K maps[1] showing the final project boundary in accordance with the Commission's Regulations which boundary except in the vicinity of the dam and the powerhouse and except upstream from Metaline Falls shall be 200 feet horizontal measurement from the high water level of the reservoir.

The proposed project boundary also reflects in part the outcome of a settlement of a condemnation action between the Licensee and the State of Washington. The settlement agreement was designed, among other things, to give the Licensee an interest in various State lands for project purposes including the buffer zone required by Article 37 of the license. The Agreement provides that it will not become effective until it has been approved by the Federal Power Commission.

The Department of the Interior, the Corps of Engineers, and the Department of Agriculture have all advised that they have no objection to the approval of the Licensee's Exhibit K maps.

The Federal lands included in the project boundary for this project have been withdrawn for power purposes pursuant to section 24 of the Federal Power Act. A formal notice describing the lands of the United States within the project boundary as constructed which have been withdrawn is now being prepared by the Commission's staff. In addition to the Federal lands within the project boundary of Project No. 2144, other Federal lands in the project area including those below the 500-foot depth above Metaline Falls have been withdrawn for power purposes pursuant to section 24 by virtue of the filing of the following applications: Application for preliminary permit for Project No. 44, filed August 26, 1927; Application for license for Project No. 1393, filed September 11, 1936; Application for preliminary permit for Project No. 2144, filed October 30, 1953; Application for license for Project No. 2144, filed July 29, 1957; Application for license for Project No. 2250, filed September 5, 1958. Project No. 2144 develops the reach of the Pend Oreille River between the International boundary and the upstream Box Canyon Project No. 2042. Accordingly, to the extent that the Federal lands withdrawn by the applications for Project Nos. 44, 1393, 2144, and 2250 are not included within the project boundary of constructed Project No. 2144, the section 24 withdrawals affecting those lands should be vacated. In addition, it would be appropriate to revoke any power withdrawals made under any other statute which affect Federal lands covered by those applications but which are not included within the project boundary of Project No. 2144.

[1] Article 37 required licensee to file revised Exhibit K maps within 6 months of the effective date of the license. By order issued Aug. 15, 1962, licensee was given until 1 year after completion of construction to file the revised maps.

On January 11, 1961, the Commission made a determination in Docket No. DA-162-Washington that certain lands now included within the project boundary could be restored to entry under section 24 subject to the right of the United States or its Licensees to use such lands for power purposes. By virtue of the license for Project No. 2144 those lands, including the buffer zone, within the Project boundary of that Project are now being used for power purposes and they may not be used for any purpose which may interfere with the operation of the Project. In this connection Licensee has requested this Commission to recommend to the Secretary of the Interior the revocation of any Restoration order affecting lands within the project boundary. It is our understanding that by our action herein, the Secretary will take such action as may be appropriate to effect revocation of any restoration resulting from the Commission's action in DA-162-Washington to the extent that it pertains to lands withdrawn for Project Nos. 44 and 2250.

The Commission finds:

(1) Revised Exhibit K, sheets one through nine (FPC Nos. 2144-72 through 80), conform to the Commission's rules and regulations to the extent that the project boundary is shown thereon and should be approved as part of the license for the project and superseded license Exhibit K, sheets (FPC Nos. 2144-41, 42, and 43) should be eliminated from the license for the project.

(2) Licensee's acquisition of land as shown on Exhibit K, sheet nine (FPC No. 2144-80), satisfies the requirements of license Article 37 and creates an adequate buffer zone between any future mining developments and the project reservoir.

(3) The agreement dated February 6, 1967, between the State of Washington and the Licensee providing for a buffer zone as contemplated under Article 37 of the license should be approved.

(4) Any Federal lands which were withdrawn by virtue of the applications for Projects Nos. 44, 1393, 2144, and 2250 which are not included within the project boundary for Project No. 2144 as constructed are no longer needed for power purposes.

The Commission orders:

(A) The revised Exhibit K drawings designated in finding number one are hereby approved as part of the license for Project No. 2144 to the extent indicated in said finding. The superseded license Exhibit K drawings designated in finding number one are hereby eliminated from the license for the project.

(B) The agreement dated February 6, 1967, between the State of Washington and the Licensee providing for a buffer zone in accordance with Article 37 of the license is hereby approved.

(C) Any withdrawal of Federal land under section 24 of the Federal Power Act by virtue of the filing of the applications specified in finding (4) above, is hereby vacated except to the extent such land is included within the project boundary of constructed Project No. 2144.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Acting Secretary.*

[F.R. Doc. 69-174; Filed, Jan. 7, 1969; 8:45 a.m.]

[Docket No. RI69-442, etc.]

MOBIL OIL CORP. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund[1]

DECEMBER 31, 1968.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

[1] Does not consolidate for hearing or dispose of the several matters herein.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 15, 1969.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in dockets Nos.
RI69-442..	Mobil Oil Corp. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	[2] 313	12	El Paso Natural Gas Co. (Ignacio Field, La Plata County, Colo.).	$2,340	12-5-68	[3] 1-5-69	[4] 1-6-69	13.0	[5][6] 14.0	
RI69-443..	Continental Oil Co., Post Office Box 2197, Houston, Tex. 77001, Attention: R. E. Galbraith, Manager, Natural Gas Division, and Tom Burton, Esq.	[2] 296	[7] 10	El Paso Natural Gas Co. (La Plata County, Colo.) (San Juan Basin Area).	[10] 29,004	12-9-68	[8] 1-9-69	[4] 1-10-69	13.0	[5][6] 14.0	
	....do....	[2] 280	3	El Paso Natural Gas Co. (Ignacio-Blanco Field, La Plata County, Colo.).	266	12-5-68	[8] 1-5-69	[4] 1-6-69	[9] 14.0	[5][6][9] 15.0	RI64-453.

[2] Contract dated after Sept. 28, 1960, the date of issuance of the Commission's statement of general policy No. 61-1.
[3] The stated effective date is the effective date requested by Respondent.
[4] The suspension period is limited to 1 day.
[5] Periodic rate increase.
[6] Pressure base is 15.025 p.s.i.a.
[7] Filing does not include low pressure gas under agreement dated Nov. 28, 1966, for which Continental is receiving 12 cents (Supplements Nos. 7 and 8).
[8] The stated effective date is the first day after expiration of the statutory notice.
[9] Includes 1 cent per Mcf liquid guarantee.
[10] Includes amount of increase from acreage in Rio Arriba and San Juan Counties, N. Mex.

Continental Oil Co. (Continental) requests that its proposed rate increases be permitted to become effective on January 1, 1969. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Continental's rate filings and such request is denied.

The contracts related to the rate filings proposed by Mobil Oil Corp. (Operator), et al. (Mobil) and Continental were executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed increased rates are above the applicable ceilings for increased rates but below the initial service ceilings for the areas involved. We believe, in this situation, Mobil and Continental's rate filings should be suspended for 1 day from January 5, 1969 (Mobil), the proposed effective date, and January 5, and 9, 1969 (Continental), the dates of expiration of the statutory notice.

Continental's proposed increase for acreage under Rate Schedule No. 296 located in Rio Arriba and San Juan Counties, N. Mex., is suspended for 5 months from January 9, 1969, in a separate order.

[F.R. Doc. 69-176; Filed, Jan. 7, 1969; 8:46 a.m.]

[Docket No. RI69-429]

PAN AMERICAN PETROLEUM CORP.

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

DECEMBER 31, 1968.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however*, That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 14, 1969.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate
RI69-429..	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102, Attention: J. P. Hammond, Esq.	389	1	El Paso Natural Gas Co., Bita Peak Field, Apache County, Ariz.	$636	11-22-68	1-1-69	[1] 1-2-69	[1][2] 15.0	16.06

Rates stated at a pressure base of 15.025 p.s.i.a.
[1] Subject to a deduction not to exceed 4.5 cents per Mcf for treatment of sour gas.
[2] Rate includes 0.06 cent per Mcf partial reimbursement for an increase in Arizona tax made effective Mar. 22, 1968.

The area in which the instant sale is made is one for which the Commission has not, of yet, promulgated an increased rate ceiling. Consequently, it is deemed proper to suspend the proposed increased rate for 1 day, as has been done here.

[F.R. Doc. 69-179; Filed, Jan. 7, 1969; 8:46 a.m.]

[Docket No. CP69-176]

SOUTHERN NATURAL GAS CO.

Notice of Application

DECEMBER 30, 1968.

Take notice that on December 18, 1968, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, Ala. 35202, filed in Docket No. CP69-176 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain natural gas facilities, and the sale and delivery of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests a certificate authorizing it to construct and operate facilities to:

(1) Increase the design daily delivery capacity of Applicant's main line system by approximately 157,000 Mcf from 1,908,000 Mcf to 2,065,000 Mcf to meet the peak day requirements of Applicant's present customers through the winter of 1971-1972;

(2) Reinforce the existing Chattanooga, Savannah, Durant, Talladega, and Newnan branch lines to meet the increasing requirements of present customers and for safety and security of operations; and

(3) Provide for the transportation through Applicant's South Louisiana Supply System of increased volumes of gas from presently certificated sources.

Applicant also requests authority to sell and deliver to its customers in 1971-1972 a total estimated contract demand or maximum delivery obligation of 2,018,847 Mcf.

Total estimated cost of the proposed facilities is $44,235,420. Financing will be provided initially from bank loans, which will be repaid from cash from current operations and from permanent financing.

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 January 20, 1969.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-181; Filed, Jan. 7, 1969; 8:46 a.m.]

[Docket No. RI69-405]

NATIONAL COOPERATIVE REFINERY ASSOCIATION

Order Providing for Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

DECEMBER 30, 1968.

Respondent named herein has filed a proposed change in rate and charge of a currently effective rate schedule for the sale of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the Regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplement to the rate schedule filed by Respondent shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondent shall execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of a copy thereof upon the purchaser under the rate schedule involved. Unless Respondent is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Until otherwise ordered by the Commission, neither the suspended supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 14, 1969.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate
RI69-405..	National Cooperative Refinery Association.	6	3	Kansas-Nebraska Natural Gas Co., Inc., Wallace Creek Area, Natrona County, Wyo.	[1] $687	11-29-68	1-1-69	1-2-69	12.0	[2] 12.5727

Rates stated at a pressure base of 15.025 p.s.i.a.
[1] Of this amount, $87 represents tax reimbursement.
[2] Rate includes partial reimbursement of 0.727 cent per Mcf for an increase in the Wyoming Production Tax from 1963 to 1968 in Natrona County.

The proposed increase herein, from 12 cents to 12.5727 cents per Mcf, does not exceed the increased rate ceiling of 13 cents per Mcf for Wyoming, § 2.56 (Table No. 1) of the Commission's general policy and interpretations, rules of practice and procedure. However, the purchaser, Kansas-Nebraska Natural Gas Co., Inc., has verbally advised the Commission that it intends to protest the tax reimbursement portion of the proposed increase in rate. Because of this seeming difference in contractual interpretation between seller and purchaser, we have deemed it proper to suspend the effectiveness of the proposed rate increase for 1 day, as ordered herein.

[F.R. Doc. 69-177; Filed, Jan. 7, 1969; 8:46 a.m.]

CIVIL SERVICE COMMISSION

AIR TRAFFIC CONTROL SPECIALIST (TOWER), GS-2152-12, O'HARE INTERNATIONAL AIRPORT

Notice of Cancellation of Special Rates

Under the provisions of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has cancelled the special rate range authorized for positions of Air Traffic Control Specialist (Tower), GS-2152-12, O'Hare International Airport, Chicago, Ill. This cancellation was made effective at the close-of-business, December 14, 1968.

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

[F.R. Doc. 69-190; Filed, Jan. 7, 1969; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2228]

AMERICAN UNITED LIFE POOLED EQUITY FUND B AND AMERICAN UNITED LIFE INSURANCE CO.

Notice of Filing of Application for Exemptions

JANUARY 2, 1969.

Notice is hereby given that American United Life Pooled Equity Fund B ("Separate Account") and American United Life Insurance Co. ("Insurance Company"), 30 West Fall Creek Parkway, Indianapolis, Ind. (hereinafter called "Applicants"), have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq. ("Act"), for an order exempting Applicants from the provisions of section 17(f), 22(d), 22(e), 27(a)(3), 27(a)(4), 27(c)(1) and 27(c)(2) of the Act and Rule 17f-2 thereunder. Separate Account is an open-end diversified management company registered under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein which are summarized below.

Insurance Company established Separate Account as the facility through which Insurance Company will set aside and invest assets attributable to variable annuity contracts initially qualifying for federal tax benefits under section 401 or 403 of the Internal Revenue Code of 1954, as amended ("Code").

Section 17(f)(3) provides, in pertinent part, that a registered management investment company may maintain its securities and other investments in its own custody in accordance with such rules, regulations and orders as may be adopted by the Commission in the interests of investors. Rule 17f-2 under the Act requires, among other things, that such assets be placed in a bank subject to the other requirements of the rule. One of such other requirements limits the persons who shall have access to such assets to only certain specified individuals. Applicants request exemption from the provisions of section 17(f)(3) and Rule 17f-2 to the extent necessary to permit not more than five officers or responsible employees of Insurance Company as well as duly authorized representatives of the Indiana Commissioner of Insurance to have access to the assets of Separate Account. Such assets will be held by Merchants National Bank and Trust Co., Indianapolis, Ind. Insurance Company is subject to supervision and inspection by the Indiana Commissioner of Insurance.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus. Applicants state that there is no distinction made in the proposed group contracts between the amount deducted for sales expenses and that deducted for administrative expenses.

Applicants further request exemption from the provisons of section 22(d) to permit group variable annuity contract holders to participate in the divisible surplus of Insurance Company. Any portion of such surplus deemed payable to participants will be applied either (a) by reducing sales and administrative charges payable to Insurance Company in the succeeding year or (b) crediting additional units in Separate Account to the participant. Applicants assert that possible reduction in charges as a result of such participation is a traditional method for a mutual insurance company to pass portions of surplus attributable to particular contracts on to such contract holders.

Sections 22(e) and 27(c)(1) provide, in pertinent part, that (1) a registered investment company may not suspend the right of redemption or postpone the date of payment upon redemption of any redeemable security in accordance with its terms for more than 7 days after the tender of such security for redemption and (2) a registered investment company issuing periodic payment plan certificates may not sell such certificates unless such certificates are redeemable securities. Applicants represent that prior to their maturity dates the contracts are redeemable and satisfy the redemption provisions of the Act. However, on their respective maturity dates, the then value of the contracts is determined and applied to provide for lifetime annuity payments of variable amounts. Applicants state that because the amount of annuity payments under the variable option are calculated actuarially, based upon the life expectancies of the annuitants, if an annuitant were permitted to redeem his contract after the maturity date, it would upset the actuarial computations made with respect to the remaining annuitants. Applicants request exemption from sections 22(e) and 27(c)(1) to the extent that once an annuitant begins to receive annuity payments he cannot redeem the value credited to his account. Such prohibitions shall only apply after annuity payments to the annuitant commence.

Section 27(a)(3) provides that it shall be unlawful for any registered investment company issuing periodic payment plan certificates to sell any such certificates if the sales charges deducted from any one of the first 12 monthly payments exceed proportionately the amount deducted from any other such payment or if the amount deducted from any subsequent payment exceeds proportionately the amount deducted from any other subsequent payment. Applicants represent that this provision would prohibit a reduction in the combined charges for sales and administrative expenses from 6 percent to 4 percent after the first $5,000 of payments had been received by or in behalf of a participant. Accordingly, Applicants request an exemption from section 27(a)(3) for the purpose of reducing such charges as proposed.

Section 27(a)(4) provides that it shall be unlawful for any registered investment company issuing periodic payment plan certificates to sell any such certificate if the first payment on such certificate is less than $20, or any subsequent payment is less than $10. Applicants represent that under contracts meeting the requirements of section 403(b) of the Code, it is not unusual for contributions to be made in amounts of less than $20 per pay period. Applicants further represent that if it is necessary to increase the first payment to $20, it will necessitate additional bookkeeping and payroll procedures which will not benefit any of the parties involved but will increase the cost of administration. Accordingly, Applicants request an exemption from the provisions of section 27(a)(4) so that the first payment may be less than $20 provided, however, that such first payment shall not be less than $10.

Section 27(c)(2) prohibits a registered investment company or a depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments, other than the sales load, are deposited with a bank as trustee or custodian and held under an indenture or agreement containing, in substance, the provisions required by sections 26(a)(2) and (3) for a unit investment trust. Section 26(a)(2) requires that the trustee or custodian segregate and hold in trust all securities and cash of the trust and places restrictions on charges which may be made against the trust income and corpus, and excludes from expenses which the trustee or custodian may charge against the trust any payments to the depositor or principal underwriter, other than a fee not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services delegated to them by the trustee or custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign.

Applicants state that Insurance Co. functions as a regulated insurance company and is subject to extensive and

detailed supervision and inspection by the Insurance Commissioner of Indiana in all of its dealings with the contract purchasers. Applicants state that such control provides ample assurance against misfeasance and adequately protects the interest of the contract purchasers. Accordingly, Applicants state that such authority and jurisdiction affords the essential protection which the trusteeship or custodianship under section 26(a)(2) is designed to provide. Moreover, Indiana law provides that the Fund shall not be liable for charges arising out of any other business which Insurance Co. may conduct; and that the contractual obligations of Insurance Co. to the contract holders or to participants under group contracts cannot be abandoned until such obligations have been discharged. Since such supervision, inspection, and undertakings will effectively prevent orphanage of the Fund by Insurance Co. which the trusteeship under section 27(c)(2) is designed to protect, Applicants request an exemption from the requirements of section 27(c)(2) for literal compliance with sections 26(a) (2) and (3).

Applicants have consented to the requested exemption being subject to the condition that the charges under the contracts for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe, and that the Commission shall reserve jurisdiction for such purpose.

Section 6(c) authorizes the Commission to exempt any person, security or transaction, or any class or classes of persons, securities, or transactions, from the provisions of the Act and rules promulgated thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than January 16, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of each of the applications herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in such matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F.R. Doc. 69-183; Filed, Jan. 7, 1969; 8:46 a.m.]

[812-2404]

ELECTRONICS CAPITAL CORP.

Notice of Filing of Application for Order Exempting Proposed Transactions

JANUARY 2, 1969.

Notice is hereby given that Electronics Capital Corp. ("ECC"), 111 East 38th Street, New York, N.Y. 10016, a Massachusetts corporation registered as a closed-end, nondiversified investment company under the Investment Company Act of 1940 ("Act"), has filed, together with Joseph E. Cole ("Cole") and Seth C. Taft ("Taft"), an application pursuant to section 17(b) of the Act for an order exempting from the provisions of section 17(a) of the Act the proposed exchange by ECC of shares of the common stock of ECC for common shares of Capital Bancorporation ("Capital") held by Cole and by Taft, at an exchange ratio of 1.3 shares of ECC common stock for one common share of Capital. All interested persons are referred to the application on file with the Commission for a statement of the representations made therein, which are summarized below.

Cole is chairman of the board of directors of ECC and, at October 1, 1968, beneficially owned 145,000 shares (6.96 percent) of the outstanding common stock of ECC. Taft is a director of ECC, having been elected to that position at a meeting of ECC stockholders held on November 15, 1968. Accordingly, both Cole and Taft are affiliated persons of ECC within the meaning of section 2(a)(3) of the Act. Cole is also chairman of the board of directors of Capital and, at October 1, 1968, beneficially owned 110,660 (29.6 percent) of the outstanding common shares of Capital. Taft owns 342 of the common shares of Capital and is a director of a subsidiary of Capital.

ECC's offer to exchange its shares for shares of Capital held by Cole and by Taft is part of a general offer, made by ECC to all shareholders of Capital pursuant to a registration statement and prospectus filed with the Commission under the Securities Act of 1933, to exchange shares of ECC common stock for outstanding common shares of Capital at a ratio of 1.3 shares of the common stock of ECC for one common share of Capital. The exchange offer is contingent upon the receipt by ECC of at least 80 percent of the outstanding common shares of Capital. There are approximately 280 shareholders of Capital.

The principal assets of Capital are its holdings of 98 percent of the stock of St. Clair Savings Association, a savings and loan association, and 98 percent of the stock of The Capital National Bank, a commercial bank and trust company. In addition Capital owns all the stock of two real estate management companies. All of such subsidiaries of Capital are located in Cleveland, Ohio.

The board of directors of ECC authorized the exchange offer, at the exchange ratio set forth above, on July 19, 1968. The boards of directors of both ECC and Capital have found the exchange ratio to be reasonable and the exchange offer to be of benefit to their respective stockholders. The application states that the exchange ratio was determined after consideration of various relevant factors, including the market value of the shares of ECC and Capital and the acceptability of the exchange offer to certain holders of common shares of Capital. The common stock of ECC and the common shares of Capital are traded in the over-the-counter market. The market for the common shares of Capital is relatively inactive. In an opinion dated December 27, 1968, furnished to ECC by the investment banking firm of Hornblower & Weeks—Hemphill, Noyes, that firm expressed its judgment, based upon an evaluation of the earnings of Capital's subsidiaries and the current bid price of $36 per share for the common stock of ECC, that the exchange ratio represents a fair exchange based upon current market conditions.

On December 28, 1967, a majority of the shareholders of ECC approved a change in the fundamental policies of ECC to enable ECC to concentrate in the development and management of controlled subsidiaries in an operating capacity. The shareholders of ECC also approved a proposal to permit the board of directors of ECC to seek termination of its registration as an investment company under the Act. The application states that the exchange offer is being made by ECC for two principal reasons: To enable ECC to acquire a company which provides banking and related services and property management in an area which ECC's management feels has above average growth potential and to assist in changing the nature of ECC's assets and operations so that it may be in a better position to seek termination of its registration as an investment company. ECC plans to operate Capital as a majority-owned subsidiary of ECC and to control its operations and those of its subsidiaries.

Section 17(a) of the Act, as here pertinent, prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, from selling to such registered company any securities or other property unless the Commission, upon application pursuant to section 17(b), grants an exemption from the provisions of section 17(a) after finding that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned and

that the proposed transaction is consistent with the policy of such investment company and with the general purposes of the Act.

Notice is further given that any interested person may, not later than January 21, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon ECC at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-184; Filed, Jan. 7, 1969; 8:46 a.m.]

[70-4706]

JERSEY CENTRAL POWER & LIGHT CO.

Notice of Proposed Issue and Sale of Short-Term Promissory Notes

JANUARY 2, 1969.

Notice is hereby given that Jersey Central Power & Light Co. ("JCP&L"), Madison Avenue at Punch Bowl Road, Morristown, N.J. 07960, an electric utility subsidiary company of General Public Utilities Corp. ("GPU"), a registered holding company, has filed an application with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) thereof as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

JCP&L requests that, for the period commencing on the granting of this application and ending on December 31, 1969, the exemption from the provisions of section 6(a) of the Act afforded to it by the first sentence of section 6(b) of the Act relating to the issue and sale of short-term notes be increased from 5 percent to 10 percent of the principal amount and par value of other securities of JCP&L at the time outstanding. Based upon the securities of JCP&L outstanding at November 30, 1968, the proposed increase in such exempt borrowing authority would permit JCP&L to have outstanding at any one time an aggregate of $36,200,000 of short-term notes to banks. The filing states that JCP&L had $10,700,000 principal amount of such notes outstanding at the date of this application.

The notes will bear interest at the prime rate for commercial borrowings at the date of issue of the note from the bank from which such borrowing is made, will mature not later than 9 months from the date of issue, will be prepayable at any time without premium, and will not be issued as a part of a public offering.

Although no commitments or agreements for such borrowings have been made, if this application is granted by the Commission, JCP&L expects that, as and to the extent that its cash needs require, borrowings will be effected from among the following banks, the maximum to be borrowed and outstanding from each such bank being as follows:

Banks	*Amounts*
Irving Trust Co., New York, N.Y.	$8,800,000
Chemical Bank New York Trust Co., New York, N.Y.	4,500,000
The Chase Manhattan Bank NA, New York, N.Y.	3,500,000
Bankers Trust Co., New York, N.Y.	3,500,000
Fidelity Union Trust Co., Newark, N.J.	3,500,000
First National State Bank of New Jersey, Newark, N.J.	1,500,000
National Newark & Essex Bank, Newark, N.J.	1,500,000
First Jersey National Bank, Jersey City, N.J.	1,000,000
The Monmouth County National Bank, Red Bank, N.J.	700,000
Trust Company National Bank, Morristown, N.J.	1,000,000
First Merchants National Bank, Asbury Park, N.J.	600,000
First National Bank of Passaic County, Passaic, N.J.	1,000,000
New Jersey National Bank & Trust Co., Asbury Park, N.J.	700,000
The First National Iron Bank of New Jersey, Morristown, N.J.	800,000
The National State Bank, Elizabeth, N.J.	1,000,000
Summit and Elizabeth Trust Co., Summit, N.J.	1,000,000
The National Union Bank of Dover, Dover, N.J.	600,000
Union County Trust Co., Summit, N.J.	1,000,000
Total	36,200,000

JCP&L proposes to utilize the proceeds of the contemplated borrowings for the purpose of financing its business as a public-utility company, including the temporary reimbursement of its treasury for 1968 construction expenditures and the repayment of other short-term borrowings. The balance of the proceeds will be used for JCP&L's 1969 construction program or temporarily to reimburse its treasury for funds expended therefrom for such purposes. JCP&L will apply the net proceeds from any permanent debt financing effected prior to the maturity of all notes issued and outstanding under this application in reduction of, or in total payment of, such outstanding notes, and the maximum amount of indebtedness which may be incurred by JCP&L under this application will be reduced by the amount of the net proceeds of any such permanent debt financing.

The application states that JCP&L's expenses incident to the proposed issuance of notes will be approximately $3,000, including legal fees of $2,650; and that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. However, it is also stated that approval by the Board of Public Utility Commissioners of the State of New Jersey will be required for a renewal, extension, or replacement of any notes issued by JCP&L, if, as a result thereof, the loan evidenced thereby is not repaid within 12 months of the original date of the note or notes.

Notice is further given that any interested person may, not later than January 22, 1969, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified should the Commission order a hearing in respect thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service thereof (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-185; Filed, Jan. 7, 1969; 8:46 a.m.]

TOP NOTCH URANIUM AND MINING CORP.

Order Suspending Trading

JANUARY 2, 1969.

It appearing to the Securities and Exchange Commission that the summary

suspension of trading in the common stock of Top Notch Uranium and Mining Corp. (a Utah Corporation), and all other securities of Top Notch Uranium and Mining Corp., being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period January 3, 1969, through January 12, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F.R. Doc. 69-186; Filed, Jan. 7, 1969; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 3, 1969.

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. 41533—*Canned or Preserved Foodstuffs from and to Points in Colorado and Wyoming*. Filed by Southwestern Freight Bureau, agent (No. B-9138), for interested rail carriers. Rates on canned or preserved foodstuffs and related articles, in carloads, between points in southwestern territory, on the one hand, and points in Colorado and Wyoming, on the other.

Grounds for relief—Grouping.

Tariff—Supplement 111 to Southwestern Freight Bureau, agent, tariff ICC 4690.

FSA No. 41534—*Salt Within and to Points in Official Territory*. Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2930), for interested rail carriers. Rates on salt, common (Sodium Chloride), and salt (Livestock), in carloads, as described in the application, from and to points in official (including Illinois) territory, and from points in southern, southwestern, and western trunk-line territories, to points in official (including Illinois) territories.

Grounds for relief—Economic adjustment to improve revenue of carriers and maintenance of origin and destination rate relationships.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 69-194; Filed, Jan. 7, 1969; 8:47 a.m.]

[Notice 756]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 2, 1969.

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 106914 (Sub-No. 22 TA), filed December 27, 1968. Applicant: RUTH FINE, EXECUTRIX, ESTATE OF HAROLD FINE, DECEASED, doing business as AMERICAN CARTAGE COMPANY, 1575 Fairfield Avenue, Cleveland, Ohio 44113. Applicant's representative: Ronald Koplow (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles such as bars, plates, sheets in coils, and sheets*, between points in Liverpool Township, Medina County, Ohio, and Detroit, Mich., and points in the Detroit commercial zone, for 180 days. Supporting shipper: Independent Steel Co., 9000 Aetna Road, Cleveland, Ohio 44105. Send protests to: G. J. Baccei, District Supervisor, Interstate Commerce Commission, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 107695 (Sub-No. 9 TA), filed December 23, 1968. Applicant: B. A. FISHER, doing business as HI-BALL CONTRACTORS, 2348 Lockwood Road, Billings, Mont. 59103. Applicant's representative: Jerome Anderson, Post Office Box 1215, Billings, Mont. 59101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials, and supplies*, used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and byproducts; and *commodities* which because of their size or weight require special equipment, and *related materials and supplies*, between the port of entry on the international boundary line between the United States and Canada located at or near Sweetgrass, Mont., and points in Alaska, for 180 days. NOTE: Applicant states it intends to tack with its presently held authority in MC 107695. Supporting shippers: Brinkerhoff Drilling Co., Inc., 870 Denver Club Building, Denver, Colo. 80202; Signal Drilling Co., Inc., 1200 Security Life Building, Denver, Colo. 80202; Great Northern Drilling Co., Inc., Post Office Box 1953, Billings, Mont. 59103; Western Oil Well Service Co., Post Office Box 327, Billings, Mont. 59103; Gabe McCall Drilling Co., Post Office Box 2068, Casper, Wyo. 82601; Noble Drilling Corp., 325 Petroleum Club Building, Denver, Colo. 80202. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 251 U.S. Post Office Building, Billings, Mont. 59101.

No. MC 108393 (Sub-No. 16 TA), filed December 23, 1968. Applicant: SIGNAL DELIVERY SERVICE, INC., 782 Industrial Drive, Elmhurst, Ind. 60126. Applicant's representative: J. A. Kundtz, 1050 Union Commerce Building, Cleveland, Ohio 44115. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in by retail department stores, and mail order houses, and *related advertising material*, (1) between King of Prussia, Pa., on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, those in Berks, Bucks, Chester, Dauphin, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, and York Counties, Pa., and the District of Columbia, (2) between Wilmington, Del., on the one hand, and, on the other, points in Delaware, Maryland, New Jersey, those in Berks, Bucks, Dauphin, Chester, Delaware, Lancaster, Lebanon, Lehigh, Montgomery, Northampton, Philadelphia, and York Counties, Pa., for 180 days, Under contract with, and supported by: Sears Roebuck & Co., Administrative Office, Eastern Territory, Post Office Box 6742, Philadelphia, Pa. 19132. NOTE: Applicant states that no duplicating authority is sought. Send protests to: William E. Gallagher, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1086, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 109637 (Sub-No. 353 TA), filed December 26, 1968. Applicant: SOUTHERN TANK LINES, INC., Post Office Box 1047, Louisville, Ky. 40201. Applicant's representative: Harris G. Andrews (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caustic soda*, in bulk, in tank vehicles, from Kentucky Asphalt Terminal, Inc., near Louisville, Ky., to Cincinnati, Ohio, for 180 days. Supporting shipper: Donald M. Murray, Manager, Transportation Services, B. F. Goodrich Chemical Co., 3135 Euclid Avenue, Cleveland, Ohio 44115. Send protests to: Wayne L. Merilatt, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 109821 (Sub-No. 27 TA), filed December 27, 1968. Applicant: H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsboro, Pa. 16901. Applicant's representative: Joseph DeFilippo, Sr., (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tin cans*, from Hall, N.Y., and Newark, N.Y., to Allentown, Pa., and from Hall, N.Y., to Westchester, Pa., for 180 days. Supporting shipper: Borden Foods Co., division of the Borden Co., Lyons, N.Y. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa., 18503.

No. MC 110315 (Sub-No. 19 TA), filed December 27, 1968. Applicant: FELTS TRANSPORT CORPORATION, Post Office Box 138, Montvale, Va. 24122. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Chesapeake, Va., to points in Mercer, McDowell, and Wyoming Counties, W. Va., for 180 days. Supporting shipper: Texaco, Inc., 1111 Rusk, Houston, Tex. 77052. Send protests to: George S. Hales, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 215 Campbell Avenue SW., Roanoke, Va. 24011.

No. MC 111812 (Sub-No. 374 TA), filed December 27, 1968. Applicant: MID-WEST COAST TRANSPORT, INC., 405½ East Eighth Street, Post Office Box 1233, Sioux Falls, S. Dak. 57101. Applicant's representative: Marshall D. Becker, 630 City National Bank Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by packinghouses, as described in Descriptions in Motor Carrier Certificates*, 61 M.C.C. at 273, from Buhl, Idaho, to Spokane, Seattle, and Tacoma, Wash.; Portland, Oreg.; San Francisco, Los Angeles, and Richmond, Calif.; Chicago, Ill.; Austin, St. Paul, and Minneapolis, Minn.; Milwaukee and Eau Claire, Wis., for 180 days. Supporting shipper: Carter Packing Co., Inc., Buhl, Idaho, Post Office Box 4358, Gordon Carter, Vice President. Send protests to: J. L. Hammond, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 369, Federal Building, Pierre, S. Dak. 57501.

No. MC 113024 (Sub-No. 71 TA), filed December 19, 1968. Applicant: ARLINGTON J. WILLIAMS, INC., Rural Delivery No. 2, Smyrna, Del. 19977. Applicant's representative: Samuel W. Earnshaw, 833 Washington Building, Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wet nitrocellulose*, in containers, from plantsite of Hercules, Inc., Parlin, N.J., to Redford Army Ammunition Plant, Redford, Va., for account of Hercules, Inc., for 150 days. Supporting shipper: Hercules, Inc., Traffic Department, Wilmington, Del. 19899, D. B. Moore, Manager—Truck Division. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 206 Old Post Office Building, Salisbury, Md. 21801.

No. MC 114106 (Sub-No. 70 TA), filed December 27, 1968. Applicant: MAYBELLE TRANSPORT COMPANY, 1820 South Main Street, Lexington, N.C. 27292. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn starch*, dry, in bulk, from Greer, S.C., to Martinsville, Va., for 150 days. Supporting shipper: Corn Products Co., 101 South Wacker Drive, Chicago, Ill. 60606. Send protests to: Jack K. Huff, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite 417, BSR Building, 316 East Morehead Street, Charlotte, N.C. 28202.

No. MC 115838 (Sub-No. 3 TA), filed December 27, 1968. Applicant: COMMODITY HAULAGE CORPORATION, 146-92 New York Boulevard, Jamaica, N.Y. 11434. Applicant's representative: Herbert Burstein, 160 Broadway, New York, N.Y. 10038. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, commodities in bulk, and commodities requiring special equipment), between MacArthur Airport, Islip, Long Island, N.Y., on the one hand, and, on the other, points in Nassau and Suffolk Counties, N.Y., and John F. Kennedy Airport and LaGuardia Airport, N.Y., restricted to shipments having an immediately prior or subsequent movement by air, for 150 days. Supporting shippers: Tele-Signal, Woodbury, Long Island, N.Y., Fairchild Hiller Corp., Stratos Division, 690 Orinoco Drive, Bayshore, Long Island, N.Y.; Fairchild Hiller, Republic Aviation Division, East Farmingdale, N.Y.; Grumman Aircraft Engineering Corp., Bethpage, Long Island, N.Y.; Cutler-Hammer, Airborne Instruments Laboratory, Deer Park, Long Island, N.Y.; Del Laboratories, 565 Broad Hollow Road, Farmingdale, N.Y.; Tri-Point Industries, Inc., Commack, N.Y.; and Hazeltine Corp., Little Neck, N.Y. Send protests to: E. N. Carignan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 124032 (Sub-No. 10 TA), filed December 27, 1968. Applicant: REED'S FUEL COMPANY, 138 Fifth Street, Springfield, Oreg. 97477. Applicant's representative: Robert R. Hollis, Commonwealth Building, Portland, Oreg. 97204. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber mill products*, from points in Douglas, Benton, Lane, and Linn Counties, Oreg., to Vancouver, Wash., for 180 days. Supporting shippers: Pacific Lumber & Shipping Co., 1111 Washington Building, Seattle, Wash. 98101; MacMillan Bloedel Ltd., 701 Cascade Building, Portland, Oreg. 97204; Starr-Carter Lumber Sales, 998 Ferry Lane, Post Office Box 1618, Eugene, Oreg. 97401; and Bohemia Lumber Co., Inc., Culp Creek, Oreg. 97427. Send protests to: A. E. Odoms, District Superviser, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 127042 (Sub-No. 29 TA) (Correction), filed December 16, 1968, published in the FEDERAL REGISTER, issue of December 27, 1968, and republished as corrected, this issue. Applicant: HAGEN, INC., 4120 Floyd Boulevard (Post Office Box 6, Leeds Station), Sioux City, Iowa 51108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts and articles distributed by meat packinghouses* (except hides and commodities in bulk), from Pekin, Ill., to points in Kansas, Iowa, Missouri, and Nebraska, for 180 days. Supporting shipper: Bird Provision Co., 420 Washington Street, Pekin, Ill. 61554. NOTE: The purpose of this republication is to correct the spelling of applicant's name and to include the State of Iowa in the destination territory inadvertently omitted in the previous publication. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa.

No. MC 128196 (Sub-No. 4 TA), filed December 27, 1968. Applicant: KARL ARTHUR WEBER, 2408 North 20th Drive, Phoenix, Ariz. 85009. Applicant's representative: Milton W. Flack, 1813 Wilshire Boulevard, Los Angeles, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building materials, including lumber products, gypsum products, and materials and accessories* in connection therewith, from Sigurd, Utah, and Acme, Tex., to points in California and Nevada, and *refused and damaged shipments*, on return, for 180 days. Supporting shipper: Georgia-Pacific Corp., Commonwealth Building, Portland, Oreg. 97204. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 128311 (Sub-No. 3 TA), filed December 27, 1968. Applicant: GARLAND H. CHRISTIAN AND BENNIE HORN, a partnership, R.F.D. 2, Rogersville, Mo. 65742. Applicant's representative: Turner White, 805 Woodruff Building, Springfield, Mo. 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wooden pallets and crate materials*, from points in Perry County, Mo., east of U.S. Highway 61 to Newton, Iowa, for 150 days. Supporting shipper: Perry Crating, Inc., Frohna, Mo. 63748. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 128633 (Sub-No. 6 TA), filed December 27, 1968. Applicant: LAUREL HILL TRUCKING COMPANY, a corporation, 614 New County Road, Secaucus, N.J. 07094. 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: *General commodities* (except commodities in bulk), between points in the United States on and east of a line beginning at the mouth of the Mississippi River and extending along the Mississippi River to the western boundary of Itasca County, Minn., thence along the western boundaries of Itasca and Koochiching Counties, Minn., to the international boundary line between the United States and Canada, restricted to shipments having a prior or subsequent movement by aircraft; for 150 days, under contract with Trans World Airlines. Supporting shipper: Trans World Airlines, Inc., 605 Third Avenue, New York, N.Y. 10016. Send protests to: W. J. Grossman, District Supervisor, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 133363 TA, filed December 27, 1968. Applicant: WILLIAM T. HARRIS AND THEATRIS HARRIS, a partnership, doing business as HARRIS BROS. CO., B Street (below Erie Avenue), Philadelphia, Pa. 19134. Applicant's representative: Morris J. Levin, Suite 917, 910 17th Street NW., Washington, D.C. 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Refrigeration equipment, and parts and replacements for such equipment*, between Philadelphia, Pa., and points in New Jersey, New York, and Maryland, for 180 days. Supporting shipper: Fogel Refrigerator Co., 5400 Eadom Street, Philadelphia, Pa. 19137. Send protests to: F. W. Doyle, District Supervisor, Interstate Commerce Commission, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 133364 TA, filed December 27, 1968. Applicant: JOHN F. HULBERT, doing business as HULBERT FORWARDING, Lewis Farm Road, Greene, R.I. 02827. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I. 02905. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips*, in bulk, from Foster, R.I., to Lawrence, Mass., for 180 days. Supporting shipper: Turnquist Lumber Co., Route 101, Foster, R.I. Send protests to: Gerald H. Curry, District Supervisor, Interstate Commerce Commission, 187 Westminster Street, Providence, R.I. 02903.

No. MC 133365 TA, filed December 26, 1968. Applicant: WOODWARD WAREHOUSE AND TRANSPORT CORP., 111 Woodward Street, Jersey City, N.J. 07304. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobile parts, waxes, detergents, chemicals, paper and paper products, cleaning compounds, adding machines and parts, lighting fixtures* (except commodities in bulk), from the facilities of Woodward Warehouse Corp., at Jersey City, N.J., to points in Nassau and Suffolk Counties, N.Y., for 150 days. Supporting shipper: Woodward Warehouse Corp., 111 Woodward Street, Jersey City, N.J. Send protests to: District Supervisor Walter J. Grossmann, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 69-196; Filed, Jan. 7, 1969; 8:47 a.m.]

[Notice 757]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 3, 1969.

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 89684 (Sub-No. 69 TA), filed December 30, 1968. Applicant: WYCOFF COMPANY, INCORPORATED, 560 South Second West (84101), Post Office Box 366, Salt Lake City, Utah 84110. Applicant's representative: Harry D. Pugsley, Suite 400, El Paso Natural Gas Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A and B explosives*, 500 pounds or less per shipment, having a prior or subsequent movement by aircraft, between Salt Lake City Airport, Ogden, Utah, Airport, and Hill Air Force Base, Utah, and the plantsite of Thiokol Chemical Corp., located approximately 20 miles west of Brigham City, Utah, from Salt Lake City to Brigham City, Utah, over U.S. Highway 91 (Interstate Highway 15), thence over Utah Highway 83 to the Thiokol plant, and return over the same route, serving the intermediate points of Hill Air Force Base, Utah, and Ogden, Utah, for 180 days. Supporting shipper: Thiokol Chemical Corp., Wasatch Division, Post Office Box 524, Brigham City, Utah 84302. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 108207 (Sub-No. 252 TA), filed December 30, 1968. Applicant: FROZEN FOOD EXPRESS, 318 Cadiz Street (75207), Post Office Box 5888, Dallas, Tex. 75222. Applicant's representative: L. M. McLean (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Human blood plasma*, from Phoenix, Ariz., to Los Angeles, Calif., for 150 days. NOTE: Applicant states that it does not intend to tack with existing authority, and that product will move in less-than-truckload quantities at subzero temperature. Supported by: Courtland Laboratories, 5555 Valley Boulevard, Los Angeles, Calif. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 109891 (Sub-No. 11 TA), filed December 30, 1968. Applicant: INFINGER TRANSPORTATION COMPANY, INC., Post Office Box 7398, Charleston Heights, S.C. 29405. Applicant's representative: William Addams, Room 527, 1776 Peachtree Street NW., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Residual fuel oil*, from Charleston and Spartanburg, S.C., to Elizabethton, Johnson City, and Kingsport, Tenn., for 150 days. Supporting shipper: Hess Terminals, a division of Hess Oil & Chemical Corp., Post Office Box 52, Galena Park, Tex. 77547. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, 601A Federal Building, 901 Sumter Street, Columbia, S.C. 29201.

No. MC 111729 (Sub-No. 274 TA), filed December 13, 1968. Applicant: AMERICAN COURIER CORPORATION, 2 Nevada Drive, Lake Success (NHP-Post Office), N.Y. 11040. Applicant's representative: Gerard L. Peace (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Business papers, records and audit and accounting media, and advertising literature moving therewith*, (a) between Wilkes-Barre, Pa., on the one hand, and, on the other, Peekskill, N.Y., and Hoboken, N.J., (b) between Sandusky, Ohio, and Detroit, Mich., (c) between Chicago, Ill., and Van Wert, Ohio, (d) between New York, N.Y., on the one hand, and, on the other, points in Connecticut (except points in Hartford, Middlesex, and New Haven Counties, and Bridgeport and Waterford, Conn.), Delaware (except New Castle County, Del.), Maine (except Searsport and South Portland, Maine), Maryland (except Baltimore and East Brooklyn, Md.), Massachusetts (except Chicopee Falls, Fall River, Waltham, and Worcester, Mass.), New Hampshire (except Hillsboro County, N.H.), New Jersey (except Newark and points in Bergen, Middlesex, and Morris Counties, N.J.), Pennsylvania (except points in

Bucks, Delaware, Montgomery, and Philadelphia Counties, Pa.), Rhode Island, Vermont, Virginia (except Springfield, Va.), and Washington, D.C., (e) between points in Bergen County, N.J., on the one hand, and, on the other, points in Delaware, Maine, New Hampshire, Vermont, and Virginia, (f) between points in Bergen County, N.J. (except Carlstadt, N.J.), on the one hand, and, on the other, points in Connecticut, Maryland, Massachusetts, New York (except Great Neck, N.Y.), Pennsylvania (except Philadelphia, Pa.), Rhode Island, and Washington, D.C., and (g) between Garden City, N.Y., and Englewood Cliffs, N.J., (2) *Small parts, used in the manufacture, replacement and servicing of computer, calculator, typewriter, and photo reproduction equipment*, restricted against the transportation of packages or articles weighing in the aggregate more than 50 pounds from one consignor to one consignee on any one day, between New York, N.Y., and Harrisburg, Pa. (3) *Vinyl coated fabric samples*, restricted against the transportation of packages or articles weighing in the aggregate more than 90 pounds from one consignor to one consignee on any one day, between Sandusky, Ohio, and Detroit, Mich., (4) *Radio-pharmaceuticals, radioactive drugs, and medical isotopes*, between North Chicago, Ill., on the one hand, and, on the other, points in Ohio, (5) *Exposed and processed film and prints, complimentary replacement film, incidental dealer handling supplies and advertising literature* moving therewith (excluding motion picture film used primarily for commercial theater and television exhibition), between Charlotte, N.C., on the one hand, and, on the other, points in Virginia, and (6) *Whole human blood and blood derivatives*, between Roanoke, Va., on the one hand, and, on the other, Bristol, Tenn., and points in Raleigh, Summers, Mercer, and Greenbrier Counties, W. Va., for 180 days. Supporting shippers: There are nine shippers supporting statements attached to the application that may be examined here at the Interstate Commerce Commission, in Washington, D.C., or copies thereof at the field office named below. Send protests to: E. N. Carignan, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 118904 (Sub-No. 2 TA), filed December 30, 1968. Applicant: LONNIE WOOD TRUCKAWAY, LTD., 1915 F Avenue, Lawton, Okla. 73501. Applicant's representative: David D. Brunson, Post Office Box 671, Oklahoma City, Okla. 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobiles, in initial movements, from Shawnee, Okla., to points in Texas, Kansas, Colorado, Missouri, Arkansas, Louisiana, and New Mexico, for 180 days. Supporting shipper: Shawnee Mobile Homes Manufacturing, Inc., Shawnee, Okla. 74801. Send protests to: Billy R. Reid, District Supervisor, Interstate Commerce Commission, 9A27 Federal Building, 819 Taylor Street, Fort Worth, Tex. 76102.

No. MC 124154 (Sub-No. 25 TA), filed December 30, 1968. Applicant: WINGATE TRUCKING COMPANY, INC., 1004 21st Avenue, Post Office Box 645, Albany, Ga. 31702. Applicant's representative: Monty Schumacher, Suite 310, 2045 Peachtree Road NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel pipe, conduit and fittings, and necessary attachments*, from the plantsite of Jackson Tubing and Conduit Corp., in Early County, Ga., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, Wyoming, and the District of Columbia, for 180 days. Supporting shipper: Jackson Tubing and Conduit Corp., Post Office Box 326, Cedar Springs, Ga. 31732. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 124877 (Sub-No. 1 TA), filed December 30, 1968. Applicant: CASAZZA TRUCKING COMPANY, 1250 Glendale Road, Sparks, Nev. 89431. Applicant's representative: Earl Casazza (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Asphaltic hot mix and road base materials*, between Reno, Nev., and Doyle, Calif., over U.S. Highway 395, for 150 days. Supporting shipper: Post-El Rio Co., Inc., Post Office Box 3417, Ventura, Calif. 93003. Send protests to: Daniel Augustine, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 222 East Washington Street, Carson City, Nev. 89701.

No. MC 126142 (Sub-No. 3 TA), filed December 30, 1968. Applicant: GLEASON TRANSPORTATION CO., INC., Rockingham Road, Rockingham, Vt. 05101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salted butter*, from Ogdensburg and Champlain, N.Y., to Burlington and Rutland, Vt., for 150 days. Supporting shipper: Dairymen's League Cooperative Association, Inc., 400 Park Street, Syracuse, N.Y. 13208. Send protests to: Martin P. Monaghan, Jr., District Supervisor, Interstate Commerce Commission, 52 State Street, Room 5, Montpelier, Vt. 05602.

No. MC 129358 (Sub-No. 1 TA), filed December 30, 1968. Applicant: OVERNITE FOOD EXPRESS, INC., 5835 Northwest 37th Avenue, Miami, Fla. 33147. Applicant's representative: John P. Bond, 30 Giralda Avenue, Coral Gables, Fla. 33134. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food or foodstuffs* requiring refrigeration, in vehicles equipped with mechanical refrigeration, in vehicles equipped with mechanical refrigeration, provided that all shipments must have a prior or subsequent movement by water, between points in Florida, for 180 days. Supporting shippers: Winter Garden Citrus Products Cooperative, Winter Garden, Fla. 32787; Gurrentz International Corp., 7007 Northwest 37th Avenue, Miami, Fla. 33147; A. J. Cunningham Packing Corp., 6982 Northwest 37th Avenue, Miami, Fla. 33147; Adams Packing Association, Inc., Auburndale, Fla. 33823; Gulf Florida Terminal Co., Post Office Box 2481, Tampa, Fla. 33601; Cypress Gardens Citrus Products Inc., Post Office Box 1312, Winter Haven, Fla. 33881; Golden Gem Growers, Inc., Umatilla, Fla. 32784; Lykes Pasco Packing Co., Post Office Box 97, Dade City, Fla. 33525; The Coca-Cola Co., Post Office Box 2711, Orlando, Fla. 32802; and Dick Garber Co., 9825 Sterling Drive, Miami, Fla. 33157. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 133328 (Sub-No. 1 TA), filed December 30, 1968. Applicant: NISHNA VALLEY TRANSFER, 7 Locust Street, Atlantic, Iowa 50022. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pesticide agricultural chemicals*, other than in bulk, from Omaha, Nebr., to Atlantic, Brooklyn, Shell Rock, Cherokee, Greenfield, and West Liberty, Iowa, and Windom, Minn., for 150 days. Supporting shipper: Walnut Grove Products, Division of W. R. Grace & Co., Duane C. Cumpston, Director Production Planning, Purchasing, Pricing, Atlantic, Iowa. Send protests to: Keith P. Kohrs, District Supervisor, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 133340 (Sub-No. 1 TA), filed December 30, 1968. Applicant: CITIES GRAIN, INC., 110 Surrey Avenue, Council Bluffs, Iowa 51501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tankage and meat scraps*, in bulk, in dump vehicles, from Omaha, Nebr., to Des Moines, Iowa, for 150 days. Supporting shipper: Mid-America Milling Co., 34th and Grover Streets, Post Office Box 1048, Omaha, Nebr. 68101. Send protests to: Keith P. Kohrs, District Supervisor, 705 Federal Office Building, Omaha, Nebr. 68102

No. MC 133368 TA, filed December 30, 1968. Applicant: WILLIAM A. TONYES, 75 Woodbury Road, Hauppauge, N.Y. 11787. Applicant's representative: William D. Traub, 10 East 40th Street, New York, N.Y. 10016. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cookware, electrical appliances, and flatware*, from Hauppauge, N.Y., to points in Nassau, Suffolk, and Westchester Counties, N.Y., and New York, N.Y., under contract with Century Metalcraft Corp.,

for 150 days. Supporting shipper: Century Metalcraft Corp., 2265 Westwood Boulevard, Los Angeles, Calif. 90064. Send protects to: E. N. Carignan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 133369 TA, filed December 30, 1968. Applicant: ELTON L. LOWRY, 6901 Northwest 77th Street Terrace, Kansas City, Mo. 64152. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Packinghouse products*, as described in Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. a and c, from Albany, Oreg., to Kansas City, Mo.; Chicago and Elkgrove, Ill.; and from points in Iowa; Omaha, Nebr.; Kansas City, Mo.; Chicago and Elkgrove, Ill.; to Albany, Oreg., for 150 days. Supporting shipper: Smoke-Craft, Albany, Oreg. 97321. Send protests to: Vernon V. Coble, District Supervisor, Interstate Commerce Commission, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

MOTOR CARRIERS OF PASSENGERS

No. MC 88080 (Sub-No. 10 TA), filed December 30, 1968. Applicant: ANZAC TRANSPORTATION CO., 1001 Boardman Drive, Post Office Box 99, Gallup, N. Mex. 87301. Applicant's representative: William W. Head, Jr., Post Office Box 1059, Gallup, N. Mex. 87301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, beginning and ending at points in McKinley, Valencia, and San Juan Counties, N. Mex., and Apache, Navajo, and Coconino Counties, Ariz., and extending to points in New Mexico, Arizona, Colorado, Idaho, Illinois, Iowa, Minnesota, Kansas, Utah, Oregon, Texas, and California, for 180 days. Supported by: Bureau of Indian Affairs, Department of Interior, Navajo Area Office, Window Rock, Ariz. 86515; Railroad Retirement Board, Post Office Box 910, Gallup, N. Mex. 87301; Employment Security Commission, New Mexico State Employment Service, Post Office Box 1179, Gallup, N. Mex. 87301; Gallup-McKinley County Chamber of Commerce, Post Office Box 1395, Gallup, N. Mex. 87301; and Inter-Tribal Indian Ceremonial Association, Post Office Box 1029, Gallup, N. Mex. 87301. Send protests to: William R. Murdoch, District Supervisor, Interstate Commerce Commission, 10515 Federal Building, U.S. Courthouse, Albuquerque, N. Mex. 87101.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 69-197; Filed, Jan. 7, 1969; 8:47 a.m.]

[Notice 271]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 3, 1969.

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-70914. By order of December 19, 1968, the Transfer Board approved the transfer to Astoria Rubbish Removal Co., Inc., Jackson Heights, N.Y., of certificates in Nos. MC-63800 and MC-63800 (Sub-No. 1) issued May 31, 1941, and April 21, 1955, respectively, to Simon S. Hill, Inc., Brooklyn, N.Y., authorizing the transportation of: Iron and steel castings and scrap metal, between New York, N.Y., on the one hand, and, on the other, points in New Jersey within 20 miles of Columbus Circle, New York, N.Y., and coke, in containers, from Kearny, N.J., to Brooklyn, N.Y. George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306, representative for applicants.

No. MC-FC-70959. By order of December 11, 1968, the Transfer Board approved the transfer to Robert H. Brandstetter, doing business as Brandstetter Hauling, Zelienople, Pa., of the operating rights in certificate No. MC-7269 issued April 22, 1952, to Arthur M. Graham, Harmony, Pa., authorizing the transportation of general commodities, except those of unusual value, and except classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and those injurious or contaminating to other lading, between Harmony, Pa., and Zelienople, Pa., from Harmony over Pennsylvania Highway 68 to Zelienople, and return over the same route. Leonard L. Stewart, 744 Oliver Building, Pittsburgh, Pa. 15222, attorney for applicants.

No. MC-FC-70983. By order of December 19, 1968, the Transfer Board approved the transfer to Portland Motor Transport, a corporation, North Portland, Oreg., of certificates Nos. MC-112155 and MC-112155 (Sub-No. 3), issued May 11, 1959, and December 18, 1963, respectively, to Henry's Lumber Hauling, a corporation, Portland, Oreg., authorizing the transportation of: Lumber, from points in Clark and Cowlitz Counties, Wash., to Portland, Oreg.; from points in Clackamas, Washington, Yamhill, Multnomah, Polk, Benton, Marion, Linn, Lane, Hood River, Wasco, Jefferson, Deschutes, Crook, Gilliam, and Morrow Counties, Oreg., to Portland and Prescott, Oreg., and Longview and Vancouver, Wash.; and between points in Benton, Clackamas, Clatsop, Crook, Deschutes, Gilliam, Hood River, Jefferson, Lane, Lincoln, Linn, Marion, Morrow, Multnomah, Polk, Tillamook, Wasco, Washington, and Yamhill Counties, Oreg., on the one hand, and, on the other, points in Benton, Clark, Cowlitz, Klickitat, and Skamania Counties, Wash.; and building materials, between Portland, Oreg., on the one hand, and, on the other, points in Clark County, Wash. Earle V. White, White & Southwell, 2400 Southwest Fourth Avenue, Portland, Oreg. 97201, attorney for applicants.

No. MC-FC-70991. By order of December 19, 1968, the Transfer Board approved the transfer to Darrell B. Odefey, Moorhead, Iowa 51558, of the operating rights in certificate No. MC-104504 issued April 23, 1954, to Vernon R. Christensen, Moorhead, Iowa 51558, authorizing the transportation of: Livestock, building materials, and feed, between points in Iowa and Nebraska.

[SEAL] H. NEIL GARSON, *Secretary*.

[F.R. Doc. 69-195; Filed, Jan. 7, 1969; 8:47 a.m.]

[Notice 270]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 2, 1969.

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-71002. By order of December 31, 1968, the Transfer Board approved the transfer to Lonnie Wood Truckaway, Ltd., Lawton, Okla.; of certificate in No. MC-116887, issued March 18, 1968, to Griffin Mobile Home Transporting Co., a corporation, Oklahoma City, Okla.; authorizing the transportation of: Mobile home trailers, in

truckaway service, in secondary movements, between points in Lea County, N. Mex., on the one hand, and, on the other, points in Arizona, Colorado, Oklahoma, Texas, and Wyoming. David D. Brunson, Post Office Box 671, Oklahoma City, Okla. 73101; attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-149; Filed, Jan. 6, 1969; 8:47 a.m.]

KEITH H. LYRLA

Statement of Changes in Financial Interests

Pursuant to subsection 202(c), Part III, Executive Order 10647 (20 F.R. 8769) "Providing for the Appointment of Certain Persons under the Defense Production Act of 1950, as amended," I hereby furnish for filing with the Office of the Federal Register for publication in the FEDERAL REGISTER the following information showing any changes in my financial interests and business connections as heretofore reported and published (20 F.R. 10086; 21 F.R. 3475, 9198; 22 F.R. 3777, 9450, 23 F.R. 3798, 9501; 24 F.R. 4187, 9502, 25 F.R. 102; 26 F.R. 1692, 6284; 27 F.R. 634, 6409; 28 F.R. 197, 7059; 29 F.R. 585, 8388; 30 F.R. 769, 8145, 17186; 31 F.R. 8988; 32 F.R. 245, 10277; 33 F.R. 522, and 9691, during the period from July 1, 1968, through December 31, 1968.

No change.

KEITH H. LYRLA.

DECEMBER 23, 1968.

[F.R. Doc. 69-150; Filed, Jan. 6, 1969; 8:47 a.m.]

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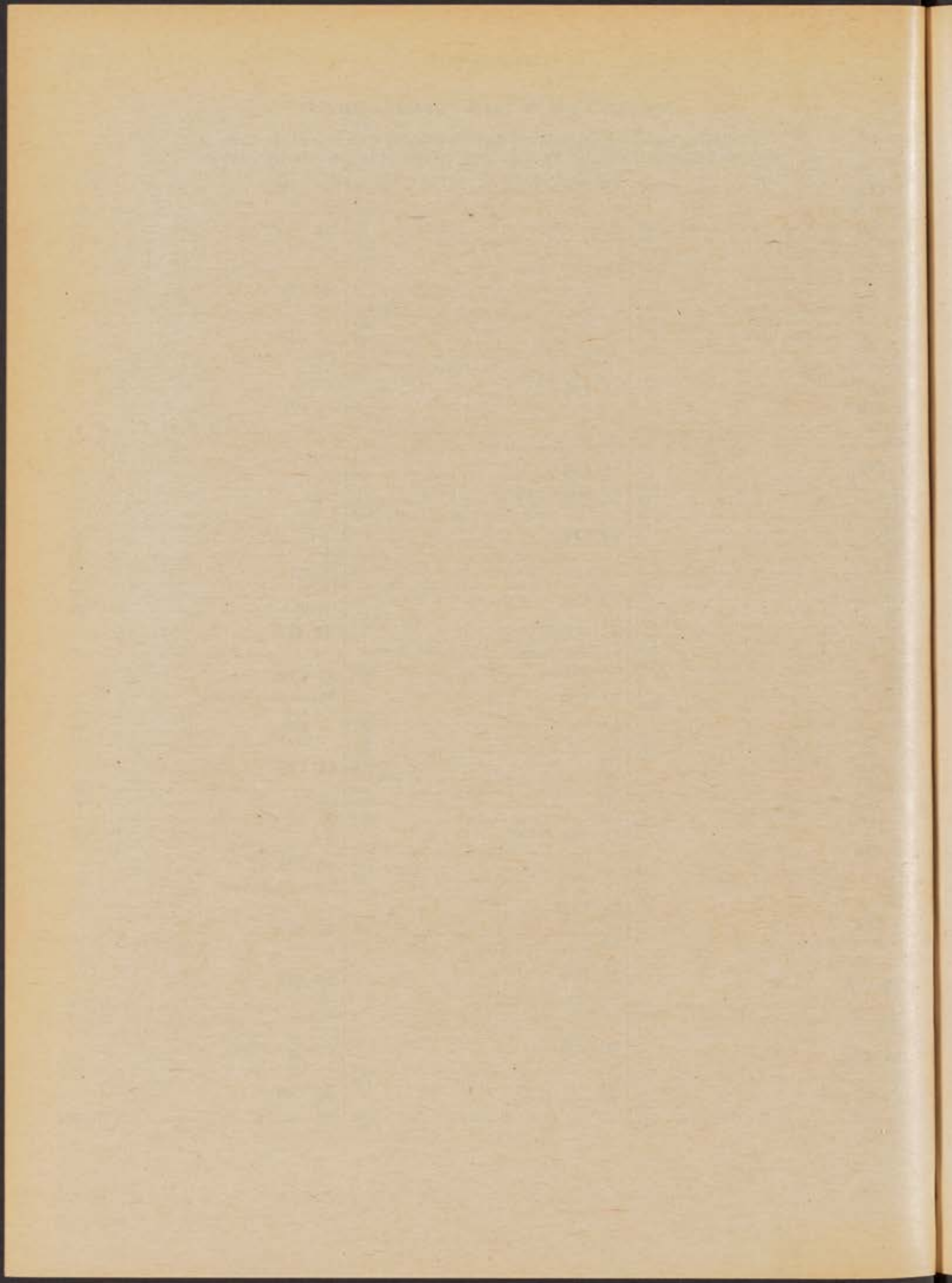

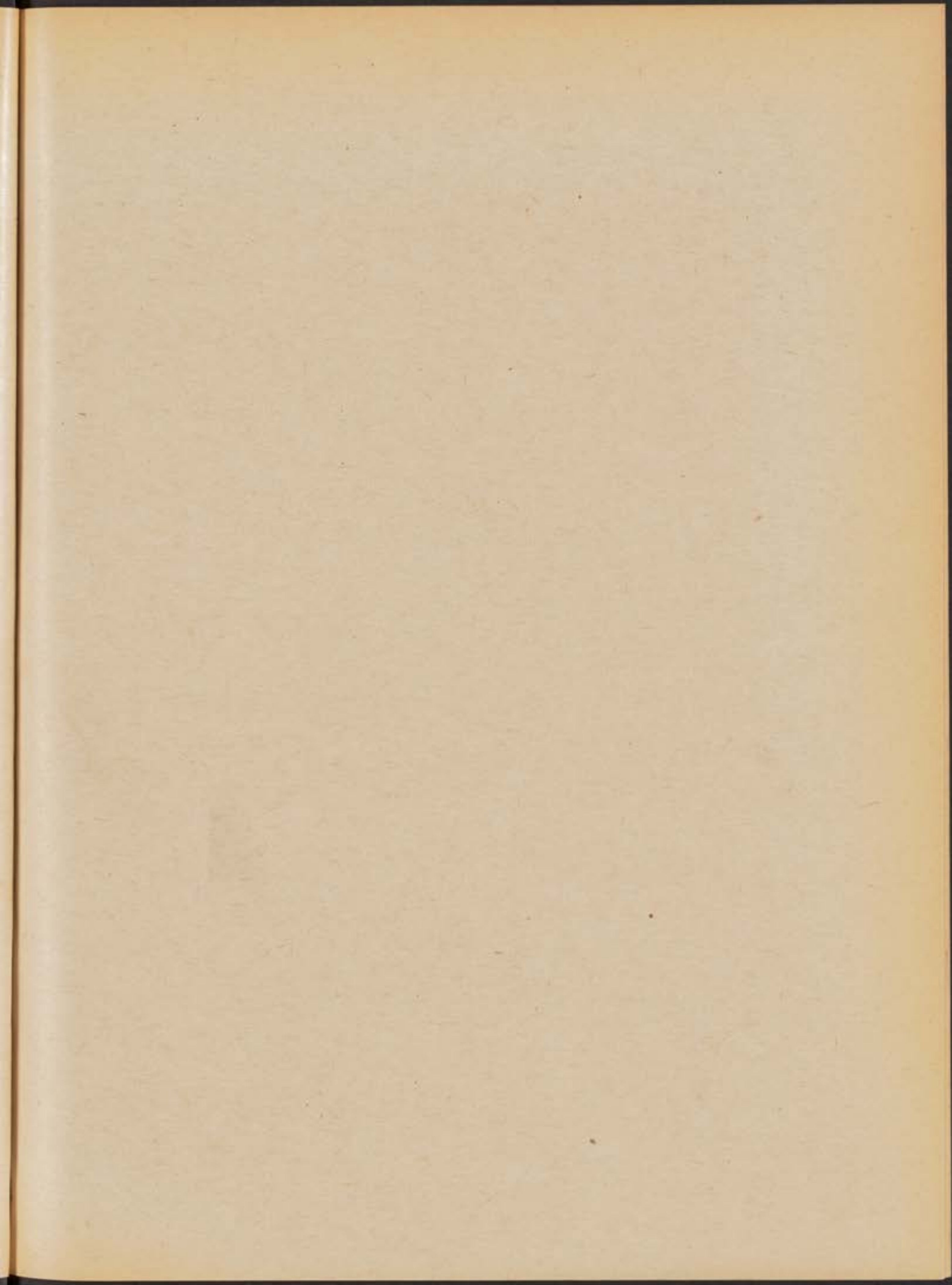

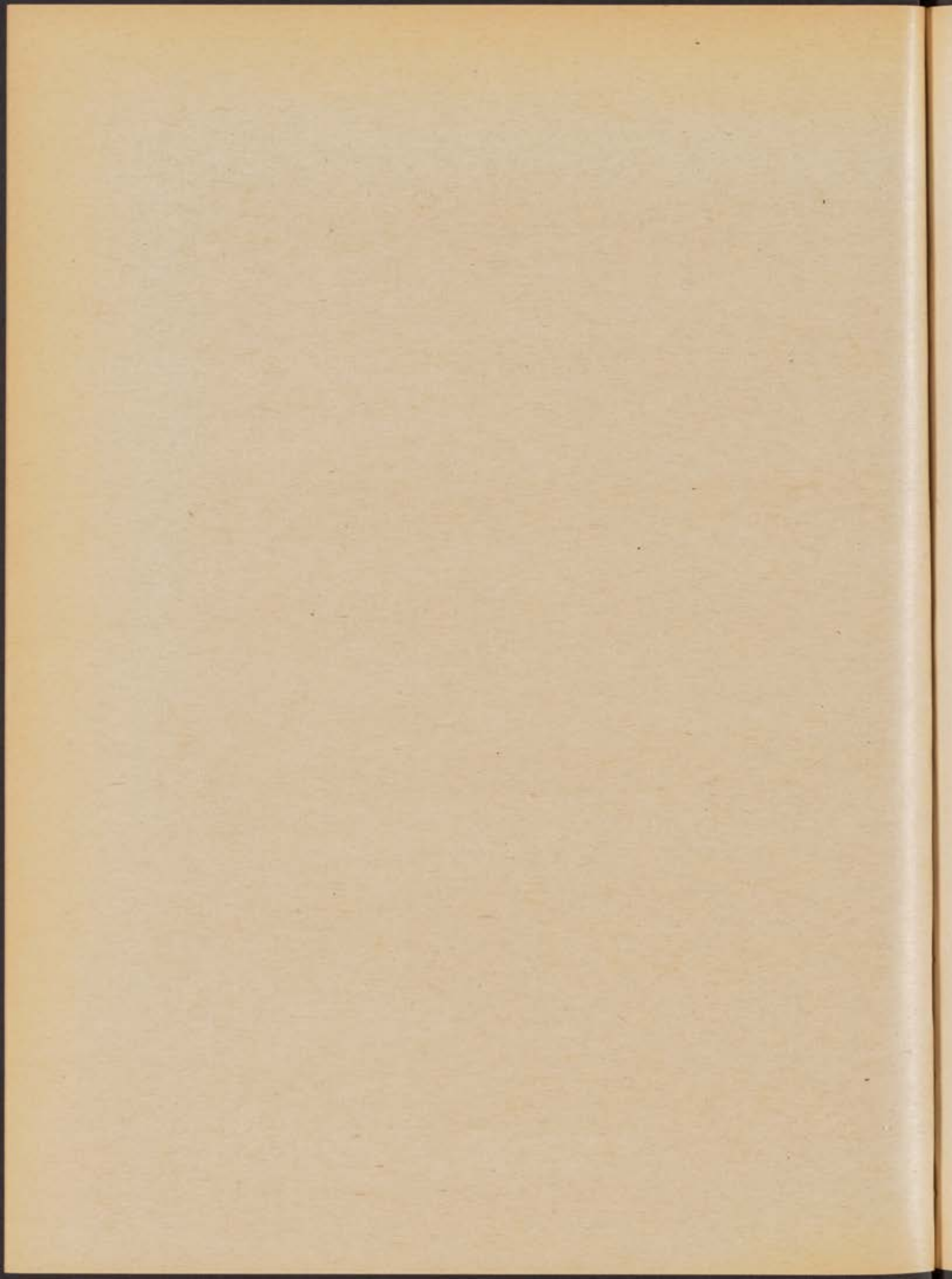

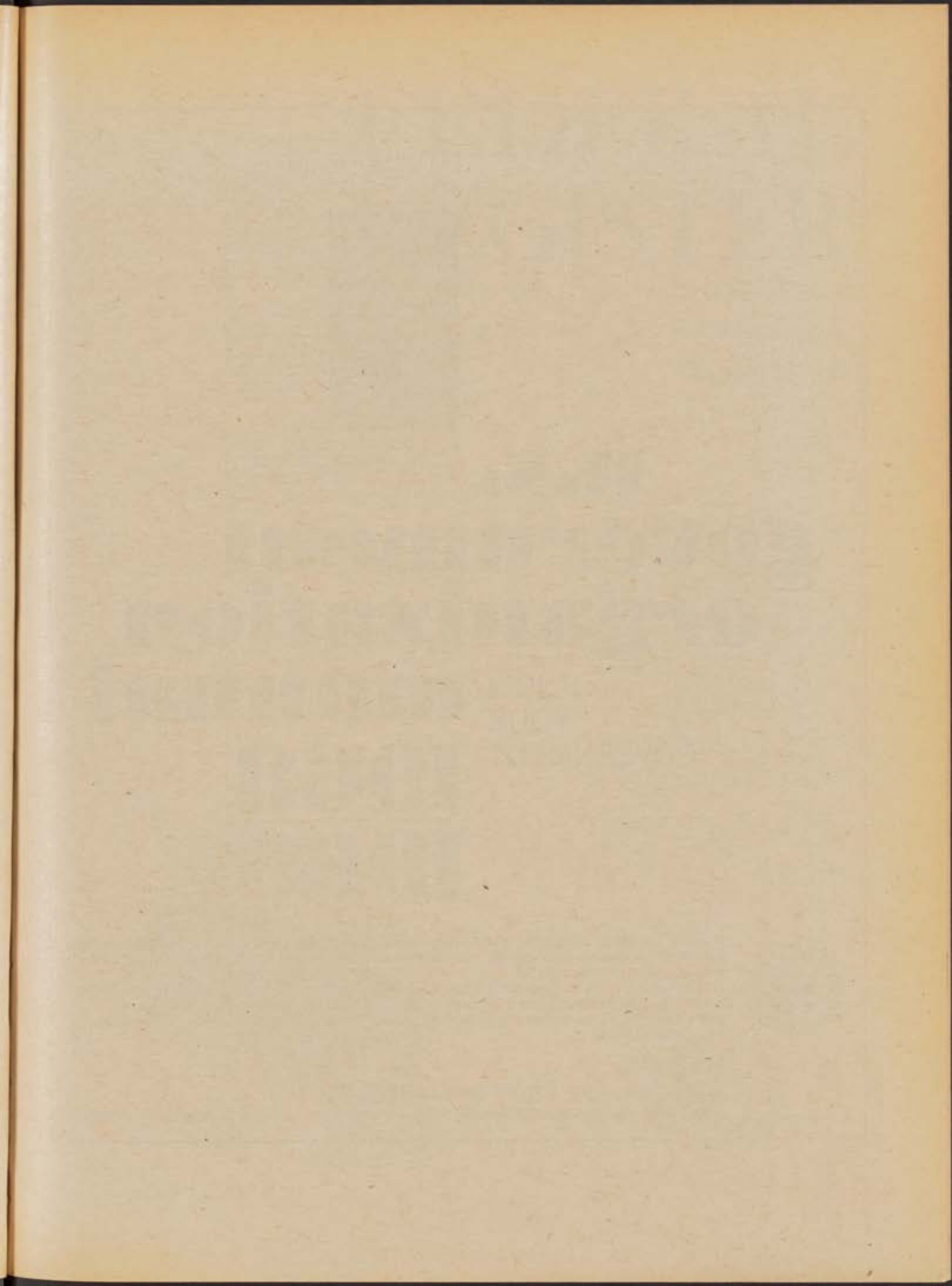

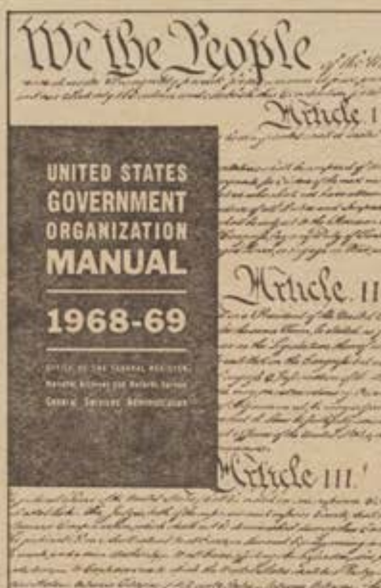

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