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Civil Aeronautics Board
Commodity Credit Corporation
Consumer and Marketing Service
Emergency Preparedness Office
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Power Commission
Fiscal Service
Food and Drug Administration
Immigration and Naturalization Service
Internal Revenue Service
International Commerce Bureau
Interstate Commerce Commission
Land Management Bureau
Maritime Administration
National Bureau of Standards
Packers and Stockyards Administration
Securities and Exchange Commission
Small Business Administration
Treasury Department
Veterans Administration

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Title 7—AGRICULTURE

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

[Lemon Reg. 359]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.659 **Lemon Regulation 359.**

(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 section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 28, 1969.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period February 2, 1969, through February 8, 1969, are hereby fixed as follows:

(i) District 1: 16,740 cartons;
(ii) District 2: 84,630 cartons;
(iii) District 3: 84,630 cartons.

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

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

Dated: January 30, 1969.

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

[F.R. Doc. 69–1434; Filed, Jan. 31, 1969; 8:50 a.m.]

[Grapefruit Reg. 21]

PART 913—GRAPEFRUIT GROWN IN THE INTERIOR DISTRICT IN FLORIDA

Limitation of Handling

§ 913.321 **Grapefruit Regulation 21.**

(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 913 (7 CFR Part 913; 30 F.R. 15204), regulating the handling of grapefruit grown in the Interior District 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 and information submitted by the Interior Grapefruit Marketing Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Interior grapefruit, and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee; and information concerning such provisions and effective time has been disseminated among handlers of such Interior grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 28, 1969.

(b) *Order.* (1) The quantity of grapefruit grown in the Interior District which may be handled during the period February 3, 1969, through February 9, 1969, is hereby fixed at 200,000 standard packed boxes.

(2) As used in this section, "handled," "Interior District," "grapefruit," and "standard packed box" have the same meaning as when used in said marketing agreement and order.

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

Dated: January 29, 1969.

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

[F.R. Doc. 69–1357; Filed, Jan. 31, 1969; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs., 1968 Crop Rye Supp., Amdt. 1]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1968 Crop Rye Loan and Purchase Program

SUPPORT RATES

Correction

In F.R. Doc. 68–14806 appearing at page 18432 in the issue of Thursday, December 12, 1968, the following correction

should be made: In § 1421.2865(b) under the center heading "Idaho", the entry in the "Rate per bushel—To" column opposite "Benewah" County should read "1.14".

Title 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 214—NONIMMIGRANT CLASSES

PART 238—CONTRACTS WITH TRANSPORTATION LINES

Requirements for Admission, Extension, and Maintenance of Status; Preinspection Outside the United States

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

1. The first sentence of paragraph (a) *General* of § 214.1 *Requirements for admission, extension, and maintenance of status* is amended to read as follows: "Every nonimmigrant alien applicant for admission or extension of stay in the United States shall establish that he is admissible to the United States or that a ground of inadmissibility has been waived under section 212(d)(3) of the Act; present a passport upon admission and only when requested in connection with an extension of stay, valid for the period set forth in section 212(a)(26) of the Act, except as otherwise provided in this chapter, and, upon admission, a valid visa, except when either or both documents have been waived; agree that he will abide by all the terms and conditions of his admission or extension, and that he will depart at the expiration of the period of his admission or extension or on abandonment of his authorized nonimmigrant status; and post a bond on Form I-352 in the sum of not less than $500 if required by the district director, special inquiry officer, or the Board of Immigration Appeals at the time of admission or extension, to insure the maintenance of the alien's nonimmigrant status and his departure from the United States."

2. The listing of transportation lines under "At Bermuda" of § 238.4 *Preinspection outside the United States* is amended by adding in alphabetical sequence the following transportation line to the listing: "Northeast Airlines, Inc.;" and under "At Montreal," by adding in alphabetical sequence the following transportation line to the listing: "Wardair Canada Ltd."

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

This order shall be effective on the date of its publication in the FEDERAL REGISTER. Compliance with the provisions of 5 U.S.C. 553 as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the amendment to § 214.1(a) confers a benefit upon persons affected thereby and the amendment to § 238.4 adds two transportation lines to the listings.

Dated: January 27, 1969.

RAYMOND F. FARRELL,
Commissioner of Immigration and Naturalization.

[F.R. Doc. 69-1321; Filed, Jan. 31, 1969; 8:45 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 97—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Administrative Instructions Prescribing Commuted Travel Time Allowances

Pursuant to the authority conferred upon the Director of the Animal Health Division by § 97.1 of the regulations concerning overtime services relating to imports and exports, effective July 31, 1966 (9 CFR 97.1), administrative instructions (9 CFR 97.2) effective July 30, 1963, as amended May 18, 1964 (29 F.R. 6318), December 7, 1964 (29 F.R. 16316), April 12, 1965 (30 F.R. 4609), June 18, 1965 (30 F.R. 7893), June 7, 1966 (31 F.R. 8020), October 11, 1966 (31 F.R. 13114), November 1, 1966 (31 F.R. 13939), November 23, 1966 (31 F.R. 14826), February 14, 1967 (32 F.R. 20843), April 15, 1967 (32 F.R. 6021), August 26, 1967 (32 F.R. 12441), September 29, 1967 (32 F.R. 13650), February 9, 1968 (33 F.R. 2756), March 7, 1968 (33 F.R. 4248), July 13, 1968 (33 F.R. 10085), July 31, 1968 (33 F.R. 10839), August 15, 1968 (33 F.R. 11587), September 25, 1968 (33 F.R. 14399), November 8, 1968 (33 F.R. 16382), and December 14, 1968 (33 F.R. 18573), prescribing the commuted travel time that shall be included in each period of overtime or holiday duty, are hereby amended by adding to or deleting from the respective "lists" therein as follows:

OUTSIDE METROPOLITAN AREA

THREE HOURS

Add: Dulles International Airport (served from Orleans, Va.).

FIVE HOURS

Add: Port of Sweetgrass, Mont. (served from Great Falls, Mont.).
Add: Port of Raymond, Mont. (served from Wolf Point, Mont.).

These commuted travel time periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Animal Health Division.

It is to the benefit of the public that these instructions be made effective at the earliest practicable date. Accordingly, pursuant to 5 U.S.C. 553, it is found upon good cause that notice and public procedure on these instructions are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making these instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(64 Stat. 561; 7 U.S.C. 2260)

This amendment shall become effective upon publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 29th day of January 1969.

G. H. WISE,
Acting Director, Animal Health Division, Agricultural Research Service.

[F.R. Doc. 69-1355; Filed, Jan. 31, 1969; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 69-SO-8]

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

Alteration of Control Zone and Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Goldsboro, N.C., control zone and transition area.

The Goldsboro control zone is described in § 71.171 (33 F.R. 2058) and the Goldsboro transition area is described in § 71.181 (33 F.R. 2137 and 2627).

In the descriptions, extensions are predicated on the Seymour Johnson VOR 256° radial. The instrument approach procedures which required these extensions will be canceled concurrent with the decommissioning of the Seymour Johnson VOR, effective April 3, 1969. Accordingly, it is necessary to alter the descriptions by revoking the extensions predicated on the Seymour Johnson VOR.

Since this amendment is less restrictive in nature and imposes no additional burden on the public, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit processing and publication, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is

amended, effective 0901 G.m.t., April 3, 1969, as hereinafter set forth.

In § 71.171 (33 F.R. 2058), the Goldsboro, N.C., control zone is amended as follows: "* * * within 2 miles each side of the 256° radial of the Seymour Johnson VOR, extending from the 5-mile radius zone to 8 miles west of the VOR * * *" is deleted from the present description.

In § 71.181 (33 F.R. 2137), the Goldsboro, N.C., transition area (33 F.R. 2627) is amended as follows: "* * * within 2 miles each side of the Seymour Johnson VOR 256° radial, extending from the 9-mile radius area to 12 miles west of the VOR * * *" is deleted from the present description.

(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 January 24, 1969.

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

[F.R. Doc. 69-1323; Filed, Jan. 31, 1969; 8:45 a.m.]

[Airspace Docket No. 69-SW-3]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Hope, Ark., transition area.

On March 29, 1968, a final rule was published in the FEDERAL REGISTER (33 F.R. 5143) designating the Hope, Ark., transition area, effective May 23, 1968.

On September 25, 1968, a final rule was published in the FEDERAL REGISTER (33 F.R. 14403) altering the airspace description of the Hope, Ark., transition area, effective November 14, 1968, to provide controlled airspace for aircraft executing a new instrument approach procedure proposed for Hope Municipal Airport, predicted on the Hope RBN, a privately owned facility. The sponsor subsequently abandoned plans to install the facility. Therefore, the requirement for controlled airspace predicated on the RBN no longer exists.

Since this amendment lessens the burden on the public, notice and public procedures hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as herein set forth.

In § 71.181 (33 F.R. 2137, 5143, 14403), the Hope, Ark., transition area is amended to read:

HOPE, ARK.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Hope Municipal Airport (lat. 33°43'06" N., long. 93°39'30" W.); and within 2 miles each side of the Texarkana VORTAC 058° radial extending from the 6-mile radius area to 17 miles northeast of the Texarkana VORTAC.

(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 Fort Worth, Tex., on January 23, 1969.

A. L. COULTER,
Acting Director, Southwest Region.

[F.R. Doc. 69-1324; Filed, Jan. 31, 1969; 8:45 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[11th Gen. Rev. of Export Regs., Amdt. 17]

PART 384—GENERAL ORDERS

Exports of Copper, January–June 1969

Part 384 of the Code of Federal Regulations is amended to read as follows:

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487, 3 CFR 1959–1963 Comp.; E.O. 11038, 27 F.R. 7003, 3 CFR 1959–1963 Comp.)

Effective date: January 29, 1969.

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

Short supply controls on exports of copper scrap and cooper-base alloy ingots to Canada were announced on December 31, 1968, and implementing regulations were published in 34 F.R. 132, January 4, 1969. These regulations indicated that the method of allocating quotas would be announced in a future publication. This document announces the basis on which the Office of Export Control will license the commodities for export to Canada during the January–June 1969 period.

Accordingly, the export regulations are amended as follows:

Section 384.7 is hereby amended by adding paragraphs (e) and (f) to read as follows:

§ 384.7 Exports of copper, January–June 1969.

* * * * *

(e) *Division of quota.* (1) The export quota will be divided among exporters in accordance with the volume of outstanding export orders calling for delivery in the first half of calendar year 1969. From the evidence on hand in the Office of Export Control, it appears that the aggregate quantity of outstanding export orders will exceed the export quota. Under these circumstances, each exporter's share of the quota will be less than his volume of outstanding export orders.

(2) For purposes of this section, an outstanding export order shall include the following features: (i) It provides for the export of copper scrap or copper-base alloy ingots from the United States to Canada during the period January 1–June 30, 1969; (ii) it is dated on or before December 31, 1968; (iii) it has not been canceled by either party to the transaction; and (iv) the copper described on the order had not been exported by midnight January 3, 1969.

(3) Each exporter who wishes to qualify for a share of the quota shall submit to the Office of Export Control (Attention: 862), U.S. Department of Commerce, Washington, D.C. 20230, no later than February 11, 1969, a written statement setting forth the aggregate quantity of scrap and ingots, in copper content short tons, covered by his outstanding export orders. The statement shall be accompanied by a copy of each such order. In the event a written order was not received by the exporter, a certification from the Canadian purchaser shall be submitted setting forth the details of the order, such as, the quantity of copper scrap or copper-base alloy ingots ordered, date of order, whether the order has been canceled, etc.

(f) *Filing of applications.* In order to expedite the issuance of export licenses, applications for licenses covering these exports should be submitted together with the copies of the outstanding export orders described in this section.

[F.R. Doc. 69-1339; Filed, Jan. 31, 1969; 8:46 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 34-8508]

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

Net Capital Requirements for Brokers and Dealers

On September 13, 1968, in Securities Exchange Act Release No. 8405 (33 F.R. 14377) the Commission published a proposal to amend Rule 15c3-1 (17 CFR 240.15c3-1) under the Securities Exchange Act of 1934. Rule 15c3-1 imposes specified financial responsibility requirements on brokers and dealers. The proposed amendments to the rule would require a broker or dealer in computing his net capital to deduct from net worth 10 percent of the amount he is to receive for any security he has sold and failed to deliver for 40 days or more, up to 50 days; to deduct from net worth 20 percent of the amount he is to receive for a security he has sold and failed to deliver for a period from 50 days up to 60 days; and to deduct 30 percent of the amount to be received for a security sold but not delivered for 60 days or more. The proposed amendments would also withdraw the exemption provided for in paragraph (b)(2) of Rule 15c3-1 (17 CFR 240.15c3-1(b)(2)) now available to members of specified national securities

exchanges, if the financial responsibility rules of such exchanges fail to require in the computation of net capital deductions from net worth which are at least comparable. The action would be taken under the provisions of the Securities Exchange Act of 1934, particularly sections 15(c)(3) and 23(a) thereof.

The Commission has expressed great concern over the acute delivery backlogs confronting the securities industry, including the difficulties some broker-dealers are experiencing in carrying out their responsibilities to customers to deliver securities and money promptly. This current condition respecting delays in deliveries of securities to customers by selling broker-dealers is in large part a reflection of the failure of other brokers and dealers to deliver these securities which they owe to the selling broker-dealers. The long length of time in which amounts due are carried in the "failed to deliver" accounts of the various broker-dealers exposes them to undue risk of market fluctuations in the securities as well as to the possibility of financial difficulties of the broker on the other side of the transaction. The New York Stock Exchange, the American Stock Exchange and the Mid-West Stock Exchange, in recognition of these risks, have adopted rules on computing net capital of their members which require similar deductions from net worth of the same percentages as in the proposed amendment.

The Commission has carefully considered all the comments that have been received, and in view of the present serious nature of brokers' and dealers' operational and back-office problems has decided to adopt the amendments in the form stated below. It should be emphasized that the impact of the proposed amendments can be eliminated or lessened by a broker or dealer refraining from selling a security unless he has reasonable assurance that certificates are either in his possession or are obtainable within a reasonable time, or by electing to "buy in" the securities, in situations where another broker-dealer is failing to deliver to him.

The effective date of the amendments that have been adopted will be March 6, 1969. This is to afford brokers and dealers sufficient time to make the necessary preparation to comply with the rule as amended.

Statutory basis. The Securities and Exchange Commission, acting pursuant to the provisions of the Securities Exchange Act of 1934, and particularly Sections 15(c)(3) and 23(a) thereof, deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to provide safeguards with respect to the financial responsibility of brokers and dealers, and also deeming such action necessary for the execution of the functions vested in the Commission by the Act, hereby amends Rule 15c3-1 (§ 240.15c3-1 of this chapter) as stated below, effective March 6, 1969.

Commission action. I. Subparagraph (2) of paragraph (b) of § 240.15c3-1 of Chapter II of Title 17 of the Code of Federal Regulations is hereby amended by adding the following additional language at the end thereof: "This exemption shall not be available to the members of any exchange whose capital rules do not provide that in the computation of net capital there shall be a deduction of not less than 10 percent of the contract price of each item in the securities failed to deliver account which is outstanding 40 to 49 calendar days; 20 percent of the contract price of each item in the securities failed to deliver account which is outstanding 50 to 59 calendar days; and 30 percent of the contract price of each item in the securities failed to deliver account which is outstanding 60 or more calendar days."

II. Subparagraph (2) of paragraph (c) of § 240.15c3-1 of Chapter II of Title 17 of the Code of Federal Regulations is hereby amended by adding a new subdivision (ix).

As so amended, § 240.15c3-1 of this chapter reads as follows:

§ 240.15c3-1 Net capital requirements for brokers and dealers.

* * * * *

(b) * * *

(2) * * * This exemption shall not be available to the members of any exchange whose capital rules do not provide that in the computation of net capital there shall be a deduction of not less than 10 percent of the contract price of each item in the securities failed to deliver account which is outstanding 40 to 49 calendar days; 20 percent of the contract price of each item in the securities failed to deliver account which is outstanding 50 to 59 calendar days; and 30 percent of the contract price of each item in the securities failed to deliver account which is outstanding 60 or more calendar days.

(c) * * *

(2) * * *

(ix) deducting 10 percent of the contract price of each item in the securities failed to deliver account which is outstanding 40 to 49 calendar days; deducting 20 percent of the contract price of each item in the securities failed to deliver account which is outstanding 50 to 59 calendar days; and deducting 30 percent of the contract price of each item in the securities failed to deliver account which is outstanding 60 or more calendar days.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

JANUARY 30, 1969.

[F.R. Doc. 69-1458; Filed, Jan. 31, 1969; 10:15 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 45—OLEOMARGARINE, MARGARINE

Confirmation of Effective Date of Order Amending Identity Standard To List Liquid, Dried, and Condensed Forms of Sweet Cream Buttermilk as Optional Ingredients

In the matter of amending the identity standard for oleomargarine, margarine (21 CFR 45.1) to list as optional ingredients sweet cream buttermilk and its dried and condensed forms:

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 November 28, 1968 (33 F.R. 17751). Accordingly, the amendments promulagted by that order will become effective January 27, 1969.

Dated: January 23, 1969.

J. K. KIRK,
Associate Comissioner for Compliance.

[F.R. Doc. 69-1360; Filed, Jan. 31, 1969; 8:48 a.m.]

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

Insecticide Mixture

A petition (PP 9F0745) was filed with the Food and Drug Administration by the Chevron Chemical Co., 940 Hensley Street, Richmond, Calif. 94804, proposing the establishment of tolerances for negligible residues of an insecticide that is a mixture of 75 percent *m*-(1-methylbutyl)phenyl methylcarbamate and 25 percent *m*-(1-ethylpropyl)phenyl methylcarbamate in or on the raw agricultural commodities corn fodder and forage and corn grain at 0.05 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 Commisioner of Food and Drugs concludes that:

1. Since the proposed usage is not reasonably expected to result in residues of the pesticide occurring in the edible

tissues and byproducts of poultry or animals fed the above-named commodities, tolerances are unnecessary regarding meat, milk, eggs, or poultry. The usage is classified in the category specified in § 120.6(a)(3).

2. 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), Part 120 is amended as follows:

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

§ 120.3 **Tolerances for related pesticide chemicals.**

* * * * *

(e) * * *

(5) * * *

m-(1-Ethylpropyl)phenyl		methylcarbamate.

* * * * *

m-(1-Methylbutyl)phenyl		methylcarbamate.

* * * * *

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

§ 120.255 ***m*-(1-Methylbutyl)phenyl methylcarbamate and *m*-(1-ethylpropyl)phenyl methylcarbamate; tolerances for residues.**

Tolerances are established for negligible residues of an insecticide that is a mixture consisting of 75 percent *m*-(1-methylbutyl)phenyl methylcarbamate and 25 percent *m*-(1-ethylpropyl)phenyl methylcarbamate in or on the raw agricultural commodities corn grain and corn fodder and forage at 0.05 part per million (such tolerances to cover residues of both components).

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: January 23, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-1361; Filed, Jan. 31, 1969; 8:48 a.m.]

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

O-Ethyl S-Phenyl Ethylphosphonodithioate

A petition (PP 9F0760) was filed with the Food and Drug Administration by Stauffer Chemical Co., 1200 South 47th Street, Richmond, Calif. 94804, proposing the establishment of a tolerance of 0.1 part per million for negligible residues of the insecticide *O*-ethyl *S*-phenyl ethylphosphonodithioate including its oxygen analog (*O*-ethyl *S*-phenyl ethylphosphonothiolate) in or on the raw agricultural commodity group root crop vegetables.

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:

1. Since the proposed usage is not reasonably expected to result in residues of the pesticide occurring in the edible tissues and byproducts of poultry or animals fed such root crop vegetables, tolerances are unnecessary regarding meat, milk, eggs, or poultry. The usage is classified in the category specified in § 120.6(a)(3).

2. 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), § 120.221 is revised to read as follows:

§ 120.221 ***O*-Ethyl *S*-phenyl ethylphosphonodithioate; tolerances for residues.**

Tolerances are established for negligible residues of the insecticide *O*-ethyl *S*-phenyl ethylphosphonodithioate including its oxygen analog (*O*-ethyl *S*-phenyl ethylphosphonothiolate) in or on the raw agricultural commodities asparagus, fresh corn including sweet corn (kernels plus cob with husk removed), corn grain (includes popcorn), corn forage or fodder (including sweet corn, field corn, and popcorn) peanuts, peanut hay, root crop vegetables, and suger beet tops at 0.1 part per million.

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: January 23, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-1362; Filed, Jan. 31, 1969; 8:48 a.m.]

PART 121—FOOD ADDITIVES

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

ANTIOXIDANTS AND/OR STABILIZERS FOR POLYMERS

The Comissioner of Food and Drugs, having evaluated the data in a petition (FAP 9B2328) filed by Carlisle Chemical Works, Inc., West Street, Reading, Ohio 45215, and other relevant material, concludes that the food additive regulations should be amended to provide for the use of an additional optional substance (identified below) as an antioxidant and/or stabilizer in polymers used in the manufacture of articles for food-contact use. 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), § 121.2566(b) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2566 **Antioxidants and/or stabilizers for polymers.**

* * * * *

(b) * * *

	Limitations
• • •	• • •
Dimyristyl thiodipropionate having a melting point of 48°–50° C. as determined by ASTM Method E–324 and a saponification equivalent in the range 280–290 as determined by ASTM Method D–1962.	Finished food-contact articles containing this additive shall meet the extractives limitations prescribed in § 121.2526(c).
• • •	• • •

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: January 23, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69–1363; Filed, Jan. 31, 1969; 8:48 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER E—ALCOHOL, TOBACCO, AND OTHER EXCISE TAXES

[T.D. 7002]

MISCELLANEOUS AMENDMENT TO SUBCHAPTER

On December 27, 1968, a notice of proposed rule making to amend 26 CFR Parts 186, 194, 201, 251, and 252 was published in the FEDERAL REGISTER (33 F.R. 19834). In accordance with the notice, interested persons were afforded an opportunity to submit written comments or suggestions pertaining thereto. After consideration of all relevant matter presented and further study of the proposed amendments, the regulations in 26 CFR Parts 186, 194, 201, 251, and 252 as so published, including the correction published in the FEDERAL REGISTER (34 F.R. 260), are hereby adopted, subject to the following changes.

PARAGRAPH 1. The need for amendment of § 186.1 no longer exists. Therefore, the proposed changes set forth in paragraph A1 of the notice are deleted; and § 186.1 will not be amended.

PAR. 2. Paragraph A2 is changed to refer to specific gravity hydrometers instead of Brix saccharometers. As changed, paragraph A2 reads as set forth below. Also as amended and added §§ 186.21, 186.24a, and 186.24b read as set forth below.

PAR. 3. Paragraph A3 is changed by revising paragraph (a) of § 186.31. As revised, paragraph (a) of § 186.31 reads as set forth below.

PAR. 4. Paragraph A4 is changed by revising paragraph (b) of § 186.41. As revised, paragraph (b) of § 186.41 reads as set forth below.

PAR. 5. The need for new §§ 186.68 and 186.69 and for Tables 8 and 9 no longer exists. Therefore, paragraph A6 and proposed Tables 8 and 9 immediately following paragraph A6 are deleted.

PAR. 6. Paragraph C3 is changed by inserting in paragraph (a)(4) of § 201.43 the words ", if any," immediately following the phrase "name of the customs warehouse".

PAR. 7. Paragraph C7 is changed to read as set forth below. Also as amended § 201.246 reads as set forth below.

PAR. 8. Paragraph C9 is changed to redesignate proposed § 201.312c as § 201.312d, to add a new § 201.312c, and to change text in § 201.312 and redesignated § 201.312d. As changed, the introductory language in paragraph C9 and §§ 201.312, 201.312c, and 201.312d read as set forth below. Also as amended and added §§ 201.312, 201.312a, 201.312b, 201.312c, and 201.312d read as set forth below.

PAR. 9. Paragraph D is amended by inserting a new paragraph 1a to read as set forth below. Also as amended § 251.172 reads as set forth below.

PAR. 10. Paragraph D2 is changed by changing item (b) of § 251.173 to read "Customs port of entry and entry numbers,".

PAR. 11. Paragraph E14 is changed by revising § 252.195a with respect to Form 179. As revised § 252.195a reads as set forth below.

Because this Treasury decision implements and effectuates changes made in chapter 51 of the Internal Revenue Code by Public Law 90–630 (82 Stat. 1328) which become effective on February 1, 1969, it is hereby found that it is impracticable and contrary to the public interest to issue this Treasury decision subject to the effective date limitation of 5 U.S.C. 553(d). Accordingly, this Treasury decision shall become effective February 1, 1969.

(Sec. 7805, Internal Revenue Code, 68A Stat. 917; 26 U.S.C. 7805)

[SEAL] WILLIAM H. SMITH,
Acting Commissioner of Internal Revenue.

LESTER D. JOHNSON,
Commissioner of Customs.

Approved: January 29, 1969.

WILLIAM F. HELLMUTH, JR.,
Acting Assistant Secretary of the Treasury.

In order to implement the provisions of Public Law 90–630 which amended the Internal Revenue Code by (a) providing for tax relief in the case of distilled spirits withdrawn from bond on payment or determination of tax for rectification or bottling and lost by reason of flood, fire, or other disaster before removal from the premises of the distilled spirits plant to which removed from bond; (b) deleting the requirement that distilled spirits be bottled or packaged especially for export with benefit of drawback and providing that the claim for drawback may be filed only by the bottler or packager of the spirits; and (c) permitting the transfer of imported distilled spirits, regardless of proof, in bulk containers from customs custody to internal revenue bond without payment of the internal revenue tax; the regulations in 26 CFR Parts 186, 194, 201, 251, and 252 are amended as follows:

PART 186—GAUGING MANUAL

PARAGRAPH A. 26 CFR Part 186 is amended as follows:

2. Section 186.21 is amended and new sections, §§ 186.24a and 186.24b, are added immediately following § 186.24, with respect to precision grade specific gravity hydrometers to be furnished by proprietors and maintained in the custody of internal revenue officers. As amended and added, §§ 186.21, 186.24a, and 186.24b read as follows:

§ 186.21 General requirements.

Internal revenue officers shall use only hydrometers and thermometers furnished by the Government: *Provided*, That where this part requires the use of a specific gravity hydrometer, internal revenue officers shall use precision grade specific gravity hydrometers conforming to the provisions of § 186.24a, furnished by the proprietor: *Provided further*, That the Director may authorize internal revenue officers to use (a) other instruments approved by the Director as being equally satisfactory for determination of specific gravity, or (b) as prescribed in § 186.25, other approved gauging instruments of unusual or costly design furnished by the proprietor. From time to time internal revenue officers shall verify the accuracy of hydrometers and thermometers used by proprietors. The proof of distilled spirits and rectified products shall be determined by the use

of gauging instruments as prescribed in this part.

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.24a Specific gravity hydrometers.

The specific gravity hydrometers furnished by proprietors to internal revenue officers shall conform to the specifications of the American Society for Testing Materials or the National Bureau of Standards for such instruments. Such specific gravity hydrometers shall be of a precision grade, standardization temperature 60°/60° F., and provided in the following ranges and subdivisions:

Range	Subdivision
1.0000 to 1.0500	0.0005
1.0500 to 1.1000	0.0005
1.1000 to 1.1500	0.0005
1.1500 to 1.2000	0.0005
1.2000 to 1.2500	0.0005

No instrument shall be in error by more than 0.0005° specific gravity. A certificate of accuracy prepared by the instrument manufacturer for the instrument shall be furnished to the assigned officer.

§ 186.24b Use of precision specific gravity hydrometers.

The provisions of § 186.23 respecting the care, handling, and use of precision instruments shall be followed with respect to the care, handling, and use of precision grade specific gravity hydrometers. Specific gravity hydrometers shall be read to the nearest subdivision. Because of temperature density relationships and the selection of the standardization temperature of 60°/60° F., the specific gravity readings will be greater at temperatures below 60° F. and less at temperatures above 60° F. Hence, correction of the specific gravity reading will be made for temperatures other than 60° F. Such correction may be ascertained by dividing the specific gravity hydrometer reading by the applicable correction factor in Table 7.

Example: The specific gravity hydrometer reading is 1.1525, the thermometer reading is 68° F., and the true proof of the spirits is 115 degrees. The correct specific gravity reading will be ascertained as follows:

(a) From Table 7, the correction factor for 115° proof at 68° F. is 0.996.

(b) 1.1525÷0.996=1.1571, the corrected specific gravity.

(72 Stat. 1358; 26 U.S.C. 5204)

3. Paragraph (a) of § 186.31 is amended to prescribe procedures to be used in determining the proof of spirits gauged for withdrawal from bond. As amended, paragraph (a) of § 186.31 reads as follows:

§ 186.31 Determination of proof.

* * * * *

(a) The proof of spirits in bond shall be determined by the use of a hydrometer and a thermometer in accordance with the provisions of §§ 186.23 and 186.24 except that (1) if such spirits contain solids in excess of 400 milligrams but not in excess of 600 milligrams per 100 milliliters at guage proof, there shall be added to the proof so determined the obscuration determined as prescribed in § 186.32, or (2) if such spirits contain solids in excess of 600 milligrams per 100 milliliters at guage proof, the proof shall be determined on the basis of true proof determined by the distillation or laboratory method prescribed in paragraph (f) (2) or (3), respectively, of this section.

* * * * *

(72 Stat. 1357, 1358, 1362; 26 U.S.C. 5202, 5204, 5211)

4. Sections 186.41 and 186.43, and paragraphs (a) and (d) of § 186.44 are amended to prescribe procedures for quantitative determinations of spirits having high solids content. As amended, §§ 186.41 and 186.43 and paragraphs (a) and (d) of § 186.44 read as follows:

§ 186.41 Bulk spirits.

When spirits (including denatured spirits) are to be gauged by weight in bulk quantities, the weight shall be determined by means of weighing tanks, mounted on accurate scales. Before each use, the scales shall be balanced at zero load; thereupon the spirits shall be run into the weighing tank and proofed as prescribed in § 186.31: *Provided*, That where the spirits are to be reduced in proof as authorized by this chapter, the spirits shall be so reduced before final determination of the proof. The scales shall then be brought to a balanced condition and the weight of the spirits determined by reading the beam to the nearest graduation mark. From the weight and the proof thus ascertained, the quantity of the spirits in proof gallons shall be determined by reference to table No. 4: *Provided*, That in the case of spirits which contain solids in excess of 600 milligrams per 100 milliliters, the quantity in proof gallons shall be determined by first ascertaining the wine gallons per pound of the spirits and multiplying the wine gallons per pound by the weight, in pounds, of the spirits being gauged and by the true proof (determined as prescribed in § 186.31) and dividing the result by 100. The wine gallons per pound of spirits containing solids in excess of 600 milligrams per 100 milliliters shall be ascertained by:

(a) Use of a precision hydrometer and thermometer, in accordance with the provisions of § 186.23, to determine the apparent proof of the spirits (if the specific gravity at the temperature of the spirits is not more than 1.0) and reference to table No. 4 for the wine gallons per pound, or

(b) Use of a specific gravity hydrometer, in accordance with the provisions of § 186.24b, to determine the specific gravity of the spirits (if the specific gravity at the temperature of the spirits is more than 1.0) and dividing that specific gravity (corrected to 60° F.) into the factor 0.120074 (the wine gallons per pound for water at 60° F.).

When it is desired to withdraw a portion of the contents of a weighing tank, the difference between the quantity (ascertained by proofing and weighing) in the tank immediately before the removal of the spirits and the quantity (ascertained by proofing and weighing) in the tank immediately after the removal of the spirits shall be the quantity considered to be withdrawn.

(72 Stat. 1357, 1358; 26 U.S.C. 5202, 5204)

§ 186.43 Packaged spirits.

When the quantity of spirits (including denatured spirits when gauged by weight) in packages, such as barrels, drums, and similar portable containers, is to be determined by gauge of the individual packages, such quantity shall, except as provided in paragraph (b) of this section, be determined by weighing each package on an accurate weighing beam or platform scale having a beam or dial showing weight in pounds and half pounds, where packages having a capacity in excess of 10 wine gallons are to be gauged, or in pounds and ounces, or pounds and hundredths of a pound, where packages designed to hold 10 wine gallons or less are to be gauged. In either case the tare must be determined and subtracted from the gross weight to obtain the net weight. From the proof and weight ascertained, the quantity of the spirits in proof gallons shall be determined by reference to Table 2, 3, or 4: *Provided*, That, where the spirits contain solids in excess of 600 milligrams per 100 milliliters, the proof gallons shall be determined as prescribed for such spirits in § 186.41. Notwithstanding the provisions of this section or of § 186.44, (a) gross weights and tares of packages being filled need not be taken in any case where the gauge of the spirits is not derived from such weights under the gauging procedure being utilized, and (b) meters or other devices or other methods may be used for determining the quantity of spirits in individual packages, where such meter, device, or other method has been approved by the Director under the provisions of Part 201 of this chapter.

(72 Stat. 1357, 1358, 1362; 26 U.S.C. 5202, 5204, 5211)

§ 186.44 Entry or filling gauge for packages.

(a) *General.* The spirits in the tank from which the packages are to be filled shall be thoroughly agitated before taking the proof. The proof determined (as prescribed in § 186.31) after such agitation shall be regarded as the proof of the spirits run into all packages filled from the tank. No package which contains or has on its interior or exterior any substance which will prevent the correct ascertainment of tare shall be used. The tare or weight of empty packages shall be determined immediately prior to filling, except that the tare of a number of packages may be ascertained before any are filled but not exceeding the number which are to be filled on the same or the following day. An average tare (rounded to the nearest half pound, as described in section 186.45 for wooden packages) may be ascertained and used for metal packages of the same kind and capacity produced by the same manufacturer which are to be filled with spirits for industrial use, or with denatured spirits, by weighing not less than 20 percent of any lot of such packages. Not less than two packages shall be weighed to determine

the average tare of any lot of five metal packages to be filled. The tares shall be recorded on the gauge report at the time they are ascertained. Whenever there is a change in the specifications as to capacity and weight of cooperage, the proprietor shall give notice to the internal revenue officer. When the packages have been filled, the gross weight of each will be ascertained. The wine gallon (if desired) and proof gallon contents may be determined from the proofs and the net weights of the packages, by the use of Table 2, 3, or 4, whichever is applicable: *Provided*, That, where the spirits contain solids in excess of 600 milligrams per 100 milliliters, the wine gallon and proof gallon contents shall be determined as prescribed for such spirits in § 186.41.

* * * * *

(d) *Packages of other proofs or sizes.* Where packages of proofs or sizes not shown above are to be filled, the following rule may be used for ascertaining the weight of the spirits to be placed in the package: Divide the number of gallons representing the quantity of spirits to be placed in the container by the fractional part of a gallon equivalent to 1 pound, to obtain the weight of the spirits in pounds and fractions of a pound to two decimal places. Reduce the decimal fraction of a pound to ounces by multiplying by 16, calling any fraction of an ounce a whole ounce. The pounds and ounces thus obtained will determine the point to which the spirits must be weighed to produce the results desired. If it is required to mark the weight on the package in pounds and decimal fractions of a pound, it will be necessary to convert the ounces to hundredths of a pound. The fraction of a gallon equivalent to 1 pound at any given proof shall be ascertained by reference to Table No. 4: *Provided*, That, where the spirits contain solids in excess of 600 milligrams per 100 milliliters, the fraction of a gallon equivalent to 1 pound shall be determined as prescribed for such spirits in § 186.41.

Example. It is desired to fill a 1-gallon can with precisely 1 wine gallon of 194 proof spirits:
1.00 divided by 0.14866 = 6.73 pounds.
0.73 multiplied by 16 = 11.68 ounces, rounded to 12 ounces.
Weight of spirits—6 pounds, 12 ounces.
Weight, if required, to be marked on can—6.75 pounds.

(72 Stat. 1357, 1358, 1362; 26 U.S.C. 5202, 5204, 5211)

§ 186.45 [Amended]

5. The next to the last sentence of § 186.45 is amended to include a proviso. As amended, the sentence reads "From the proofs and the net weights of the packages, the wine gallon (if desired) and the proof gallon contents shall be determined by the use of table 2: *Provided*, That where the spirits contain solids in excess of 600 milligrams per 100 milliliters, the wine gallon and proof gallon contents shall be determined as prescribed for such spirits in § 186.41."

PART 194—LIQUOR DEALERS

PAR. B. 26 CFR Part 194 is amended as follows:

1. Section 194.281 is amended to modify the conditions under which distilled spirits may be exported subject to drawback. As amended, § 194.281 reads as follows:

§ 194.281 General.

A State, or political subdivision thereof, or a person holding a wholesale liquor dealer's basic permit issued pursuant to 27 CFR Part 1 may export bottled tax-paid distilled spirits with benefit of drawback to the extent provided in 26 CFR 252.171 of this chapter. The overprinting of stamps, restamping of bottles, marking of cases, preparation of notice of shipment on Form 1582, the removal and exportation of such distilled spirits, and the filing of claims by the bottler of the spirits shall be in accordance with the applicable provisions of Part 201 and Part 252 of this chapter.

§ 194.282 [Deleted]

2. Section 194.282 is deleted.

3. Section 194.283 is amended to delete the reference to export storage and the requirement that a separate summary on Form 338 be prepared to cover export storage transactions. As amended, § 194.283 reads as follows:

§ 194.283 Records.

The provisions of Subpart O of this part regarding records and reports relating to liquors for domestic use are hereby extended to export transactions permitted under the provisions of this subpart.

PART 201—DISTILLED SPIRITS PLANTS

PAR. C. 26 CFR Part 201 is amended as follows:

1. Section 201.25 is amended by adding a new paragraph (f) to read as follows:

§ 201.25 Persons liable for tax.

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(f) *Withdrawal from customs custody without payment of tax.* Section 5232(a), I.R.C., provides that when imported distilled spirits in bulk containers are withdrawn from customs custody and transferred to the bonded premises of a distilled spirits plant without payment of the internal revenue tax imposed on imported distilled spirits by section 5001, I.R.C., the person operating the bonded premises of the distilled spirits plant to which such spirits are transferred shall become liable for the tax on the spirits upon their release from customs custody, and the importer shall thereupon be relieved of his liability for such tax.

(72 Stat. 1318, 82 Stat. 1328; 26 U.S.C. 5005, 5232)

2. A new section, § 201.26a, is added to provide special rules for determining date of original entry for certain spirits. As added, § 201.26a reads as follows:

§ 201.26a Special rules for date of original entry.

For purposes of this part, the "date of original entry" of spirits of 190 degrees or more of proof which are reduced in bond to a proof below 190 degrees (either by reduction with water or by mingling with other spirits of less than 190 degrees of proof) shall be the date of such reduction, and the "date of original entry" for imported spirits of less than 190 degrees of proof (transferred to bonded premises pursuant to section 5232, I.R.C., or similar provisions of prior law) shall be the date of the Form 236 pursuant to which such spirits are released from customs custody for transfer to and deposit in storage in internal revenue bond.

3. Paragraph (a)(4) of § 201.43 is amended to add a parenthetical statement pertaining to imported spirits. As amended, paragraph (a)(4) of § 201.43 reads as follows:

§ 201.43 Claims in respect of spirits lost or destroyed in bond.

(a) *Claims for remission.* * * *

(4) Name, number, and address of the plant from which withdrawn without payment of tax or removed for transfer in bond (if claim involves spirits so withdrawn or removed) and date and purpose of such withdrawal or removal, except that in the case of imported spirits lost or destroyed while being transferred from customs custody to internal revenue bond as provided in § 201.312, the name of the customs warehouse, if any, and port of entry will be given instead of the plant name, number, and address;

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(72 Stat. 1323; 26 U.S.C. 5008)

4. Paragraph (c) of § 201.45 is amended to extend loss allowance provisions to cover distilled spirits lost by flood, fire, or other disaster after bottling or casing or other packaging but before removal from the premises of the distilled spirits plant to which removed from bond. As amended, paragraph (c) of § 201.45 reads as follows:

§ 201.45 Claims relating to spirits lost or destroyed after tax determination.

* * * * *

(c) *Claims relating to losses of spirits withdrawn for rectification or bottling, by reason of accident, flood, fire, or other disaster.* Claims for abatement, credit, or refund of tax under this part, relating to spirits withdrawn for rectification or bottling and lost due to accident, flood, fire, or other disaster, shall be filed with the assistant regional commissioner by the proprietor who withdrew the spirits. The claim shall contain the information required under § 201.43(a) (1), (2), (3), (5), and (6) and, in addition, shall state (1) the date of determination of the tax (if claim is for refund or credit); (2) the date of assessment of the tax (if claim is for abatement); (3) whether or not the claimant is indemnified or recompensed for the tax, and if so, the extent and nature of such indemnification or recompense; (4) whether the claim covers tax on spirits withdrawn

from bond by the claimant on payment or determination of tax for removal to bottling premises for rectification or bottling; and (5) whether the spirits covered by the claim were lost due to accident while being removed from bond to bottling premises, or due to flood, fire, or other disaster before removal from the premises of his distilled spirits plant. Supporting statements as provided in § 201.484 shall be submitted with such claims.

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(72 Stat. 1323, as amended; 26 U.S.C. 5008)

5. Section 201.92 is amended to revise the first sentence. As amended, § 201.92 reads as follows:

§ 201.92 Quantity determination of spirits in bond.

Where spirits in bond are gauged for determination of tax, or are gauged in packages, the quantity shall be determined by weight and proof pursuant to the provisions of Part 186 of this chapter. In all other instances where spirits are gauged in bond, or are gauged for transfer in bond or for withdrawal from bond free of tax or without payment of tax, unless a determination by weight (or by another method approved by the assistant regional commissioner) is required by this part, the quantity may be determined by volume.

(72 Stat. 1396; 26 U.S.C. 5559)

§ 201.175a [Amended]

6. The last sentence of paragraph (a) of § 201.175a is amended to read "No application on Form 2610 filed under this section shall be approved if, at the time the change is to be effected, any spirits would be on the portion of the premises to be excluded or included: *Provided*, That, on release by customs, (i) tax-determined spirits may remain on premises to be reincluded in bottling premises, and (ii) spirits being transferred to bonded premises under section 5232, I.R.C., may remain on premises to be reincluded in bonded premises."

7. Section 201.246 is amended to include the use of Brix saccharometers for measuring the amount of solids in spirits. As amended, § 201.246 reads as follows:

§ 201.246 Measuring devices and proofing instruments.

The proprietor shall provide the necessary measuring tanks, weighing tanks, scales, and meters or other measuring devices which have been approved by the Director, for weighing or measuring materials, spirits (including denatured spirits), and denaturants. Where scales or weighing tanks are provided, the proprietor must furnish the internal revenue officer with a set of ten 50-pound cast-iron weights, certified by (a) the National Bureau of Standards, (b) a State department of weights and measures, or (c) a responsible scale company as conforming to class "C" requirements of the National Bureau of Standards. Where spirits which have a high solids content (a specific gravity of more than 1.0 at the temperature of the spirits) are to be gauged, the proprietor shall provide the internal revenue officer with such precision grade specific gravity hydrometers, prescribed in Part 186 of this chapter, as may be necessary to gauge such spirits. Where test weights or specific gravity hydrometers are furnished they shall be under the custody of the assigned officer when not in use. The proprietor shall provide, for his own use, accurate hydrometers, thermometers, and other necessary equipment for determining proof or volume.

(72 Stat. 1358; 26 U.S.C. 5204)

8. Section 201.294 is amended to revise the last sentence. As amended, § 201.294 reads as follows:

§ 201.294 Filling of packages from tanks.

Spirits (including denatured spirits) may be drawn into packages from tanks in the storage facilities on bonded premises. The spirits in the tank shall be gauged prior to the filling of packages, and when only a portion of the contents of the tank is packaged, the spirits remaining in the tank on completion of packaging shall again be gauged. The provisions of § 201.269 regarding the taking of production gauge of packages and preparation of gauge reports shall be applicable to the gauging of packages of spirits filled under this section. Except in the case of spirits of 190 degrees or more of proof, the gauge report shall be noted to show the date of original entry for deposit and, for domestic spirits only, the proof of distillation.

(72 Stat. 1356, 1357; 26 U.S.C. 5201, 5202)

9. Section 201.312 is amended and new sections, §§ 201.312a, 201.312b, 201.312c, and 201.312d are added, immediately following § 201.312, with respect to imported spirits. As amended and added, §§ 201.312, 201.312a, 201.312b, 201.312c, and 201.312d read as follows:

§ 201.312 Importation of spirits.

The proprietor may withdraw from customs custody, without payment of the internal revenue tax imposed on imported spirits by section 5001, I.R.C., imported spirits in bulk containers and transfer such spirits to his bonded premises in such bulk containers or by pipeline. A proprietor intending to receive imported spirits from customs custody shall obtain an approved application, Form 2609, in the manner provided in § 251.172 of this chapter: *Provided*, That an application on Form 2609, to receive imported spirits of less than 185 degrees of proof, shall not be approved unless the proprietor has filed a consent of surety on Form 1533 to extend the terms of his existing bond, Form 2601, if such bond was in effect before February 1, 1969. The consent shall contain a statement of purpose as follows:

To continue in effect said bond (including all extensions or limitations of terms and conditions previously consented to and approved), notwithstanding that the principal may from time to time withdraw imported spirits of less than 185 degrees of proof from customs custody under the provisions of 26 U.S.C. 5232.

Imported spirits transferred to bonded premises, as provided in this section, (a) may not be bottled in bond under section 5233, I.R.C., (b) may be redistilled or denatured only if of 185 degrees or more of proof, and (c) may be withdrawn for any purpose authorized by chapter 51, I.R.C., in the same manner as domestic spirits. Imported spirits shall be kept separate at the bonded premises and shall not be mixed with domestic spirits or with other imported spirits, except as follows: Imported spirits (1) may, if of 185 degrees or more of proof, be mingled with domestic spirits or with other such imported spirits if the mingled spirits are to be immediately denatured, (2) may, if eligible under § 201.296, be mingled with other imported spirts similarly eligible which have been duty paid at the same rate, (3) may, if imported as beverage spirits, be mingled with heterogeneous spirits if the mingled spirits are for immediate removal to bottling premises exclusively for use in taxable rectification, and (4) may, if eligible under § 201.297, be mingled with other distilled spirits similarly eligible: *Provided*, That if the spirits to be so mingled have been treated, compounded, or blended prior to importation, the proprietor must establish to the satisfaction of the assistant regional commissioner that the spirits to be mingled were treated, compounded, or blended at the same foreign plant by the same person, are of the same formulation, and are in fact homogeneous: *Provided further*, That the preceding proviso shall not be applicable to the mingling of spirits of the same kind, imported under the same customs entry, and treated, compounded, blended, or produced at the same foreign plant by the same person. Imported spirits shall not be filled into packages, or subjected to treatment, which would modify the taste, aroma, or other characteristics generally attributed to that class and type of spirits. The provisions of this section with respect to the separation from other spirits and of §§ 201.312a and 201.312b are applicable to imported spirits received on bonded premises under this section, whether or not redistilled. Imported spirits to be redistilled shall be appropriately identified on Form 2625.

(72 Stat. 1367, 82 Stat. 1328; 26 U.S.C. 5234, 5232)

§ 201.312a Transfers and withdrawals of imported spirits.

Imported spirits transferred to internal revenue bond under section 5232, I.R.C., may, under the provisions of Subpart L of this part, be transferred in bond or withdrawn from bond for any purpose authorized by chapter 51, I.R.C., in the same manner as domestic distilled spirits. If imported spirits are transferred in bond, Form 236 shall show the rates of duty specified by the customs officer at the time of release from customs custody. All transfer and withdrawal forms (for example, Forms 179, 236, 2630) shall be marked with the designation "IMPORTED."

§ 201.312b Markings for containers of imported spirits.

Each tank, bulk conveyance, or similar container in which imported spirits are transferred from customs custody to bonded premises, stored in bond, transferred in bond, or withdrawn from bond on tax determination shall be marked with the word "IMPORTED." Each package of imported spirits shall, when received on bonded premises under the provisions of § 201.312, or when filled on bonded premises, be marked with:

(a) The name of the importer;
(b) The country of origin;
(c) The kind of spirits;
(d) The package serial number;
(e) The date of original entry of the spirits;
(f) The date filled, if filled on bonded premises;
(g) The proof; and
(h) The wine gallons of spirits in the package.

Packages of imported spirits received from customs custody shall be assigned a serial number (in the manner provided in § 201.514 but in a separate series), preceded by the symbol "IMP" and identification of the plant, for example, "IMP–12–IND–1". Packages of imported spirits filled from storage tanks shall be numbered as provided in § 201.514 and the serial number (and distinguishing prefix) shall be preceded by the symbol "IMP." The proprietor who files Form 2609 to receive packages of imported spirits under the provisions of § 201.312 shall be responsible for having the required marks placed on such packages. Serial numbers assigned under the provisions of this section to packages of spirits received from customs custody shall be recorded on the deposit Forms 236 and 2630 by the proprietor who filed the Form 2609 to receive the spirits.

(72 Stat. 1360; 26 U.S.C. 5206)

§ 201.312c Exceptions to specifications for package marking requirements.

The package marks prescribed by § 201.312b shall be placed on each package of imported spirits received from customs custody in the manner required by § 201.515, except in the circumstances, and under the conditions, set out in paragraph (a) or (b) of this section.

(a) *Temporary marks.* Pursuant to written application, in triplicate, the assistant regional commissioner may authorize the proprietor to place the prescribed marks on each such package by temporary means, such as by use of a suitable card securely affixed to the head of the package by tacks, staples, or adhesives where, within 30 calendar days after receipt from customs custody, the temporarily marked packages will be dumped into a tank for storage or for tax determination, or will be withdrawn from bond in such packages on determination of tax for removal to, and dumping at, bottling premises on or contiguous to the distilled spirits plant at which received from customs custody. Packages not dumped or removed as provided in this paragraph within the time prescribed must be promptly marked in the manner required by § 201.515.

(b) *Waiver of marking.* Pursuant to written application, in triplicate, the assistant regional commissioner may waive the placing of prescribed marks on such packages where the packages will, no later than the close of the workday next succeeding the date of receipt, be dumped into a tank for storage or for tax determination, or will be withdrawn from bond in such packages on determination of tax for removal to, and be dumped at, bottling premises on or contiguous to the distilled spirits plant at which received from customs custody. Packages not dumped or removed as provided in this paragraph within the time prescribed must be promptly marked in the manner required by § 201.515 unless the assistant regional commissioner authorizes the use of temporary marks under the provisions of paragraph (a) of this section.

The provisions of this section shall not be construed to waive, or authorize the waiver of, the requirements of this part for the assigning of serial numbers or for the recording of such serial numbers and related information on transaction forms, records, or reports.

(72 Stat. 1360; 26 U.S.C. 5206)

§ 201.312d Solids content of spirits.

In the case of imported spirits (except alcohol, gin, vodka, and similar spirits containing no added solids) transferred to bonded premises pursuant to section 5232, I.R.C., or similar provisions of prior law, the proprietor shall, before completion of the gauge for tax determination, furnish the assigned officer a statement, executed under the penalties of perjury, as to the solids content of such spirits. If the solids content of the spirits is not more than 400 milligrams, or is in excess of 600 milligrams, per 100 milliliters, the solids content may be stated as: "Solids content not in excess of 400 milligrams per 100 milliliters" or "Solids content in excess of 600 milligrams per 100 milliliters" as the case may be. If the spirits contain solids in excess of 400 milligrams but not in excess of 600 milligrams per 100 milliliters, the actual solids content of the spirits, expressed in milligrams per 100 milliliters, shall be stated. The solids content of the spirits in each package need not be determined if the solids content of individual samples from 10 percent, but not less than two, of the packages, in a particular lot of the same kind of spirits, in the same kind of packages, and produced or blended by the same person, do not vary by more than 50 milligrams. Selection of the packages to be sampled shall be by the assigned officer. At the time of tax determination, the proprietor, under the direct supervision of an assigned officer, shall determine the true proof for all imported spirits having a solids content in excess of 600 milligrams per 100 milliliters. Determinations of the solids content and true proof of imported spirits made by the proprietor may be tested through analysis at a Government laboratory of samples taken by the assigned officer.

(72 Stat. 1357, 1358; 26 U.S.C. 5202, 5204)

10. Section 201.351 is amended to rearrange the text and to delete the requirement that spirits which are to be exported with benefit of drawback and which were not originally bottled for exportation shall be rebottled unless such spirits have not been removed from the premises where bottled. As amended, § 201.351 reads as follows:

§ 201.351 Domestic spirits for exportation.

Pursuant to the provisions of this subpart spirits bottled in bond for domestic use may be rebottled, relabeled, or restamped for exportation (as the case may be) in compliance with the requirements for spirits bottled in bond for exportation. Such spirits, if rebottled, may be reduced to not less than 80 degrees of proof as provided in § 201.326. Spirits rebottled, relabeled, or restamped under the provisions of this section may, as provided in Subpart L of this part, be withdrawn (a) without payment of tax for exportation, or (b) taxpaid (unless previously taxpaid) and withdrawn for exportation with benefit of drawback.

(72 Stat. 1362, 1366; 26 U.S.C. 5214, 5233)

11. Paragraph (a)(1) of § 201.368 is amended to provide that Forms 1620 and 2630 shall show the name of the importer, if applicable. As amended, paragraph (a)(1) of § 201.368 reads as follows:

§ 201.368 Consignor premises.

(a) *General.* (1) Form 236 shall be prepared by the consignor proprietor to cover the transfer of spirits or denatured spirits in bond, pursuant to an approved application on Form 2609. In the case of denatured spirits, Form 236 shall be prepared as a notice of shipment. In the case of spirits, Form 236 shall be prepared as an application to the assigned officer for approval of the release. When spirits in packages are to be transferred, the consignor shall also prepare Form 2630, and when spirits in cases or in encased containers are to be transferred, he shall prepare Form 1620. Except as otherwise provided herein, a Form 236 (with Form 2630, or 1620, as applicable) shall be prepared for each conveyance. Each Form 1620 and Form 2630 shall show the real name (or the basic operating name as provided in § 201.235) of the producer (or the name of the importer in the case of imported spirits or the name of the packaging or bottling proprietor in the case of spirits of 190 degrees of proof or more) and, if the spirits were produced under a trade name, shall also show the trade name under which produced. A separate Form 1620 or Form 2630 shall be prepared for each name under which spirits were produced. Spirits shall not be removed from the bonded premises until Form 236, with Form 2630 or 1620, as applicable (or, as authorized in subparagraph (2) of this paragraph, an authorized shipment and delivery order), has been submitted to the assigned officer and his approval received

for the release of the spirits. In the case of pipeline transfers of spirits, the assigned officer shall not unlock the pipeline until he has approved the Form 236. On completion of lading (or completion of transfer by pipeline), the proprietor shall execute his certificate of removal on all copies of Form 236, and dispose of the forms in accordance with the instructions on Form 236.

* * * * *

(72 Stat. 1362; 26 U.S.C. 5212)

12. Section 201.373 is amended to provide that the date of original deposit of imported spirits shall be shown on Form 2630. As amended, § 201.373 reads as follows:

§ 201.373 Packages.

When spirits in packages are to be withdrawn from bonded premises on determination of tax on the basis of individual package gauge, each package shall be gauged unless the tax is to be determined on the original gauge. When the packages are to be withdrawn on the original gauge the proprietor shall prepare Form 2630 and deliver the form to the assigned officer with Form 179. If spirits in wooden packages are to be gauged for tax determination, the proprietor shall complete only the heading of Form 2630 and insert the serial number and entry tare (if such tare has been taken) of each package before delivery of the form, and Form 179, to the assigned officer for gauge of the packages by such officer. The proprietor shall gauge (under the direct supervision of an assigned officer), and report on Form 2630, metal packages to be tax determined on other than the original gauge and deliver such form, and Form 179, to the assigned officer. Spirits in wooden packages filled from storage tanks for tax determination shall be gauged and reported on Form 2630 by an assigned officer on receipt of Form 179; metal packages so filled shall be gauged (under the direct supervision of an assigned officer) and reported on Form 2630 by the proprietor, and the proprietor shall deliver Form 2630 to such officer with Form 179. In the case of spirits of less than 190 degrees of proof, the date of original entry, and, for domestic spirits only, the proof of distillation, shall be shown on Form 2630. In the case of spirits mingled pursuant to section 5234(a)(1)(C), I.R.C. (homogeneous spirits), the dates of original entry of the oldest and the youngest spirits in the mingled spirits shall be shown. On completion of gauge (if any) and computation of tax, the assigned officer will return Form 179 and Form 2630 to the proprietor.

(72 Stat. 1358, 1362; 26 U.S.C. 5204, 5213)

13. Section 201.376 is amended to revise the first sentence. As amended, § 201.376 reads as follows:

§ 201.376 Imported spirits.

When spirits imported for nonbeverage purposes (transferred to bonded premises pursuant to section 5232, I.R.C., or similar provisions of prior law) are withdrawn for beverage purposes, there shall be paid, in addition to the internal revenue tax imposed by section 5001, I.R.C., a tax equal to the duty which would have been paid had the spirits been imported for beverage purposes, less the duty already paid thereon. The additional tax shall be referred to as "additional tax—less duty", and shall be paid at the time and in the manner that the basic internal revenue tax is paid. The total quantity in proof gallons (or wine gallons if below proof) withdrawn shall be the basis of computing the tax at the rates indicated. The amount of the "additional tax—less duty" shall be stated separately and identified as such on Form 179.

(72 Stat. 1314; 26 U.S.C. 5001)

14. Paragraphs (c) and (d) of § 201.432 are amended to delete the requirement that where spirits are bottled or packaged especially for export with benefit of drawback, an additional copy of each related Form 122 shall be prepared and forwarded to the assistant regional commissioner, and to make a technical change. As amended, paragraphs (c) and (d) of § 201.432 read as follows:

§ 201.432 Record of use.

* * * * *

(c) *Disposition of Form 122.* After the proprietor has indicated on Form 122 his intentions to dump spirits or wines or to prepare a batch of rectified spirits, as the case may be, he may proceed with the operation covered by the form; he shall keep the required entries on Form 122 current with the operations covered by such form. When the proprietor has completed all entries required on the form he shall submit one copy to the assigned officer and retain the remaining copy for his files.

(d) *Substitute record.* The proprietor, subject to the approval of the assistant regional commissioner, may use another form of record in lieu of Form 122 to record batches of rectified spirits. In such case, Form 122 shall be used to record dumping of all spirits whether or not the spirits are to be used immediately in preparing a batch of a rectified product. Application to use substitute records shall be filed in the manner as provided in § 201.628(c).

(72 Stat. 1370; 26 U.S.C. 5251)

15. Section 201.455 is amended to delete the requirement that all copies of Forms 2637 covering spirits bottled or packaged especially for export with benefit of drawback be so marked, and that one additional copy of the form be prepared. As amended, § 201.455 reads as follows:

§ 201.455 Bottling tank gauge.

In the case of spirits or wines to be bottled or packaged without rectification the proprietor shall, on completion of any filtering, reduction, or other treatment, and prior to commencement of bottling or packaging, make an actual gauge of the product. Rectified products to be bottled or packaged on bottling premises shall be gauged as provided in § 201.448. Any gauge made under this section shall be made at bottling proof in the tank from which the product is to be bottled or packaged, and the details of the gauge shall be entered on Form 2637. One copy of Form 2637 shall thereupon be attached to the bottling tank.

(72 Stat. 1356; 26 U.S.C. 5201)

16. Section 201.460 is amended to remove the requirement that the assistant regional commissioner be furnished the additional copy of Form 2637 covering spirits bottled or packaged especially for export with benefit of drawback. As amended, § 201.460 reads as follows:

§ 201.460 Completion of bottling.

When the contents of a bottling tank are not completely bottled at the close of the day, the bottler shall make entries on Form 2637 (not later than the morning of the following business day), covering the total quantity bottled that day from the tank. He may elect to make such daily entries only on the original of the form but shall complete the bottling tank copy when the tank has been emptied. When the tank has been emptied, he shall complete the Form 2637 and shall deliver the original to the assigned officer, by placing it on his desk, and file the copy.

(72 Stat. 1356; 26 U.S.C. 5201)

§ 201.468 [Deleted]

17. Section 201.468 is deleted.

18. Section 201.469 is amended to delete the requirement that spirits bottled for domestic use may be exported without rebottling only if the spirits have not left the premises of the original bottler, and the requirement that, at the time of exportation, certified copies of the batch record and bottling record be furnished the assistant regional commissioner, and to make an editorial change. As amended, § 201.469 reads as follows:

§ 201.469 Spirits not originally intended for export.

Taxpaid spirits, manufactured or produced in the United States, originally intended for domestic use may be exported with benefit of drawback if:

(a) The red strip stamp affixed to each bottle is legibly overprinted with the word "Export" by means of a rubber stamp or other suitable method; and

(b) Each case is marked as required by Part 252 of this chapter.

The proprietor may relabel the spirits to show any of the information provided for in § 201.467. Where the proprietor desires to file claim for drawback on spirits prepared for export under this section, the provisions of § 252.195a of this chapter shall be followed.

(72 Stat. 1336, as amended, 1358; 26 U.S.C. 5062, 5205)

19. Section 201.482 is amended to extend loss allowance provisions to cover distilled spirits lost by flood, fire, or other disaster after bottling or casing or other packaging but before removal from the premises of the distilled spirits plant to which removed from bond. As amended, § 201.482 reads as follows:

§ 201.482 Allowable losses.

Where spirits withdrawn from internal revenue or customs bond on payment or determination of tax for rectification or bottling are lost, the tax imposed on such spirits under section 5001(a)(1), I.R.C., may be abated, remitted, or, without interest, refunded or credited to the proprietor who so withdrew the spirits for removal to his bottling premises, if it is established to the satisfaction of the assistant regional commissioner that:

(a) Such loss occurred (1) by reason of accident while being removed from bond to bottling premises, or (2) by reason of flood, fire, or other disaster before removal from the premises of the distilled spirits plant to which removed from bond, or

(b) Such loss occurred before the completion of the bottling and casing or other packaging of the spirits for removal from the bottling premises to which removed from bond by reason of, and was incident to, authorized rectifying, packaging, bottling, or casing operations (including losses by leakage or evaporation occurring during removal from bond to the bottling premises and during storage on bottling premises pending rectification or bottling).

Abatement, remission, credit, or refund of tax shall not be made in respect of the losses described in this section to the extent that the claimant is indemnified or recompensed for the tax, and in the case of the losses described under paragraph (b) of this section, abatement, remission, credit, or refund shall not be made in excess of the limitations set forth in this subpart. No allowance is made in section 5008(c), I.R.C., in respect to loss of spirits by theft. Spirits lost by theft in transit to, or while on, bottling premises shall be reflected as losses by theft in the records and reports prepared by the proprietor but shall be excluded from the quantities for which claims are filed pursuant to section 5008(c), I.R.C. Spirits used up in bona fide analysis and testing on bottling premises shall be considered as lost by reason of, and incident to, authorized operations within the meaning of this section. Spirits removed as samples from the bottling premises before completion of bottling and casing or other packaging of such spirits for removal from the bottling premises shall be reflected as proprietor samples or Government samples in the records and reports prepared by the proprietor, and shall be excluded from the quantities for which claims are filed pursuant to section 5008(c), I.R.C.

(72 Stat. 1323, as amended; 26 U.S.C. 5008)

20. Paragraphs (a) and (b) of § 201.541 are amended to provide that where bottled-in-bond spirits, originally intended for domestic use, are to be exported with benefit of drawback, the green strip stamp shall be overprinted with the word "Export", and to delete the reference to spirits bottled especially for export with benefit of drawback. As amended, paragraphs (a) and (b) of § 201.541 read as follows:

§ 201.541 General.

(a) *Spirits bottled in bond.* Every bottle of spirits bottled in bond pursuant to the provisions of section 5233, I.R.C., and Subpart K of this part shall, when filled, be stamped by the proprietor with a prescribed bottled-in-bond strip stamp evidencing the bottling of such spirits in bond. The prescribed stamp is serially numbered (except stamps of less than ½-pint denomination), and shows (1) that the spirits were bottled in bond under supervision of the U.S. Government, (2) the quantity of spirits in the container, and (3), except for export stamps, the proof of the spirits. Green strip stamps are prescribed for spirits bottled in bond for domestic use, and blue for export. Blue export strip stamps, applied to bottles of spirits bottled in bond for export with benefit of drawback, shall be overprinted with the word "DRAWBACK." Where bottled-in-bond spirits, originally intended for domestic use, are to be exported with benefit of drawback, the word "EXPORT" shall be overprinted on the green strip stamp.

(b) *Spirits bottled on bottling premises.* Every bottle or other immediate container of less than five wine gallons of taxpaid spirits filled on bottling premises for removal therefrom shall, when filled, be stamped by the proprietor with a prescribed red strip stamp, evidencing the determination of tax or indicating compliance with the provisions of chapter 51, I.R.C., and this part. The prescribed stamps shall be issued in a standard size, serially numbered, for bottles or containers of ½-pint capacity or more and in a small size for bottles or containers of less than ½-pint capacity. Where spirits are to be exported with benefit of drawback, the word "EXPORT" shall be overprinted on the red strip stamp.

* * * * *

(72 Stat. 1358, 1369; 26 U.S.C. 5205, 5235)

21. Paragraph (d) of § 201.581 is amended by inserting the word "eligible" immediately following the word "If". As amended, paragraph (d) of § 201.581 reads as follows:

§ 201.581 Return of taxpaid spirits to bonded premises.

* * * * *

(d) If eligible to be redistilled at the same or at another plant, mingled with other spirits for immediate redistillation.

* * * * *

(72 Stat. 1364, as amended; 26 U.S.C. 5215)

22. Paragraph (b) of § 201.607 is amended to provide that labels for samples of imported spirits show the word "IMPORTED". As amended, paragraph (b) of § 201.607 reads as follows:

§ 201.607 Label.

* * * * *

(b) The kind of spirits (and for imported spirits, the word "IMPORTED");

* * * * *

(72 Stat. 1362, 1382; 26 U.S.C. 5214, 5373)

23. The text following paragraph (1) of § 201.623 is amended to revise the first two sentences. As amended, the text in § 201.623 following paragraph (1) reads as follows:

§ 201.623 Daily bottling premises records.

* * * * *

(1) * * *

The records required by paragraph (a) of this section shall also show the name and plant number of the producer or rectifier (bonded warehouseman in the case of blended beverage rums or brandies or spirits of 190 degrees or more of proof received from storage facilities) for domestic spirits, the name of the importer and the country of origin for imported spirits, and the name and address of the producer of wines and alcoholic flavoring materials. In addition to the above requirements separate records shall be maintained for spirits entered into the closed system (under the provisions of § 201.487) for the production of gin or vodka and the spirits removed therefrom; alcoholic flavoring materials which, under § 201.424, must be procured direct from the manufacturer and covered by an affidavit from him, shall be distinguished in the records from other alcoholic flavoring materials; and spirits stamped and marked, or restamped and marked (if in cases) or marked (if in packages) for exportation with benefit of drawback, shall be appropriately identified in the records. Where proprietors' copies of prescribed transaction forms reflect details of the transactions required by this section, such copies may constitute the records of such details required under this section.

(72 Stat. 1361; 26 U.S.C. 5207)

24. Paragraph (a) of § 201.628 and § 201.629 are amended to provide record requirements for imported spirits. As amended, paragraph (a) of § 201.628 and § 201.629 read as follows:

§ 201.628 Record of spirits in storage.

(a) *Records covering deposits.* The proprietor's copies of forms (for example, Forms 236, 1620, 2323, 2630) covering (1) deposit in bonded storage of spirits received from production facilities, from other bonded premises, from customs custody, or by return to bond under Subpart S of this part, (2) packages filled from tanks and retained in bonded storage, (3) cases of spirits returned to the storage portion of the warehouse after bottling, (4) spirits retained in tanks after mingling or blending, and (5) spirits of less than 190 degrees of proof transferred from one tank to another, shall be filed by the proprietor as permanent records. Before filing such forms, he shall enter the date of deposit of the spirits in the warehouse at the bottom of each form. Separate files shall be maintained for spirits in packages and in cases, and such files shall be arranged by producers (by warehousemen in the case of blended rums or brandies, and spirits of 190 degrees or more of proof, and by the warehouseman who received

the spirits from customs custody in the case of imported spirits), in chronological order according to the date of deposit in the warehouse, and, where possible, in sequence by serial numbers of packages or cases. In addition, separate files shall be maintained for spirits which have been mingled under § 201.301 and for spirits which have not been so mingled. (For the purposes of records under this section spirits produced under trade names shall be treated as being produced under the real name of the producer.) Also, files, arranged by producers, in the case of domestic spirits, and by bonded warehouse proprietors who received the spirits from customs custody, in the case of imported spirits, shall be maintained for spirits of less than 190 degrees of proof in storage tanks, with a separate file for each tank of spirits. Where two or more lots of spirits of less than 190 degrees of proof are deposited in the same storage tank, the forms covering deposits in each tank shall be arranged chronologically according to the date of original entry for deposit in bonded storage of each lot of spirits. In the case of spirits of 190 degrees or more of proof deposited in storage tanks, the proprietor shall maintain a consolidated file of deposit forms for all tanks of all such domestic spirits and a separate consolidated file of deposit forms for all tanks of all such imported spirits.

* * * * *

(72 Stat. 1361; 26 U.S.C. 5207)

§ 201.629 **Summary of deposits and withdrawals, Form 1621.**

Each bonded warehouse proprietor shall keep current summary accounts on Form 1621 of all spirits entered into, withdrawn from, and remaining in his warehouse. The record of spirits of less than 190 degrees of proof shall be arranged alphabetically by States and (a) numerically by producers according to plant number within each State (spirits produced under trade names, for the purpose of this record, shall be treated as being produced under the real name of the producer), (b) in the case of blended rums or brandies numerically by bonded warehouse proprietors according to plant number within each State, or (c) in the case of imported spirits, numerically by plant number of the bonded warehouse proprietor who received the spirits from customs custody. Separate sheets shall be used for each kind of spirits of less than 190 degrees of proof, for each season's production in the case of domestic spirits, for each season's deposits in internal revenue bond in the case of imported spirits, for each kind of container, and for spirits mingled under § 201.301 and spirits not so mingled. Separate warehouse summary accounts for domestic spirits and for imported spirits shall be maintained showing separately for packages, cases, and storage tanks (including tank cars and tank trucks) the total deposits and withdrawals by kinds of spirits and the total deposits and withdrawals of all kinds of spirits; each account covering packages or cases shall show the number of packages or cases, and the total tax gallons therein, and each account covering a tank shall show the total tax gallons. A separate account shall be maintained for each storage tank containing spirits of less than 190 degrees of proof, showing all deposits in, and withdrawals from, the tank. Losses determined at the time a tank is emptied or at the time of the month-end inventory required by § 201.311, shall be entered on the form. In the case of spirits of 190 degrees or more of proof the proprietor shall keep separate summaries on Form 1621 for such spirits in packages, in cases, and in tanks (including tank cars and tank trucks) showing the number of packages and of cases and the tax gallons therein, and the total tax gallons in tanks; separate summaries shall be kept for domestic spirits and for imported spirits.

(72 Stat. 1361; 26 U.S.C. 5207)

25. Paragraph (a) of § 201.634 is amended to provide that domestic and imported spirits be reported separately on Form 332. As amended, paragraph (a) of § 201.634 reads as follows:

§ 201.634 **Semiannual reports.**

(a) *Form 332.* As of the close of business June 30, and December 31, of each year, each proprietor of a bonded warehouse shall prepare, on Form 332, in duplicate, a statement by kind, season, and year of production, of spirits in his bonded warehouse. A separate Form 332 shall be prepared for spirits which have been mingled under § 201.301 and for spirits which have not been so mingled. Spirits of 190 degrees or more of proof (on which a record of age is not kept) shall be reported as a single item on Form 332; however, the quantity of such domestic spirits and of such imported spirits shall be reported separately. Imported spirits of less than 190 degrees of proof shall be reported on a separate line, appropriately identified as "Imported," giving the total quantity of each kind of such imported spirits in the appropriate column on Form 332. The original of Form 332 shall be submitted to the assigned officer, and the copy shall be retained by the proprietor.

* * * * *

(72 Stat. 1361, 1395; 26 U.S.C. 5207, 5555)

PART 251—IMPORTATION OF DISTILLED SPIRITS, WINES, AND BEER

PAR. D. 26 CFR Part 251 is amended as follows:

1. Section 251.171 is amended to reflect statutory provisions relating to transfer of imported spirits from customs custody to internal revenue bonded premises. As amended, § 251.171 reads as follows:

§ 251.171 **General provisions.**

Imported distilled spirits in bulk containers of 5 gallons or more capacity may, under the provisions of this subpart, be withdrawn by the proprietor of a distilled spirits plant from customs custody and transferred in such bulk containers or by pipeline to the bonded premises of his plant, without payment of the internal revenue tax imposed on imported spirits by section 5001, I.R.C. Imported spirits so withdrawn and transferred to a distilled spirits plant (a) may not be bottled in bond under section 5233, I.R.C., (b) may be redistilled or denatured only if of 185 degrees or more of proof, and (c) may be withdrawn from internal revenue bond for any purpose authorized by chapter 51, Internal Revenue Code, in the same manner as domestic distilled spirits. Imported distilled spirits transferred from customs custody to the bonded premises of a distilled spirits plant under the provisions of this subpart shall be received and stored thereat, and withdrawn or transferred therefrom, subject to the applicable provisions of Part 201 of this chapter. The person operating the bonded premises of the distilled spirits plant to which imported spirits are transferred shall become liable for the tax on distilled spirits withdrawn from customs custody under section 5232, I.R.C., upon release of the spirits from customs custody, and the importer shall thereupon be relieved of his liability for such tax.

(82 Stat. 1328; 26 U.S.C. 5232)

1a. Section 251.172 is amended with respect to the preparation and distribution of Form 2609. As amended, § 251.172 reads as follows:

§ 251.172 **Application, Form 2609.**

The proprietor of a distilled spirits plant desiring to withdraw distilled spirits as authorized in § 251.171, shall for each withdrawal submit an application on Form 2609, in quadruplicate, to the internal revenue officer in charge. The application shall appropriately identify the distilled spirits to be withdrawn, and shall be modified by the applicant to cover the transfer of distilled spirits from customs custody, by naming the port of entry through which the spirits are to be withdrawn, and inserting in the "Remarks" item the name and address of the assistant regional commissioner for the region in which is located the plant to which the spirits are to be transferred. If the proprietor's bond on Form 2601 is in the maximum penal sum, or, if in less than the maximum penal sum, is sufficient to cover the tax on the spirits to be transferred in addition to all other liabilities chargeable against such bond, the internal revenue officer shall approve all copies of the Form 2609, forward one copy to the assistant regional commissioner, return the original and one copy to the proprietor and retain the remaining copy. (See § 201.312 of this chapter with respect to need for consent of surety on bond, Form 2601.) The proprietor shall forward the original of Form 2609 to the importer or other person responsible for the release of the spirits from customs custody, who shall submit the form, with the related entry for consumption or withdrawal for consumption forms, to the collector of customs from whose custody it is proposed to withdraw the distilled spirits. The proprietor shall retain the remaining copy of Form 2609.

(72 Stat. 1314, 1322, 82 Stat. 1328; 26 U.S.C. 5001, 5007, 5232)

2. Section 251.173 is amended to read as follows:

§ 251.173 Customs gauge and release.

The collector of customs will not release distilled spirits without payment of internal revenue tax until the approved Form 2609 has been received from the proprietor of the distilled spirits plant. Prior to release from customs custody, the customs officer shall prepare Form 236 (in quadruplicate, when the spirits are to be removed in packages; in quintuplicate, when the spirits are to be removed by pipeline or by bulk conveyance) appropriately modified to show:

(a) Serial number and date of the Form 2609,
(b) Customs port of entry and entry number,
(c) The consignee,
(d) Kind of spirits,
(e) The name of the importer,
(f) Country of origin (manufacture or production),
(g) Method of transfer,
(h) Elements of bulk gauge (if any),
(i) Quantity to be transferred,
(j) Customs seals used (if any),
(k) Date of release, and
(l) Signature and title of the customs officer in lieu of the proprietor.

When shipments are made in tank cars or tank trucks, the details of the gauge of each tank car or tank truck shall be reported separately. In the case of barrels, drums, or similar portable containers, the details of the gauge shall be shown on Form 2630, in triplicate. In addition, the customs officer shall ascertain and enter on each copy of Form 236 the rate of customs duty paid on the distilled spirits and, if the distilled spirits are imported for nonbeverage purposes, the rate of customs duty which would have been applicable had such spirits been imported for beverage purposes. On compliance with the requirements of customs regulations (including determination of duties due), and on completion of Form 236 (and Form 2630, where required), the customs officer shall release the spirits for transfer, retain one copy of Form 236 (and Form 2630, if any), forward one copy of Form 236 to the assistant regional commissioner (alcohol and tobacco tax) at the address shown on Form 2609, and forward the original and remaining copy (or copies) of Form 236 (and Form 2630, if any) to the internal revenue officer at the distilled spirits plant.

(72 Stat. 1314, 1322, 82 Stat. 1328; 26 U.S.C. 5001, 5007, 5232)

PART 252—EXPORTATION OF LIQUORS

PAR. E. 26 CFR Part 252 is amended as follows:

1. Section 252.11 is amended to delete the reference to export storage in the definition of proprietor. As amended, the definition of Proprietor in § 252.11 reads as follows:

§ 252.11 Meaning of terms.

* * * * *

Proprietor. The person who operates the brewery, distilled spirits plant, bonded wine cellar, taxpaid wine bottling house, or manufacturing bonded warehouse, as the case may be, referred to in this part.

* * * * *

2. Section 252.51 is amended to provide that a drawback bond will be filed with the assistant regional commissioner for the region in which the claim will be filed and to clarify existing text. As amended, § 252.51 reads as follows:

§ 252.51 General.

Every person required by this part to file a bond or consent of surety shall prepare and execute it on the prescribed form and file it with the assistant regional commissioner of the region in which is located the premises from which the withdrawal or removal of spirits or wines is made without payment of tax, or, in the case of taxpaid or tax-determined spirits or wines on which claim for drawback of tax will be filed, with the assistant regional commissioner for the region in which the claim will be filed, in accordance with the procedures of this part: *Provided*, That the procedures in Part 201, 240, or 245 of this chapter shall govern bonds given on Form 2601, 700, or 1566, respectively.

3. Section 252.65 is amended by substituting the word "claimant" for the word "exporter" as the exporter is not authorized to file a claim in all instances. As amended, § 252.65 reads as follows:

§ 252.65 Bond, Form 2738.

Whenever, under the provisions of this part, the claimant desires drawback of tax on distilled spirits or wines to be exported, laden for use on vessels or aircraft, or transferred to and deposited in a foreign-trade zone, as authorized in §§ 252.171, 252.201, and 252.211, prior to the receipt by the assistant regional commissioner of the certified copy of Form 1582, 1629, or 1582-A, as the case may be, as prescribed by this part, he shall file bond on Form 2738 with the assistant regional commissioner as provided in § 252.51. The penal sum of the bond shall be sufficient to cover the amount of drawback which will at any time constitute a charge against the bond: *Provided*, That the maximum penal sum shall not exceed $200,000, but in no case shall the penal sum be less than $1,000.

(46 Stat. 690, as amended, 48 Stat. 999, as amended, 72 Stat. 1336, as amended; 19 U.S.C. 1309, 81c, 26 U.S.C. 5062)

4. The heading of Subpart I, immediately preceding § 252.171, and § 252.171 are amended to delete the reference to bottling or packaging of spirits especially for export. Section 252.171 is further amended to insert a reference to spirits stamped, or restamped, and marked especially for export with benefit of drawback, and to specify that drawback shall be allowed to the bottler or packager of the spirits. As amended, the heading of Subpart I and § 252.171 read as follows:

Subpart I—Exportation of Distilled Spirits With Benefit of Drawback

§ 252.171 General.

Distilled spirits manufactured or produced in the United States on which an internal revenue tax has been paid or determined, and which have been stamped and marked, or restamped and marked (if in cases), or marked (if in packages), under the provisions of Part 201 of this chapter and of this part, as applicable, especially for export with benefit of drawback may, subject to this part, be:

(a) Exported;
(b) Laden for use on the vesssels or aircraft described in § 252.21; or
(c) Transferred to and deposited in a foreign-trade zone for exportation or for storage pending exportation.

On receipt by the assistant regional commissioner of required evidence of such exportation, lading for use, or transfer, there shall be allowed to the bottler (or packager) of the spirits a drawback equal in amount to the tax found to have been paid or determined on such spirits.

(46 Stat. 690, as amended, 48 Stat. 999, as amended, 72 Stat. 1336, as amended; 19 U.S.C. 1309, 81c, 26 U.S.C. 5062)

5. Section 252.175 is amended to delete the reference to spirits bottled or packaged especially for export with benefit of drawback, to modify the reference to spirits prepared especially for export with benefit of drawback, and to specify that the customs certification on Form 1583 is not required where imported spirits are withdrawn from internal revenue bond. As amended, § 252.175 reads as follows:

§ 252.175 Customs certification on Form 1583.

Where distilled spirits stamped and marked, or restamped and marked (if in cases), or marked (if in packages), especially for export with benefit of drawback are manufactured (rectified) in the United States with the use of imported spirits (other than such spirits withdrawn from internal revenue bond) or imported wines, the collector of customs at the port where the entry or withdrawal for consumption was made shall, on application in writing by the rectifier, execute a certificate on Form 1583, in triplicate, showing that the internal revenue tax has been collected on the imported spirits or wines described in the application. The collector will forward the original of Form 1583 to the assistant regional commissioner designated in the application, forward one copy to the rectifier, and retain one copy for his files.

(72 Stat. 1336, as amended; 26 U.S.C. 5062)

6. Section 252.177 is amended to delete the reference to Form 1656 and to insert a cross-reference to § 252.175. As amended, § 252.177 reads as follows:

§ 252.177 Action by assistant regional commissioner.

The assistant regional commissioner will not approve a claim for drawback, Form 1582, when the distilled spirits covered thereby are manufactured (rectified) from imported spirits or wines, until the Form 1583, if required under the provisions of § 252.175, has been received.

(72 Stat. 1336, as amended; 26 U.S.C. 5062)

§§ 252.180–252.182, 252.185–252.188 [Deleted]

7. Sections 252.180–252.182, 252.185–252.188, and the two undesignated center headings immediately preceding §§ 252.180 and 252.185 are deleted.

8. Section 252.190 is amended to (1) delete "and claim" in the section heading, and (2) change "notice of intention" to "notice of shipment", delete "from export storage", and delete the final sentence in the text. As amended, the section heading and the text of § 252.190 read as follows:

§ 252.190 Notice, Form 1582.

Notice of shipment of distilled spirits for export, for use as supplies on vessels or aircraft, or for deposit in a foreign-trade zone, shall be prepared by the exporter on Form 1582, in quadruplicate: *Provided*, That where the withdrawal is for use on aircraft, an extra copy, marked "Consignee's Copy", shall be prepared. Each Form 1582 shall be given, by the exporter, a serial number beginning with "1" for the first day of January of each year and running consecutively thereafter to December 31, inclusive.

(46 Stat. 690, as amended, 48 Stat. 999, as amended, 72 Stat. 1336, as amended; 19 U.S.C. 1309, 81c, 26 U.S.C. 5062)

§ 252.191 [Deleted]

9. Section 252.191 is deleted.

10. Section 252.192 is amended to delete the references to packaging especially for export and to export storage. As amended, § 252.192 reads as follows:

§ 252.192 Packages of distilled spirits to be gauged.

Where distilled spirits in packages are to be removed for export with benefit of drawback, the proprietor of the distilled spirits plant shall gauge the packages prior to preparation of his notice on Form 1582: *Provided*, That where inspection discloses no evidence of loss and removal is made within 30 days from the time of packaging the distilled spirits, the filling gauge shall be considered the gauge at the time of removal. The internal revenue officer at the distilled spirits plant shall supervise the gauging of the distilled spirits by such proprietor. Report of gauge shall be made by the proprietor on Form 2630, in quadruplicate (appropriately modified), and a copy of the report of gauge shall be attached to each copy of Form 1582 and considered a part thereof. The report of gauge shall be checked by the internal revenue officer by verifying the gauge of a representative number of packages, selected at random.

(72 Stat. 1336, as amended; 26 U.S.C. 5062)

11. Section 252.193 is amended to delete the reference to export storage and to change "proprietor" to "exporter." As amended, § 252.193 reads as follows:

§ 252.193 Export marks.

In addition to the marks and brands required to be placed on packages and cases at the time they are filled under the provisions of Part 201 of this chapter, the exporter shall place additional marks, as herein specified, on each such container before removal for export, for use on vessels or aircraft, or for transfer to a foreign-trade zone:

(a) "Export—Drawback Claimed"—Where the spirits are to be removed for export from the United States; or

(b) "Use on Vessels (or Aircraft)—Drawback Claimed"—Where the spirits are to be removed for use on vessels or aircraft; and

(c) Where the spirits are removed for deposit in a foreign-trade zone, in addition to and immediately following the markings prescribed in (a) above, the words "via F.T.Z. No." followed by the number of the zone.

All such markings shall be placed on the containers in the same manner and in the same area as is prescribed in Part 201 of this chapter for the affixing of the original marks.

(46 Stat. 690, as amended, 48 Stat. 999, as amended, 72 Stat. 1336, as amended; 19 U.S.C. 1309, 81c, 26 U.S.C. 5062)

§ 252.194 [Deleted]

12. Section 252.194 is deleted.

13. Section 252.195 is amended to provide that copies of Form 1582 are to be furnished to the bottler or packager for use in filing claims, rather than to the assistant regional commissioner, and to insert a reference to a new section concerning claims. As amended, § 252.195 reads as follows:

§ 252.195 Disposition of Form 1582.

The exporter shall forward or deliver the original and one copy of Form 1582 to the officer to whom the shipment is consigned, or in whose care it is shipped, as required by Subpart M of this part. Where the shipment is for delivery for use on aircraft, the copy marked "Consignee's Copy", provided for in § 252.190, shall be forwarded by the exporter to the airline company at the airport. If the exporter is not the bottler or packager of the spirits, he shall also furnish two copies of Form 1582 to the bottler or packager. To claim drawback on the distilled spirits covered thereby, the bottler (or packager) shall execute and file claim as provided in § 252.195a.

(46 Stat. 690, as amended, 48 Stat. 999, as amended, 72 Stat. 1336, as amended; 19 U.S.C. 1309, 81c, 26 U.S.C. 5062)

14. A new section, § 252.195a, is added immediately following § 252.195, to provide procedure for the filing of claims by the bottler or packager. The new § 252.195a reads as follows:

§ 252.195a Claim.

The bottler or packager of the spirits shall compute the drawback rate, complete Parts II and III on both copies of Form 1582, file one copy as the claim for drawback of tax with the assistant regional commissioner for the region in which the claimant's premises are located, and retain one copy for his files. Each claim on Form 1582 shall be supported, as applicable, by a copy of each batch record, Form 122, a copy of each bottling record, Form 2637; a copy of each package gauge report, Form 2630, covering the dumping and bottling or packaging of the spirits; and in the case of spirits bottled in bond, a copy of each Form 179 covering the tax payment. If substitute records are maintained as provided in § 201.432(d) of this chapter, the claimant shall prepare from such record, and submit with the claim, a batch record on Form 122 and shall certify that the transcript accurately reflects the original record.

(46 Stat. 690, as amended, 48 Stat. 999, as amended, 72 Stat. 1336, as amended; 19 U.S.C. 1309, 81c, 26 U.S.C. 5062)

15. Section 252.246 is amended to delete the requirement for securing a through bill of lading as that requirement is included in § 252.250. As amended, § 252.246 reads as follows:

§ 252.246 Delivery for shipment.

The proprietor or exporter may deliver the shipment directly to the consignees designated in §§ 252.241 through 252.245, or he may deliver it to a carrier for transportation and delivery to such consignees, or, when the exportation is to a contiguous foreign country, to the foreign consignee.

(72 Stat. 1334, 1335, 1336, as amended, 1362, 1380; 26 U.S.C. 5053, 5055, 5062, 5214, 5362)

16. Section 252.250 is amended to provide that bills of lading will be filed with the assistant regional commissioner with whom the application, notice, or notice and claim is filed. As amended, § 252.250 reads as follows:

§ 252.250 Bills of lading required.

A copy of the export bill of lading covering transportation from the port of export to the foreign destination, or a copy of the through bill of lading to the foreign destination, if so shipped, covering the acceptance of the shipment by a carrier for such transportation, shall be obtained and filed by the claimant or exporter with the assistant regional commissioner with whom the application, notice, or notice and claim is filed. Where the shipment consists of distilled spirits or wines to be deposited in a foreign-trade zone with benefit of drawback, and the principal has filed bond, Form 2738, copy of the transportation bill of lading covering the shipment shall be obtained and filed by the claimant or exporter with the assistant regional commissioner with whom the notice and claim is filed: *Provided*, That such transportation bill of lading will not be required when delivery is made directly to the foreign-trade zone by the shipper. Bills of lading

shall be signed by the carrier or by an agent of the carrier and shall contain the following minimum information:

(a) As to spirits, specially denatured spirits, and wines:

(1) The name of the exporter (if different from the shipper),

(2) The name and address of the consignee (foreign consignee in case of export or through bill of lading),

(3) The number of packages or cases,

(4) The serial number of the Form 206, 1582, or 1582–A, as the case may be, and

(5) The total quantity in wine gallons.

(b) As to beer:

(1) The name of the shipper,

(2) The name and address of the consignee (foreign consignee in case of export or through bill or lading), and

(3) The number and size of containers.

Where a copy of an export bill of lading or a copy of the through bill of lading is required and is not obtainable, a certificate given by an agent of such carrier, as prescribed in § 252.253, may be procured and transmitted by the claimant or exporter to the assistant regional commissioner with whom the application, notice, or notice and claim is filed.

(72 Stat. 1334, 1335, 1336, as amended, 1362, 1380; 26 U.S.C. 5053, 5055, 5062, 5214, 5362)

17. Section 252.263 is amended to delete reference to bottling or packaging for export and to insert reference to stamping and marking especially for export. As amended, § 252.263 reads as follows:

§ 252.263 Duties of customs officer to be performed by an internal revenue officer.

Where authorized by the collector of customs at the interior port of entry in the case of paragraph (a) of this section, or at the port in which is located the manufacturing bonded warehouse in the case of paragraph (b) of this section, the internal revenue officer at a distilled spirits plant shall perform the duties required, by this subpart, to be performed by a customs officer, in the following instances only:

(a) Where distilled spirits withdrawn without payment of tax, or where distilled spirits stamped and marked, or restamped and marked (if in cases) or marked (if in packages) especially for export with benefit of drawback, are laden at an interior port for exportation through another port; and

(b) Where distilled spirits withdrawn without payment of tax are to be transferred for deposit in a manufacturing bonded warehouse which is contiguous to the distilled spirits plant.

(72 Stat. 1336, as amended, 1362, 1380; 26 U.S.C. 5062, 5214, 5362)

18. Section 252.268 is amended to provide that receipts for liquors will be filed with the assistant regional commissioner with whom the application, notice, or notice and claim is filed. As amended, § 252.268 reads as follows:

§ 252.268 Receipt for liquors for use on vessels or aircraft.

Where liquors are withdrawn or removed for use on vessels or aircraft, the exporter shall procure and forward to the assistant regional commissioner with whom the application, notice, or notice and claim is filed, a receipt executed under the penalties of perjury by the master or other authorized officer of the vessel, steamship company, or airline, as the case may be. The receipt shall give the number of containers, the serial numbers of the containers (if any), and the quantity received, and shall show that the liquors are in customs custody and have been or will be laden on board the vessel or aircraft, that they will be lawfully used on board the vessel or aircraft, and that no portion of the shipment has been or will be unladen in the United States or any of its territories or possessions. A receipt is not required, in the case of any shipment for use on vessels, when the liquors are laden on vessels of war, or, in cases other than supplies for vessels employed in the fisheries, where the amount of the tax on the liquors does not exceed $200. In the case of supplies for vessels employed in the fisheries, compliance with the provisions of § 252.22 is also required.

(46 Stat. 690, as amended, 72 Stat. 1334, 1335, 1336, as amended, 1362, 1380; 19 U.S.C. 1309, 26 U.S.C. 5053, 5055, 5062, 5214, 5362)

19. Section 252.331 is amended to delete the phrase "from the proprietor or exporter." As amended, § 252.331 reads as follows:

§ 252.331 Claims supported by bond, Form 2738.

On receipt of a claim for drawback of tax on distilled spirits or wines on which the tax has been determined, and of the evidence of exportation required by § 252.40, or of lading for use on vessels or aircraft required by § 252.41, or of deposit in a foreign-trade zone required by § 252.42, as the case may be, the assistant regional commissioner shall, if a good and sufficient bond has been filed as provided in § 252.65, and the notice of removal has been properly completed, allow the claim in accordance with the rate of drawback established in respect of the particular spirits or wines on which claim is based and charge the amount allowed against the bond. On receipt of the original of the claim properly executed by the appropriate customs official or armed services officer, as required by this part, and, in the case of claims on Form 1582–A, the certificate of tax determination, Form 2605, the assistant regional commissioner shall give appropriate credit to the bond.

(46 Stat. 690, as amended, 48 Stat. 999, as amended, 72 Stat. 1336, as amended; 19 U.S.C. 1309, 81c, 26 U.S.C. 5062)

[F.R. Doc. 69–1326; Filed, Jan. 31, 1969; 8:45 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER B—BUREAU OF THE PUBLIC DEBT

PART 315—REGULATIONS GOVERNING UNITED STATES SAVINGS BONDS

PART 316—OFFERING OF UNITED STATES SAVINGS BONDS, SERIES E

PART 342—OFFERING OF UNITED STATES SAVINGS NOTES

Notice of Waiver of Regulations

Some provisions of 31 CFR Parts 315, 316, and 342 have been waived to permit the registration of U.S. Savings Bonds of Series E and U.S. Savings Notes (Freedom Shares) in the names of trustees of employees' savings plans which substantially conform to the provisions of 31 CFR 316.5(c) and to provide for their convenient administration.

The bonds and notes will be issued in the name of the trustee by the use of book entries, that is entries made in the records of the Bureau of the Public Debt, which will reflect, by issue month and year, the total amount of savings bonds and savings notes held in book-entry form for each qualified plan. In due course the bonds and notes will be reissued by the trustee or the employer-company or their redemption value paid by the trustee to the persons entitled thereto under the plans.

The purpose of this notice is to inform employers with similar thrift plans of the advantages of the trust form of registration, the use of the book-entry method and the reissue procedure referred to above. More detailed information about the advantages and the scope of the waiver may be obtained upon submission of pertinent savings-plan data to the Commissioner of the Public Debt, Department of the Treasury, Washington, D.C. 20220.

Dated: January 28, 1969.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 69–1342; Filed, Jan. 31, 1969; 8:47 a.m.]

SUBCHAPTER C—OFFICE OF THE TREASURER OF THE UNITED STATES

[Dept. Circular 1001 (Rev.)]

PART 365—ISSUE OF SUBSTITUTES OF LOST, DESTROYED, MUTILATED AND DEFACED CHECKS DRAWN ON THE TREASURER OF THE UNITED STATES

Delegation of Authority to Secretary of Defense To Issue Substitute Checks

The Department of Defense has requested an extension of the existing authority of the Secretary of Defense to

issue substitutes of checks drawn on the Treasurer of the United States. After consideration of that request, the Department of the Treasury has determined to amend its regulations at 31 CFR Part 365 (Treasury Department Circular No. 1001 (Revised)) so as to broaden the present delegation of authority to the Secretary of Defense. The Department also finds, in accord with 5 U.S.C. 553, that notice and public procedure thereon are not necessary since the amendment involves rules of agency procedure.

Accordingly, § 365.8, Subchapter C, Chapter II of Title 31 of the Code of Federal Regulations is amended to read as follows:

§ 365.8 Delegation of authority to Secretary of Defense to issue substitute checks.

The Secretary of Defense is authorized to provide by regulations for the issuance of substitutes of checks drawn for pay and allowances of civilian employees and active duty military personnel which are lost, stolen, or destroyed.

(a) In shipment between military offices or installations,

(b) In the mail when addressed by military disbursing officers directly to employees, service members or dependents of service members, or

(c) In the mail when addressed by military disbursing officers to designated financial organizations for credit to accounts of employees, service members or dependents of service members.

The Secretary of Defense may redelegate such authority within the Department of Defense.

(R.S. 3646, as amended, 31 U.S.C. 528(h); Treasury Department Order No. 177-16)

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

Dated: January 29, 1969.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 69-1343; Filed, Jan. 31, 1969; 8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 13—DEPARTMENT OF VETERANS BENEFITS, CHIEF ATTORNEYS

Surety Bonds

In § 13.105, paragraphs (b) and (c) are amended to read as follows:

§ 13.105 Surety bonds.

* * * * *

(b) When it is not practical or feasible to require a fiduciary to furnish a corporate surety bond, the Chief Attorney is authorized to accept bonds with such number of personal sureties as is permissible under State law, but in no event less than one. To be acceptable for Veterans Administration purposes, each personal surety must be worth at least the penal sum named in the bond over and above all debts, liabilities and exemptions and qualify in accordance with the requirements of State law. The Chief Attorney will request suitable evidence of financial responsibility whenever there is any question as to the ability of a personal surety to meet any probable liability. When suitable evidence is not furnished as requested, or financial responsibility is found to be insufficient to meet the penal sum of the bond, the Chief Attorney may decline to continue or open payments to the guardian, and may take necessary court action.

(c) It is the policy of the Veterans Administration to require surety bonds to be in an amount commensurate with the value of the personal estate derived from Veterans Administration benefits. In cases where guardians neglect or refuse to furnish surety bonds in such amount upon request by the Chief Attorney, the Chief Attorney may decline to continue or open payments to such guardians, and may take necessary court action.

* * * * *

(72 Stat. 1114; 38 U.S.C. 210)

This VA regulation is effective date of approval.

Approved: January 24, 1969.

By direction of the Administrator.

[SEAL] A. W. STRATTON,
Deputy Administrator.

[F.R. Doc. 69-1333; Filed, Jan. 31, 1969; 8:46 a.m.]

PART 36—LOAN GUARANTY

Interest Rates

1. In § 36.4311, paragraph (a) is amended to read as follows:

§ 36.4311 Interest rates.

(a) Excepting non-real-estate loans insured under 38 U.S.C. 1815, effective January 24, 1969, the interest rate on any loan guaranteed or insured wholly or in part may not exceed 7½ per centum per annum on the unpaid principal balance.

* * * * *

2. In § 36.4503, paragraph (a) is amended to read as follows:

§ 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after May 7, 1968, shall not exceed an amount which bears the same ratio to $17,500 (or to such increased maximum as the Administrator may from time to time specify for the area in which the loan is made pursuant to section 1811(d) of title 38, United States Code) as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to $12,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by the Veterans Administration shall bear interest at the rate of 7½ percent per annum, except where a commitment to make the loan was issued prior to January 27, 1969, in which case the rate of interest shall be that applicable on the date such commitment was issued.

* * * * *

(72 Stat. 1114; 38 U.S.C. 210)

These VA regulations are effective the date of approval.

Approved: January 24, 1969.

By direction of the Administrator.

[SEAL] A. W. STRATTON,
Deputy Administrator.

[F.R. Doc. 69-1332; Filed, Jan. 31, 1969; 8:46 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER H—TRAINING

[General Order 97, Rev., Amdt. 2]

PART 310—MERCHANT MARINE TRAINING

Subpart C—Admission and Training of Cadets at the U.S. Merchant Marine Academy

COURSES OF INSTRUCTION

Effective upon date of publication in the FEDERAL REGISTER, paragraph (a) of § 310.57 of this subpart C is amended (by inserting a new third sentence) to read as follows:

§ 310.57 Courses of instruction.

(a) *At academy.* Cadets entering the U.S. Merchant Marine Academy select the Nautical Science or Engineering program which will fit them to serve in the Deck or Engine Department aboard ship. The curriculum includes the study of general education courses in addition to professional and technical subjects. In addition, as part of the Naval Reserve Midshipman program all cadets are required to take Naval Science courses prescribed by the Chief of Naval Personnel, Department of the Navy. Cadets normally spend four 11-month academic years in the course of study. The first, third, and fourth academic years are spent at the Academy at Kings Point, New York.

* * * * *

Dated: January 29, 1969.

By Order of the Acting Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 69-1428; Filed, Jan. 31, 1969; 8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Part 71]

CATTLE

Identification for Interstate Movement

Notice is hereby given in accordance with the administrative procedure provisions of 5 U.S.C. 553, that, pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, and the Act of March 3, 1905, as amended (21 U.S.C. 111–113, 115, 117, 120–126), consideration is being given to amending Part 71, Title 9, Code of Federal Regulations, restricting the interstate movement of animals and poultry because of contagious, infectious, and communicable diseases, by adding a new § 71.18 to read as follows:

§ 71.18 Individual identification of cattle 2 years of age or over for interstate movement.

(a) Cattle 2 years of age and over, except steers and spayed heifers, which are being moved interstate to a slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), or to a slaughtering establishment specifically approved in accordance with § 78.16(b) of this subchapter, or to a public stockyard or a specifically approved stockyard as defined in § 78.1,[1] must be identified by a Division approved backtag[2] affixed a few inches from the midline and just behind the shoulder of the animal: *Provided, however,* That such cattle may be moved interstate from a farm, ranch, or feedlot direct to the first such stockyard or slaughtering establishment without such backtag, in which event the backtag shall be applied at such stockyard or slaughtering establishment. All such cattle shall be accompanied by a statement signed by the owner or shipper of the cattle, or a waybill or similar document, stating: (1) The premises of origin of the animals; (2) the destination of the animals; (3) the number of animals covered by the statement, waybill, or similar document; (4) the identifying numbers of the backtags applied; and (5) the name and address of the owner or shipper. Such statement, waybill or similar document shall be delivered to the management of the stockyard or slaughtering establishment at time of delivery of the cattle. Each person who ships, transports, or otherwise moves the cattle interstate, and who delivers and receives the cattle for such movement, is responsible for the identification of animals in accordance with this section, and for compliance with the other requirements hereof.

(b) Notwithstanding the provisions of paragraph (a) of this section, cattle 2 years of age and over, accompanied by an official Brand Inspection Certificate stating: (1) The premises of origin of the animals; (2) the destination of the animals; (3) the number of animals covered by the certificate; (4) the brand of record; and (5) the name and address of the owner or shipper, may move interstate from a farm, ranch, or feedlot directly to such a stockyard or slaughtering establishment without complying with the backtagging requirements contained in paragraph (a) of this section.

Great progress has been made in the control and eradication of communicable diseases of livestock, such as brucellosis, scabies, and tuberculosis. However, it is known that such diseases still exist in certain areas of this country. The rapid transportation of animals in commercial channels, makes it essential to locate and suppress foci of infection in the most rapid manner possible. The most efficient way to do this is to identify livestock in marketing channels and to trace diseased animals directly to farms of origin. In this manner, continued progress in disease eradication programs could be achieved; the interstate spread of diseases could be minimized by isolation and eradication of infection where found; and the probability of rapidly detecting diseases of foreign origin would be greatly strengthened.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Director, Animal Health Division, Agricultural Research Service, U.S. Department of Agriculture, Hyattsville, Md. 20782, within 60 days after publication of this notice in the FEDERAL REGISTER.

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

Done at Washington, D.C., this 29th day of January 1969.

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

[F.R. Doc. 69-1356; Filed, Jan. 31, 1969; 8:48 a.m.]

[1] A list of such public stockyards appears in § 78.14(a) of this subchapter. Information with respect to the federally inspected slaughtering establishments, specifically approved slaughtering establishments, and specifically approved stockyards may be obtained as indicated in §§ 78.14 and 78.15 of this subchapter.

[2] Department approved backtags are available from State and Federal Animal Health officials at such stockyards and slaughtering establishments, and from Federal and State inspectors as defined in § 78.1 of this subchapter.

Consumer and Marketing Service

[7 CFR Part 1046]

MILK IN LOUISVILLE-LEXINGTON-EVANSVILLE MARKETING AREA

Notice of Proposed Suspension or Termination of Certain Provision of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension or termination of a certain provision of the order regulating the handling of milk in the Louisville-Lexington-Evansville marketing area is being considered.

The provision proposed to be suspended or terminated is in § 1046.61 of the Louisville-Lexington-Evansville milk order (No. 46) and relates to the regulation of a milk plant which meets the requirements for pooling under both such order and another Federal order. Specifically, the provision proposed to be suspended or terminated is as follows: "* * * and each of the 3 months immediately preceding * * *".

Under order terms, a milk plant meeting the pooling requirements of both this and another order but presently distributing a greater volume of fluid milk products in the Louisville-Lexington-Evansville market must do so in the current month and in each of the 3 months immediately preceding before becoming regulated under Order No. 46. Elimination of the subject provision would cause such a plant to be regulated under the order beginning with the first month when the volume of sales in the Louisville-Lexington-Evansville market exceeds that made in the other order market where the plant also meets pooling requirements.

Elimination of the subject provision on February 1, 1969, has been requested by the cooperative association representing the majority of producers in the market for the reasons set forth below.

Beginning with August 1, 1968, a plant with a long record of association with the Louisville-Lexintgon-Evansville market became regulated under the Nashville, Tenn., order. This occurred when such plant lost a large military contract in the Louisville-Lexington-Evansville market but retained substantial military sales in the Nashville market.

Effective January 25, 1969, the Louisville-Lexington-Evansville handler will again be the primary supplier under the contract and the needed milk supplies again will be furnished by members of a Louisville-Lexington-Evansville market cooperative. Based on present information, the monthly sales of the plant in the Louisville-Lexington-Evansville market will exceed sales in the Nashville market beginning in February 1969.

However, under the current provision of Order No. 46, the plant would remain regulated under the Nashville order until the fourth month in which it has greater sales in the Louisville-Lexington-Evansville market.

Proponent contends that producer members of the Louisville cooperative who will supply the plant will be adversely affected if the plant continues to be regulated by the Nashville order for the next 3 months as the order now provides. The Louisville-Lexington-Evansville producers assigned to the plant would become Nashville market producers for a 4-month period and would be disadvantaged in their returns for milk through application of the base-excess provisions of the Nashville order. As new producers in the Nashville market, the milk they supply for the military contract would be regarded as "excess" milk and would be priced at the Class II price to the extent of Class II use in the Nashville market.

The proposed suspension would result in the immediate pooling of a milk plant in the order market where it establishes the greater volume of sales during the month and otherwise qualifies for pooling. Proponent alleges that the proposed action would assure producers supplying the plant that they could continue to receive their returns for milk from sales in the market where they and the handler are primarily associated. Further, it is stated that removal of the subject provision would prevent a substantial reduction in prices to such producers.

All persons who desire to submit written data, views, or arguments regarding the proposed suspension or termination should file the same with the Hearing Clerk, Room 112, Administration Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 7 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

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

Signed at Washington, D.C., on January 29, 1969.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 69-1358; Filed, Jan. 31, 1969; 8:48 a.m.]

[7 CFR Part 1079]

MILK IN DES MOINES, IOWA, MARKETING AREA

Notice of Proposed Suspension of Certain Provision of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provision of the order regulating the handling of milk in the Des Moines, Iowa, marketing area is being considered for the month of January 1969.

The provision proposed to be suspended is the second proviso in § 1079.16, relating to diverted approved milk.

The suspension of this provision will remove the limitation on diverted approved milk of each dairy farmer to milk diverted each month on no more days than milk of such dairy farmer is received at an approved plant.

The suspension is requested by a cooperative representing a majority of the producers supplying the Des Moines market. The cooperative states that weather conditions have prevented delivery of milk from some farms to pool plants and such milk has been diverted to nonpool plants during January on more days than it was received at pool plants.

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

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

Signed at Washington, D.C., on: January 30, 1969.

JOHN C. BLUM,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 69-1439; Filed, Jan. 31, 1969; 9:05 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 11279; FCC 69-81]

RADIO BROADCAST SERVICES

Subscription Television Service; Order Extending Time for Filing Comments and Reply Comments

1. In a pleading entitled "Motion for Extension of Time", filed on January 9, 1969, the National Cable Television Association, Inc. (NCTA) requests that the time for filing comments invited in response to the Commission's third further notice of proposed rule making in the above-captioned proceeding be extended to August 11, 1969, and that the time for filing reply comments be extended to a date 60 days after the filing of initial comments. The present due dates for the comments and reply comments are January 24, 1969, and February 14, 1969, respectively. (See notice adopted Dec. 12, 1968, 33 F.R. 19085.) The National Association of Broadcasters (NAB) and Jerrold Corp. filed statements in support of this NCTA request.

2. The reasons set forth by NCTA in support of its request are that it must devote its entire efforts, almost to the exclusion of all other matters, to the preparation of commments on the rules proposed in the recent Notice in Docket No. 18397 (the CATV proceeding). Also, it is contended that until technical standards in both CATV and subscription television (STV) have been adopted, and because of the possible inter-relation between CATV and STV technical standards, specifically referred to in this proceeding, it is difficult to prepare comments in response to outstanding notice of rule making in this proceeding.

3. The Commission agrees that the CATV technical standards could have some effect on the comments that would be filed in this STV proceeding. The Commission is, however, of the opinion, because of the possible interrelation of CATV and STV technical matters that meaningful comments and reply comments in this proceeding can be filed at the same time that the comments on technical matters are filed in the CATV proceeding (Docket No. 18397). The due dates for filing comments and reply comments on technical matters in the CATV proceeding are March 3, 1969, and April 3, 1969.

4. Accordingly, we are of the opinion that, consistent with the foregoing, adequate cause has been shown for extending the time for filing comments: *And, therefore, it is ordered*, That the "Motion for Extension of Time" filed January 9, 1969, by the National Cable Television Association, Inc., is granted, in part, and that the time for filing comments in this proceeding is extended from January 24, 1969, to and including March 3, 1969, and the time for filing reply comments is extended from February 14, 1969 to April 3, 1969.

Adopted: January 22, 1969.

Released: January 28, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-1345; Filed, Jan. 31, 1969; 8:47 a.m.]

[47 CFR Part 73]

[Docket No. 18110; FCC 69-80]

STANDARD, FM AND TELEVISION BROADCAST STATIONS

Multiple Ownership; Order Extending Time for Filing Reply Comments

1. In a petition, filed January 16, 1969, the National Association of Broadcasters requests a 90-day extension of time in which to file reply comments in the above-captioned proceeding. For good cause shown, the date for filing reply comments has thrice been extended and they are presently due on January 28,

[1] Commissioner Bartley abstaining from voting; Commissioners Wadsworth and H. Rex Lee absent.

1969 (see orders adopted Aug. 8, Aug. 19, and Sept. 20, 1968, 33 F.R. 11601, 33 F.R. 12009, and 33 F.R. 14417). Initial comments in this proceeding were due, and were filed on August 1, 1968.

2. In support of its request, NAB states the following: (1) Until very recently, NAB was not successful in engaging research organizations capable of developing, compiling and assembling data necessary to evaluate the effect that multiple ownership of media in a single market may have on public opinion; (2) The untimely death on December 15, 1968, of Dr. Howard Mandel, Vice President for Research, NAB, who was to give overall guidance and supervision to the project; and (3) NAB has contracted for the services of two consulting firms who are capable of providing data and findings, complementary in nature, on the question of the effect that multiple ownership of media in a single market may have on public opinion, and that such data and findings will assist the Commission in the resolution of the problems presented in this proceeding.

3. We reiterate our previously expressed intent to terminate this proceeding at an early date. Furthermore, in our order adopted September 17, 1968, granting an extension of 120 days for filing reply comments in this proceeding to January 28, 1969, we said "No further extensions of time * * * are contemplated." Thus, the National Association of Broadcasters (and all other interested parties) had ample notice (4 months) to get their comments prepared and filed timely. Instead, NAB now asserts that its efforts to engage an able and willing research firm to develop, compile and assemble certain data have been frustrating. It is inconceivable to the Commission that the so-called frustration extended from September 17, 1968 to less than 2 weeks prior to January 28, 1969, when on January 15, 1969, one firm agreed in a letter to the President of NAB that it would undertake the preparation of a "Special Report" in keeping with the terms set out in a telegram dated January 14, 1969.

4. The Commission is, of course, interested in receiving the type of information that NAB proposes to develop and is of the opinion that such information would be of considerable aid to us in arriving at informed decisions in this proceeding, but the Commission finds that the period of time requested by NAB is unreasonable in the circumstances of this proceeding because of the backlog of applications on file and uncertainties in connection with the Commission's interim policy in this proceeding.

5. However, in view of the death of Dr. Howard Mandel, Vice President for Research, NAB, who presumably had begun certain activities to secure data for the preparation of the reply comments, the Commission will grant a final extension of time from January 28, 1969, to and including February 28, 1969, for the purpose of filing reply comments in this proceeding.

6. Accordingly, we are of the opinion that, consistent with the foregoing, adequate cause has been shown for extending the time for filing comments: *And, therefore, it is ordered*, That the "Petition for Further Extension of Time Within Which to File Reply Comments" filed January 16, 1969 by the National Association of Broadcasters, is granted in part, and that the time for filing reply comments in this proceeding is extended from January 28, 1969, to and including February 28, 1969.

Adopted: January 22, 1969.

Released: January 28, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE, *Secretary.*

[F.R. Doc. 69-1346; Filed, Jan. 31, 1969; 8:47 a.m.]

FEDERAL POWER COMMISSION

[18 CFR Part 260]

[Docket No. R-317]

STATEMENTS AND REPORTS (SCHEDULES)

Annual Reporting by Class A Natural Gas Companies of 5-Year Forecasts of Peak Day and Annual Natural Gas Requirements and Pipeline Construction Plans; Order Terminating Proceeding

JANUARY 24, 1969.

By notice of proposed rulemaking dated March 23, 1967, 32 F.R. 5374, the Commission proposed a new form asking Class A natural gas pipelines for 5-year forecasts of their annual gas requirements, their peak day requirements, and their construction plans. On October 31, 1967, following the receipt of written comments, the staff held an informal conference with interested persons and on October 11, 1968 the proposal was the subject of an oral hearing before the Commission.

In the order setting oral argument we noted that "[t]he rulemaking is intended to establish a procedure whereby the Commission would regularly gather the type of general industry information which may assist it in discharging its obligations under the Natural Gas Act." We emphasized, however, that the procedure proposed in the notice of rulemaking was intended only to suggest one possible approach and we urged participants at the oral hearing "to explore all of the alternative procedures that would be utilized to satisfy [the underlying] objective." In light of an alternative information collection procedure suggested during that hearing, we have concluded that it would be appropriate to terminate this rulemaking until such time as the utility of the alternative procedure can be tested.

In February 1967 the Gas Industry Committee (an industry study and policy formulation group representing the American Gas Association, American Petroleum Institute, and the Independent Natural Gas Association of America) formed a Future Requirements Committee and gave to it the general mandate to collect and analyze relevant information with the object of projecting future natural gas requirements. The Denver Research Institute of the University of Denver was designated as the Future Requirements Agency responsible for the analytical and projection work. The work of the Future Requirements Committee is further assisted by the efforts of 11 regional work committees. The Federal Power Commission, the Department of the Interior, and the National Association of Regulatory Utility Commissioners were invited to send observers to the meetings of the Future Requirements Committee and this Commission has taken advantage of that invitation. The Committee, in its 1967 report, states that "[i]t is important to note that the Future Requirements Agency will be able objectively and candidly to advise industries, Government and others * * * [and its report] should serve both to guide management in long-range planning and to assist public agencies in formulating sound policies for the future."

Several participants at the oral hearing on this rule making suggested that much of the information which the Commission desires to obtain can be acquired through the efforts of the Future Requirements Committee. It was suggested, by counsel for the American Gas Association, that "[t]he information which is collected by the Future Gas Requirements Committee is of even more detailed nature than that which is published, and * * * by a cooperative effort of the Commission and the Committee that this more detailed information could be secured." Other participants intimated that the Committee might be amenable to some expansion of its area of inquiry so as to help satisfy the Commission's information needs. We note, in this connection, that the Committee recently has decided to collect and publish requirements information on a state-by-state basis rather than by regions as it has in the past.

The Commission certainly has no desire to impose an unnecessary reporting obligation on any company nor do we wish to duplicate any function satisfactorily being discharged by the industry itself. Accordingly, in view of the expertise which the Committee has developed and its stated objective to serve the information needs of public agencies as well as of the industry, we agree that it would be appropriate to terminate this proceeding until it can be determined whether the information requirements of this Commission can or will be supplied by the Future Requirements Committee.

For the foregoing reason the Commission orders that this proceeding be terminated.

By the Commission.

[SEAL] GORDON M. GRANT, *Secretary.*

[F.R. Doc. 69-1315; Filed, Jan. 31, 1969; 8:45 a.m.]

[1] Commissioners Bartley and Johnson dissenting to any extension of time; Commissioners Wadsworth and H. Rex Lee absent.

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1056]

[Ex Parte No. MC-19 (Sub-No. 5)]

PRACTICES OF MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS

Determination of Weights

JANUARY 27, 1969.

In accordance with the Commission's order dated October 21, 1968, published in the November 6th issue of the FEDERAL REGISTER (33 F.R. 16301), all interested parties were requested to notify the Commission of their intentions to file verified statements, replies or other pleadings thereto.

A list of all known parties of record upon whom service of all verified [1] statements, replies or other pleadings must be made on is attached.

(a) An original and two copies of a verified statement including exhibits and certificate showing service upon all parties should be filed with the Commission within 30 days following the service of this notice.

(b) Within 10 days thereafter, any party may file his reply verified statement by submitting an original and 2 copies containing a certificate of service upon all parties.

(c) Within 10 days after the date for replies has expired, any party may request a hearing for the purpose of cross-examining any witness submitting a verified statement by notifying the Commission and all parties.

[1] In lieu of verification under oath, any prepared statement may be made subject to the following declaration: "I solemnly declare that I have examined the foregoing document and that the statements of fact contained are true". (Signature).

[SEAL] H. NEIL GARSON,
Secretary.

The following are all known parties of record:

Mr. Russell S. Bernhard, 1625 K Street NW., Washington, D.C. 20006, Attorney for: Household Goods Carriers' Bureau.

Mr. Herbert Burstein, Zelby & Burstein, 160 Broadway, New York, N.Y. 10038, Attorney for: Movers' and Warehousemen's Association of America, Inc.

Mr. A. O. May, Manager of Traffic and Distribution, International Business Machines Corp., White Plains, N.Y. 10601.

Mr. Francis L. Wyche, Executive Secretary, Household Goods Carriers' Bureau, 1424 16th Street NW., Washington, D.C. 20006.

[F.R. Doc. 69-1334; Filed, Jan. 31, 1969; 8:46 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circular Public Debt Series—No. 1–69]

6⅜ PERCENT TREASURY NOTES OF SERIES C–1970

Offering of Notes

JANUARY 30, 1969.

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, offers notes of the United States, designated 6⅜ percent Treasury Notes of Series C–1970, at 99.95 percent of their face value, in exchange for the following securities maturing February 15, 1969:

5⅝ percent Treasury Notes of Series A–1969; or 4 percent Treasury Bonds of 1969, in amounts of $1,000 or multiples thereof.

Cash payments due subscribers will be made as set forth in section IV hereof. The amount of this offering will be limited to the amount of eligible securities tendered in exchange. The books will be open only on February 3 through February 5, 1969, for the receipt of subscriptions.

2. In addition, holders of the maturing securities are offered the privilege of exchanging all or any part of them for 6¼ percent Treasury Notes of Series A–1976, which offering is set forth in Department Circular, Public Debt Series—No. 2–69, issued simultaneously with this circular.

II. *Description of notes.* 1. The notes will be dated February 15, 1969, and will bear interest from that date at the rate of 6⅜ percent per annum, payable on a semiannual basis on May 15 and November 15, 1969, and on May 15, 1970. They will mature May 15, 1970, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of $1,000, $5,000, $10,000, $100,000, $1,000,000, $100,000,000, and $500,000,000. Provision will be made for the interchange of notes of different denominations and of coupon and registered notes, and for the transfer of registered notes, under rules and regulations prescribed by the Secretary of the Treasury.

5. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions accepting the offer made by this circular will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington, D.C. 20220. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. Under the Second Liberty Bond Act, as amended, the Secretary of the Treasury has the authority to reject or reduce any subscription, and to allot less than the amount of notes applied for when he deems it to be in the public interest; and any action he may take in these respects shall be final. Subject to the exercise of that authority, all subscriptions will be allotted in full.

IV. *Payment.* 1. Payment for the face amount of notes allotted hereunder must be made on or before February 17, 1969, or on later allotment, and may be made only in a like face amount of securities of the issues enumerated in Paragraph 1 of section I hereof, which should accompany the subscription. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. A cash payment of $0.50 per $1,000 will be made to subscribers on account of the issue price of the new notes. The payment will be made by check or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District, following acceptance of the maturing securities. In the case of registered securities, the payment will be made in accordance with the assignments on the securities surrendered. When payment is made with securities in bearer form, coupons dated February 15, 1969, should be detached and cashed when due. When payment is made with registered securities, the final interest due on February 15, 1969, will be paid by issue of interest checks in regular course to holders of record on January 15, 1969, the date the transfer books closed.

V. *Assignment of registered securities.* 1. Treasury securities in registered form tendered in payment for notes offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered with the subscription to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington, D.C. 20220. The maturing securities must be delivered at the expense and risk of the holder. If the new notes are desired registered in the same name as the securities surrendered, the assignment should be to "The Secretary of the Treasury for exchange for 6⅜ percent Treasury Notes of Series C–1970"; if the new notes are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 6⅜ percent Treasury Notes of Series C–1970 in the name of _____"; if new notes in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 6⅜ percent Treasury Notes of Series C–1970 in coupon form to be delivered to _____".

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] DAVID M. KENNEDY,
Secretary of the Treasury.

[F.R. Doc. 69–1437; Filed, Jan. 31, 1969; 8:50 a.m.]

[Dept. Circular Public Debt Series—No. 2–69]

6¼ PERCENT TREASURY NOTES OF SERIES A–1976

Offering of Notes

JANUARY 30, 1969.

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, offers notes of the United States, designated 6¼ percent Treasury Notes of Series A–1976, at 99.75 percent of their face value, in exchange for the following securities maturing February 15, 1969:

5⅝ percent Treasury Notes of Series A–1969; or

4 percent Treasury Bonds of 1969, in amounts of $1,000 or multiples thereof.

Cash payments due subscribers will be made as set forth in section IV hereof. The amount of this offering will be limited to the amount of eligible securities tendered in exchange. The books will be open only on February 3 through February 5, 1969, for the receipt of subscriptions.

2. In addition, holders of the maturing securities are offered the privilege of exchanging all or any part of them for 6⅜ percent Treasury Notes of Series C–1970, which offering is set forth in Department Circular, Public Debt Series—No. 1–69, issued simultaneously with this circular.

II. *Description of notes.* 1. The notes will be dated February 15, 1969, and will bear interest from that date at the rate of 6¼ percent per annum, payable semiannually on August 15, 1969, and thereafter on February 15 and August 15 in each year until the principal amount becomes payable. They will mature February 15, 1976, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes are subject to estate, inheritance, gift, or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of $1,000, $5,000, $10,000, $100,000, $1,000,000, $100,000,000 and $500,000,000. Provision will be made for the interchange of notes of different denominations and of coupon and registered notes, and for the transfer of registered notes, under rules and regulations prescribed by the Secretary of the Treasury.

5. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions accepting the offer made by this circular will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington, D.C. 20220. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. Under the Second Liberty Bond Act, as amended, the Secretary of the Treasury has the authority to reject or reduce any subscription, and to allot less than the amount of notes applied for when he deems it to be in the public interest; and any action he may take in these respects shall be final. Subject to the exercise of that authority, all subscriptions will be allotted in full.

IV. *Payment.* 1. Payment for the face amount of notes alloted hereunder must be made on or before February 17, 1969, or on later allotment, and may be made only in a like face amount of securities of the issues enumerated in paragraph 1 of section I hereof, which should accompany the subscription. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. A cash payment of $2.50 per $1,000 will be made to subscribers on account of the issue price of the new notes. The payment will be made by check or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District, following acceptance of the maturing securities. In the case of registered securities, the payment will be made in accordance with the assignments on the securities surrendered. When payment is made with securities in bearer form, coupons dated February 15, 1969, should be detached and cashed when due. When payment is made with registered securities, the final interest due on February 15, 1969, will be paid by issue of interest checks in regular course to holders of record on January 15, 1969, the date the transfer books closed.

V. *Assignment of registered securities.* 1. Treasury securities in registered form tendered in payment for notes offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered with the subscription to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington, D.C. 20220. The maturing securities must be delivered at the expense and risk of the holder. If the new notes are desired registered in the same name as the securities surrendered, the assignment should be to "The Secretary of the Treasury for exchange for 6¼ percent Treasury Notes of Series A–1976"; if the new notes are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 6¼ percent Treasury Notes of Series A–1976 in the name of _____"; if new notes in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 6¼ percent Treasury Notes of Series A–1976 in coupon form to be delivered to _____".

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make such allotments as may be prescribed by the Secretary of the Treasury, to issue such notices as may be necessary, to receive payment for and make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] DAVID M. KENNEDY,
Secretary of the Treasury.

[F.R. Doc. 69–1438; Filed, Jan. 31, 1969; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

JANUARY 27, 1969.

Notice of a Forest Service, U.S. Department of Agriculture application, Sacramento 079492, for withdrawal and reservation of lands was published as F.R. Doc. 65–5758 on pages 7320, 7321, and 7322 of the issue for June 3, 1965. The applicant agency has canceled its application insofar as it affects the following described lands:

KLAMATH NATIONAL FOREST

HUMBOLDT MERIDIAN

Johnson's Bar Campground

T. 13 N., R. 6 E.,
Sec. 32, W½NE¼NE¼SE¼ and NW¼SE¼ NE¼SE¼.

MOUNT DIABLO MERIDIAN

Scott Mountain Recreation Area

T. 39 N., R. 7 W.,
Sec. 5, lot 3 and E½ lot 4.

SHASTA NATIONAL FOREST

Eagle Creek Campground

T. 38 N., R. 7 W.,
Sec. 16, SE¼SE¼NE¼ and NE¼SE¼.

Therefore, pursuant to the regulations contained in 43 CFR Part 2311, such lands at 10 a.m. on February 27, 1969, will be relieved of the segregative effect of the above-mentioned application.

ELIZABETH H. MIDTBY,
Chief, Lands Adjudication Section.

[F.R. Doc. 69–1348; Filed, Jan. 31, 1969; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Packers and Stockyards Administration

GEORGIANA STOCK YARDS, INC., ET AL.

Posted Stockyards

Pursuant to the authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), on the respective dates specified below,

it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the Act, as amended (7 U.S.C. 202), and notice was given to the owners and to the public by posting notices at the stockyards as required by said section 302.

Name, location of stockyard, and date of posting

ALABAMA

Georgiana Stock Yards, Inc., Georgiana, Jan. 15, 1969.

ILLINOIS

Price's Livestock Marketing Co., Salem, Jan. 16, 1969.

MISSOURI

M.F.A. Livestock Association, Inc., Chillicothe Concentration Point, Chillicothe, Jan. 8, 1969.

M.F.A. Livestock Association, Inc., Princeton Concentration Point, Princeton, Jan. 8, 1969.

M.F.A. Livestock Association, Inc., Salisbury Concentration Point, Salisbury, Jan. 8, 1969.

Done at Washington, D.C., this 28th day of January 1969.

G. H. HOPPER,
Chief, Registrations, Bonds, and Reports Branch, Livestock Marketing Division.

[F.R. Doc. 69-1359; Filed, Jan. 31, 1969; 8:48 a.m.]

DEPARTMENT OF COMMERCE

National Bureau of Standards

NBS RADIO STATIONS

Notice of Standard Frequency and Time Broadcasts

In accordance with National Bureau of Standards policy of giving monthly notices regarding changes of phases in seconds pulses, notice is hereby given that there will be no adjustment in the phase of coordinate seconds pulses emitted from the low frequency radio station WWVB, Fort Collins, Colo., on March 1, 1969. The carrier frequency of WWVB is 60 kHz and is broadcast without offset with respect to standard coordinate frequency. These emissions are made following the Stepped Atomic Time (SAT) system as coordinated by the Bureau International de l'Heure (BIH).

Notice is also hereby given that there will be no adjustments in the phases of time pulses emitted from the high frequency radio stations WWV, Fort Collins, Colo., and WWVH, Maui, Hawaii, on March 1, 1969. These pulses at present occur at intervals which are longer than one coordinate second by 300 parts in 10^{10}, and will occur at these intervals throughout 1969. This is due to the offset maintained in the carrier frequencies of these stations following the Coordinated Universal Time (UTC) system as coordinated by the BIH.

A. V. ASTIN,
Director.

JANUARY 22, 1969.

[F.R. Doc. 69-1340; Filed, Jan. 31, 1969; 8:46 a.m.]

NBS RADIO STATIONS

Notice of Standard Frequency and Time Broadcasts

In accordance with National Bureau of Standards policy of giving notice regarding broadcast changes, notice is hereby given that the following changes at the times indicated will occur in the transmission format of the very low frequency radio station WWVL, Fort Collins, Colo.

1. Transmit 19.9 kHz only, beginning 2300 hours Universal Time (UT) on February 25, 1969, and ending 1700 hours UT on March 1, 1969.

2. Transmit 20.5 kHz only, beginning 1700 hours UT on March 1, 1969, and ending 1700 hours UT on March 4, 1969.

3. Transmit 19.9 kHz and 20.5 kHz alternately each 10 seconds as in the current format, beginning 1700 hours UT on March 4, 1969, and ending 1700 hours UT on March 11, 1969. Transmissions on 19.9 kHz will begin on the minute.

At 1700 hours UT on March 11, 1969, WWVL will return to the current 20, 20.5 kHz format.

A. V. ASTIN,
Director.

JANUARY 22, 1969.

[F.R. Doc. 69-1341; Filed, Jan. 31, 1969; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

ANTHOL

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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 preparations marketed by Jensen-Salsbery Laboratories, Division of Richardson-Merrell, Inc., 520 West 21st Street, Kansas City, Mo. 64141: Anthol No. 1 containing 23.5 milligrams of anthelin and 0.5 cubic centimeter of toluene per capsule; Anthol No. 2 containing 47 milligrams of anthelin and 1.0 cubic centimeter of toluene per capsule; Anthol No. 3 containing 94.0 milligrams of anthelin and 2.0 cubic centimeters of toluene per capsule; and Anthol No. 4 containing 141.0 milligrams of anthelin and 3.0 cubic centimeters of toluene per capsule.

The Academy concludes (1) that this preparation is probably not effective for the removal of whipworms from dogs and (2) that available data are adequate only to support claims for efficacy in the removal of canine tapeworms, ascarids, and hookworms. The Food and Drug Adminstration concurs with the conclusions of the Academy.

Supplemental new-drug applications are invited to revise the labeling provided in new-drug applications to limit the claims and present the conditions of use substantially as follows:

INDICATIONS

For the removal of tapeworms (*Taenia* and *Dipylidium*), ascarids (*Toxocara* and *Toxascaris*), and hookworms (*Ancylostoma* and *Uncinaria*) from the dog.

DOSAGE AND ADMINISTRATION

Capsule No. 1—one capsule for dogs weighing 4–5 pounds.

Capsule No. 2—one capsule for dogs weighing 6–10 pounds.

Capsule No. 3—one capsule for dogs weighing 11–20 pounds.

Capsule No. 4—one capsule for dogs weighing over 20 pounds.

Treatment should be given 4 hours after a milk feeding. Dogs may be fed their normal ration (4–8 hours) after medication. An enema may facilitate passage of large masses of tapeworms if given within 2–3 hours after medication.

PRECAUTIONS

Do not administer to sick, feverish, weak, or undernourished animals. Consult your veterinarian in these cases. Depression, nausea, vomiting, and occasionally colic are signs of overdosage.

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 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.

The holders of the new-drug applications for which the 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 requests 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 drugs 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 those drugs or any other interested person may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, JR.,
Commissioner of Food and Drugs.

[F.R. Doc. 69-1364; Filed, Jan. 31, 1969; 8:48 a.m.]

CADMIUM SALTS

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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 preparations:

1. Aska-Rid: an anthelmintic preparation for swine containing 1.5 percent cadmium oxide; marketed by Pitman-Moore, Division of the Dow Chemical Co., Box 10, Zionsville, Ind. 46077.

2. Cadmium Wormer; an anthelmintic preparation for swine and dogs containing 4.4 percent cadmium anthranilate; marketed by Hess and Clark, Division of Richardson-Merrell, Inc., Ashland, Ohio 44805.

The Academy concludes that these preparations are effective swine anthelmintics, but data are inadequate to support efficacy claims of cadmium anthranilate for the removal of large roundworms and *Taenia* from dogs. The Food and Drug Administration concurs with this evaluation.

Supplemental new-drug applications are invited to revise the labeling provided in new-drug applications for these drugs to limit the claims and present the conditions of use substantially as follows:

INDICATIONS

For the removal of roundworms (*Ascaris lumbricoides* var. *suis*) from swine.

DOSAGE AND ADMINISTRATION

Cadmium oxide: Add to 3-day ration at the rate of 1 pound per 100 pounds of feed (0.015 percent); or

Cadmium anthranilate: Add to 3-day ration at the rate of 1 pound per 100 pounds of feed (0.044 percent).

Mix thoroughly with feed. Feed as a sole ration for a full 72 hours. Permit access to water. Swine may then be permitted to consume any remaining medicated feed or may be returned to their normal ration.

Warning: Swine treated with this drug must not be slaughtered for food within 30 days following treatment. Cadmium should be used only *once* during the life of an animal fed for marketing. Avoid excessive inhalation. Avoid contamination of foods for human consumption. Keep away from the reach of children.

Caution: Consult veterinarian before using in severely debilitated animals. Provide adequate feeding space so that less vigorous animals have an opportunity to eat.

This evaluation of these drugs is concerned only with their effectiveness and safety to the animal to which 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 these drugs or their metabolites as residues in food products derived from treated animals.

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 which have inadequate labeling 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 holders of the new-drug applications for the drugs listed above have been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to these drugs may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69-1365; Filed, Jan. 31, 1969; 8:48 a.m.]

CALCIUM DISODIUM EDETATE INJECTION

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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: Havidote; contains 6.6 percent weight-to-volume calcium disodium ethylenediamine tetraacetate in water for injection; marketed by Haver-Lockhart Laboratories, Box 676, Kansas City, Mo. 64141.

The Academy evaluates this drug as effective particularly if given early in acute poisoning and if certain label changes are made; that is, deletion of the unqualified terms "antidote" and "chronic poisoning" from the label. The Food and Drug Administration concurs with this 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

An aid in the treatment of acute lead poisoning in horses, cattle, swine, sheep, goats, cats, and dogs.

DOSAGE AND ADMINISTRATION

Administer by slow intravenous injection, 1 cubic centimeter (containing 6.6 percent weight-to-volume calcium disodium edetate) per 2 pounds of body weight, preferably given in divided doses 2 to 3 times daily and continued for 3 to 5 days.

PRECAUTIONS

The recommended dose should not be exceeded. Overdosage may cause necrosis of the kidney. Avoid concomitant administration of barbiturates or sulfonamides. Observe heart rate and administer carefully to avoid tachycardia, dyspnea, and body tremors.

SIDE EFFECTS

Adverse reactions with some deaths may follow therapy with calcium disodium edetate in animals carrying a high blood lead burden.

Caution: Federal law restricts this drug to sale by or on the order of a licensed veterinarian.

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 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 which have inadequate labeling 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 had been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to that drug or any other interested person may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69–1366; Filed, Jan. 31, 1969; 8:49 a.m.]

CAPARSOLATE SODIUM

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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: Caparsolate Sodium; contains 10 milligrams of thiacetarsamide sodium per 1.0 milliliter; marketed by Abbott Laboratories, North Chicago, Ill. 60064.

The Academy concludes that this drug is effective for the treatment and prevention of heartworm disease of dogs. The Food and Drug Administration concurs with this evaluation.

Supplemental new-drug applications are invited to revise the labeling provided in the new-drug applications for this drug to limit the claims and present the conditions of use substantially as follows:

INDICATIONS

For the treatment and prevention of canine heartworm disease caused by *Dirofilaria immitis.*

DOSAGE AND ADMINISTRATION

Administer intravenously 0.1 milliliter per pound of body weight 1.0 milliliter for every 10 pounds) twice a day for 2 days.

PRECAUTIONS

Dogs suffering from severe heartworm disease and which are in critical condition are poor therapeutic risks. The adult worms, upon being killed by treatment, are swept into the pulmonary arteries with resulting embolism. The destruction of worms in such dogs may produce fatal pulmonary embarrassment.

In heavily infected dogs where damage to the lungs may be extensive, it is necessary to keep the animals quiet for some weeks after treatment.

For dogs in poor condition, particularly those with evidence of reduced liver function, a more conservative dosage schedule is recommended (0.1 milliliter per pound of body weight daily for 15 days). Should a cough develop, it is recommended that the treatment be discontinued until the cough stops. The treatment may have to be interrupted several times, but it should be given on 15 consecutive days after the respiratory symptoms have cleared.

Should systemic toxicity occur: Ascorbic acid (25 milligrams two to four times a day) may give relief; dimercaprol (BAL) may be administered intramuscularly (2 milligrams per pound); prednisone (20 milligrams) is almost specific for this condition.

Caution: Federal law restricts this drug to sale by or on the order of a licensed veterinarian.

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 which have inadequate labeling 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 that drug or any other interested person may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69–1367; Filed, Jan. 31, 1969; 8:49 a.m.]

D.N.P. DISOPHENOL

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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: D.N.P. Disophenol; contains 35 milligrams of disophenol per milliliter; marketed by American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540.

The Academy concludes that this drug is effective for the treatment of hookworms in dogs. The Food and Drug Administration concurs with the Academy's evaluation. Accordingly, the new-drug application for the above-listed drug that became effective on the basis of safety is deemed approved also on the basis of effectiveness.

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

For the removal of hookworms (*Ancylostoma caninum, A. braziliense, Uncinaria stenocephala*) from dogs.

DOSAGE AND ADMINISTRATION

0.1 cubic centimeter per pound body weight (3.5–4.5 milligrams per pound). Give subcutaneously. Intramuscular injection not recommended because pain may be produced. Since the drug is primarily effective against hookworms more than 12 days old, retreatment in less than 14 days is not recommended. Periodic fecal examination should be conducted to determine whether reinfestation has occurred.

CAUTION

Federal law restricts this drug to sale by or on the order of a licensed veterinarian.

This announcement is published (1) to inform the holder of the new-drug application 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 which have inadequate labeling 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 that drug or any other interested person may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69–1368; Filed, Jan. 31, 1969; 8:49 a.m.]

DR. MAYFIELD ML–23

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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: Dr. Mayfield ML–23; contains (among other ingredients) 2 percent arsenic trioxide; marketed by Dr. Mayfield Laboratories, Charles City, Iowa 50616.

The Academy concludes that this drug is probably not effective as a vitamin, trace element supplement and that more information is needed since no claims or justification for such use of arsenic trioxide were submitted. The Food and Drug Administration concurs with the Academy's conclusions.

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 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 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 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 that drug or any other interested person may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69–1369; Filed, Jan. 31, 1969; 8:49 a.m.]

HEMOSTOP

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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: Hemostop; contains 25 milligrams of adrenochrome isonicotinic acid hydrazone per cubic centimeter; marketed by the S. E. Massengill Co., Veterinary Division, Bristol, Tenn. 37620.

The Academy concludes that based on available evidence this drug is not effective for stopping capillary bleeding and oozing as claimed and that no documentation was provided as to its effectiveness. The Food and Drug Administration concurs with the conclusions of the Academy.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to withdraw approval of the new-drug applications for this drug and any others of similar composition and labeling.

Prior to initiating such action, however, the Commissioner invites the holders of the new-drug applications for such drugs, and any interested person who may be adversely affected by removal of this drug from the market, to submit any pertinent data bearing on the proposal within 30 days from the date of the publication of this announcement in the FEDERAL REGISTER. Submissions should be addressed to the Bureau of Veterinary Medicine, Special Assistant for Drug Efficacy Study Implementation, 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 other interested person may obtain a copy of the 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 (21 CFR 2.120).

Dated: January 23, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69–1370; Filed, Jan. 31, 1969; 8:49 a.m.]

KOAGAMIN VETERINARY PARENTERAL HEMOSTAT

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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: Koagamin Veterinary Parenteral Hemostat; contains 5.0 milligrams of oxalic acid, 2.5 milligrams of malonic acid, and 0.125 percent of phenol per cubic centimeter; marketed by Chatham Pharmaceuticals, Inc., 901 Broad Street, Newark, N.J. 07102.

The Academy concludes that based on available evidence this drug is not effective as a hemostat and that no controlled studies were provided with favorable evidence of effectiveness. The Food and Drug Administration concurs with the conclusions of the Academy.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to withdraw approval of the new-drug applications for this drug and any others of similar composition and labeling.

Prior to initiating such action, however, the Commissioner invites the holders of the new-drug applications for such drugs, and any interested person who may be adversely affected by removal of this drug from the market, to submit any pertinent data bearing on the proposal within 30 days from the date of publication of this announcement in the FEDERAL REGISTER. Submissions should be addressed to the Bureau of Veterinary Medicine, Special Assistant for Drug Efficacy Study Implementation, 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 other interested person may obtain a copy of the 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 (21 CFR 2.120).

Dated: January 23, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69–1371; Filed, Jan. 31, 1969; 8:49 a.m.]

P.L.H. (PITUITARY LUTEINIZING HORMONE)

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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: P.L.H. (Pituitary Luteinizing Hormone), contains 25.0 milligrams of pituitary luteinizing hormone per vial; marketed by Armour-Baldwin Laboratories, 2465 North 16th Street, Omaha, Nebr. 68103.

The Academy concludes that this drug is effective for the label claims made, and the Food and Drug Administration concurs with this 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

Cattle, horses, swine, sheep, and dogs: An aid in treatment of breeding disorders related to hypofunction of the pituitary.

Females. To stimulate the developing follicle to maturation, estrogen production, and finally ovulation.

Males. Stimulation of interstitial cells of testis for the production of testosterone.

DOSAGE AND ADMINISTRATION

Cattle: 25 milligrams, may be repeated in 1–4 weeks or as indicated.

Horses: 25 milligrams, may be repeated in 1–4 weeks or as indicated.

Swine: 5 milligrams, may be repeated in 1–4 weeks or as indicated.

Sheep: 2.5 milligrams, may be repeated in 1–4 weeks or as indicated.

Dogs: 1.0 milligram, may be repeated in 1–4 weeks or as indicated.

Preferably given by intravenous injection; however, it may be administered subcutaneously.

Caution: Federal law restricts this drug to sale by or on the order of a licensed veterinarian.

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 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 which have inadequate labeling 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 that drug or any other interested person may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69–1372; Filed, Jan. 31, 1969; 8:49 a.m.]

VERMEX POULTRY TABLETS AND VERMEX POWDER

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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 preparations:

1. Vermex Poultry Tablets; 75.0 milligrams of piperazine (as piperazine dihydrochloride), 500 milligrams of phenothiazine, and 225 milligrams of dichlorophene (2,2'-dihydroxy-5,5'-dichloro-diphenylmethane) per tablet; marketed by Whitmoyer Laboratories, Inc., Myerstown, Pa. 17067.

2. Vermex Powder; 11.10 percent of piperazine (as piperazine dihydrochloride), 16.72 percent of dichlorophene (2,2' - dihydroxy - 5,5' - dichlorodiphenylmethane), and 56.20 percent of phenothiazine; marketed by the same firm.

The Academy concludes (1) that these preparations are probably not effective for the elimination of large roundworms (*Ascaridia galli*), cecal worms (*Heterakis gallinae*), and tapeworms (*Raillietina cesticillus* and *Choanotaenia infundibulum*) from chickens and turkeys and (2) that available data for both tablet and powder formulations are inadequate to establish efficacy claims when the products are used in accordance with their directions. The Food and Drug Administration concurs with the conclusions of the Academy.

This evaluation of the subject drugs is concerned only with their effectiveness and safety to the animal to which they are 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 drugs or their metabolites as residues in food products derived from treated animals.

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 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 used.

Written comments regarding this announcement, including requests 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 drugs 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 those drugs or any other interested person may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, Jr.,
Commissioner of Food and Drugs.

[F.R. Doc. 69–1373; Filed, Jan. 31, 1969; 8:50 a.m.]

VERMIPLEX CAPSULES

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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: Vermiplex Capsules; contains 125 milligrams of 2,2'-methylenebis(4-chlorophenol) (Di-Phenthane-70) and 150 milligrams of methylbenzene per No. 00 capsule (larger capsules contain the same ingredients in the same proportion); marketed by Pitman-Moore, Division of The Dow Chemical Co., Research Center, Box 10, Zionsville, Ind. 17067.

The Academy concludes that this preparation is an effective cat and dog anthelmintic. The Food and Drug Administration concurs with this 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

For the removal of ascarids (*Toxocara* and *Toxascaris*) and hookworms (*Ancylostoma*) and as an aid in the removal of tapeworms (*Taenia*, *Dipylidium*, and *Echinococcus*) from cats and dogs.

DOSAGE AND ADMINISTRATION

1. Small puppies and kittens:

a. Single dose method: 1 capsule containing 125 milligrams of Di-Phenthane-70 and 150 milligrams of methylbenzene per pound of body weight.

b. Divide dose method: 1 capsule per 5 pounds of body weight each day for 6 days.

2. Dogs and cats: 1 capsule containing 250 milligrams of Di-Phenthane-70 and 300 milligrams of methylbenzene per each 2.5 pounds of body weight.

Withhold solid foods and milk (broth may be given) for at least 12 hours prior to medication and for 4 hours afterward.

CONTRAINDICATION

Consult a veterinarian before administering to weak or debilitated animals.

SIDE EFFECTS

May cause severe salivation; if animal bites capsule, discontinue administration until symptoms subside.

Caution: Keep out of the 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 which have inadequate labeling 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 that drug or any other interested person may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, JR.,
Commissioner of Food and Drugs.

[F.R. Doc. 69-1374; Filed, Jan. 31, 1969; 8:50 a.m.]

VETISTAT

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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: Vetistat; contains 0.5 percent of oxalic acid and 0.25 percent of malonic acid; marketed by Norden Laboratories, 601 West Oak, Lincoln, Nebr. 68501.

The Academy concludes that based on available evidence this drug is not effective for controlling internal or external hemorrhage in animals. The Food and Drug Administration concurs with the Academy's conclusion.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to withdraw approval of the new-drug applications for this drug and any others of similar composition and labeling.

Prior to initiating such action, however, the Commissioner invites the holders of the new-drug applications for such drugs, and any interested person who may be adversely affected by removal of this drug from the market, to submit any pertinent data bearing on the proposal within 30 days from the date of publication of this announcement in the FEDERAL REGISTER. Submissions should be addressed to the Bureau of Veterinary Medicine, Special Assistant for Drug Efficacy Study Implementation, 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 other interested person may obtain a copy of the 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 (21 CFR 2.120).

Dated: January 23, 1969.

HERBERT L. LEY, JR.,
Commissioner of Food and Drugs.

[F.R. Doc. 69-1375; Filed, Jan. 31, 1969; 8:50 a.m.]

WORMAL GRANULES AND WORMAL TABLETS

Drugs for Veterinary Use—Drug Efficacy Study Implementation

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 preparations marketed by Salsbury Laboratories, Charles City, Iowa 50616.

1. Wormal Granules—a preparation containing 7 percent dibutyltin dilaurate, 5.5 percent piperazine base (present as sulfate), and 29.0 percent phenothiazine.

2. Wormal Tablets—a preparation containing 125 milligrams of dibutyltin dilaurate, 50 milligrams of piperazine, and 500 milligrams of phenothiazine per tablet.

The Academy concludes that the above anthelmintics are effective for their indications, and the Food and Drug Administration concurs with this evaluation.

Supplemental new-drug applications are invited to revise the labeling provided in new-drug applications for these drugs to limit the claims and present the conditions of use substantially as follows:

INDICATIONS

For the removal of tapeworms (*R. cesticillus, C. infundibulum, D. proglottina, H. carioca, R. tetragona, A. sphenoides*), large roundworms (*Ascaridia galli*), and cecal worms (*Heterakis gallinae*) from chickens and turkeys.

DOSAGE AND ADMINISTRATION

Wormal Granules—Flock Treatment

A. Replacement chickens and broilers:

1. Under 12 weeks of age: Mix 1 pound of Wormal in 50 pounds of feed for every 250 birds. Give as sole ration until consumed.

2. Over 12 weeks of age: Mix 1 pound of Wormal in 100 pounds of feed for every 250 birds. For growing birds give as sole ration. For laying birds give as sole ration or with an equal amount of grain.

B. Turkeys: Mix 1 pound of Wormal in 100 pounds of mash for every 250 birds. Give as sole ration until consumed.

Any of the above treatments may be repeated in 30 days if necessary. Provide ample feeder space so that all birds may eat at the same time.

Wormal Tablets—Individual Bird Treatment

Withhold evening feed and give tablets before morning feed.

Chickens over 8 weeks of age: Orally, 1 tablet per bird.

Turkeys over 11 weeks of age: Orally, 2 tablets per bird.

CONTRAINDICATIONS

Worming laying birds in above 50 percent production may cause a temporary drop in egg production.

Caution: Do not administer to sick, feverish, underweight, or physically weak birds. This product is designed for chickens and turkeys; it should not be given to other animals. Keep this and all medications out of the reach of children.

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 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 which have inadequate labeling 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 drugs 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 those drugs or any other interested person may obtain a copy of the 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: January 23, 1969.

HERBERT L. LEY, JR.,
Commissioner of Food and Drugs.

[F.R. Doc. 69-1376; Filed, Jan. 31, 1969; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20667]

HERBERT COHAN AND TERRENCE COHEN

Notice of Proposed Approval Regarding Control Relationships

Application of Herbert Cohan and Terrence Cohen for approval under section 408 of the Federal Aviation Act of 1958, as amended, of acquisition of Skyline Air Freight, Inc., Docket 20667.

Notice is hereby given, pursuant to the statutory requirements of section 408(b) of the Federal Aviation Act of 1958, as amended, that the undersigned intends to issue the attached order under delegated authority. Interested persons are hereby afforded a period of 15 days from the date of service within which to file comments or request a hearing with respect to the action proposed in the order.

Dated at Washington, D.C., January 28, 1969.

[SEAL] A. M. ANDREWS,
Director,
Bureau of Operating Rights.

Issued under delegated authority.

Application of Herbert Cohan and Terrence Cohen for approval under section 408 of the Federal Aviation Act of 1958, as amended, of acquisition of Skyline Air Freight, Inc., Docket 20667.

By application filed January 21, 1969, Herbert Cohan and Terrence Cohen request approval, pursuant to section 408 of the Federal Aviation Act of 1958, as amended (the Act), of their acquisition of all of the outstanding shares of stock of Skyline Air Freight, Inc. (Skyline), a domestic and international air freight forwarder while they control Broadway Delivery Corp. and in conjunction with their father, Cohen Express Corp. and Sandick Transportation Corp. The aforementioned companies are exempt motor common carriers operating in the commercial zone of New York City. They are restricted to the provision of local transportation within less than a 50-mile radius of a point centered in New York City.[1]

The applicants disclose that, together acquire 50 percent each, of the entire outstanding stock of 200 shares of Skyline, for $15,000 in cash. The stock will be acquired in the names of their respective wives.

The applicants disclose that, together with their father, they hold a 35-percent interest in the stock of Cohen Express Corp., a 70-percent interest in the stock of Sandick Transportation Corp. and, independently of their father, a 70-percent interest in Broadway Delivery Corp.[2] Further, Messrs. Cohan and Cohen are directors and/officers of each of the three said companies. Upon acquisition of Skyline's stock, both applicants will become directors of Skyline, while Herbert Cohan will become President, and Terrence Cohen will become Secretary-Treasurer of Skyline while also retaining their positions in the three motor common carriers.

No objection to the application has been filed.

Notice of intent to dispose of the application without a hearing has been published in the FEDERAL REGISTER, and a copy of such notice has been furnished by the Board to the Attorney General not later than 1 day following the date of such publication, both in accordance with the requirements of section 408(b) of the Act.

It is concluded that the acquisition of control of Skyline by Messrs. Cohan and Cohen while they control jointly or in conjunction with their father three common carriers is subject to section 408 of the Act. However, it is further concluded that such control does not affect the control of an air carrier directly engaged in the operation of aircraft in air transportation, does not create a monopoly, and does not restrain competition. Furthermore, no person disclosing a substantial interest in the proceeding is currently requesting a hearing, and it is found that the public interest does not require a hearing. The control relationships are similar to others approved by the Board and essentially do not present any new substantive issues.[3] It therefore appears that approval of the control relationships would not be inconsistent with the public interest.[4]

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.13, it is found that the foregoing control relationships should be approved pursuant to section 408(b) of the Act without hearing.

Accordingly, it is ordered:

That the acquisition of control by Messrs. Cohan and Cohen of Skyline be and it hereby is approved.

Persons entitled to petition the Board for review of this order pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 5 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period unless within such period a petition for review thereof has been filed, or the Board gives notice that it will review this order on its own motion.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-1354; Filed, Jan. 31, 1969; 8:48 a.m.]

[Docket No. 18650; Order 69-1-115]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Specific Commodity Rates

Issued under delegated authority January 27, 1969.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in an IATA letter dated January 16, 1969, names additional specific commodity rates, as set forth in the attachment hereto,[1] which reflect significant reductions from the general cargo rates.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found that the subject agreement is adverse to the public interest or in violation of the Act: *Provided*, That approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That:

Agreement CAB 20469, R-23 through R-27, be approved, provided approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may file such petitions within 10 days after the date of service of this order.

This order shall be effective and become the action of the Civil Aeronautics Board upon expiration of the above period, unless within such period a petition for review thereof is filed or the Board gives notice that it will review this order on its own motion.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-1353; Filed, Jan. 31, 1969; 8:47 a.m.]

[Docket No. 20579]

AMERICAN AIRLINES, INC., ET AL.

Notice of Postponement of Prehearing Conference

Increased general commodity rates for: American Airlines, Inc., Braniff Airways, Inc., The Flying Tiger Line, Inc., and United Air Lines, Inc.

In view of the action or intention of American, Braniff, and United to cancel the tariffs involved in this proceeding, the prehearing conference assigned to be held on January 30, 1969, is hereby postponed until further notice. The parties named in the Order of Investigation (Order 68-12-115) were informally notified of this postponement on January 29, 1969.

Dated at Washington, D.C., January 29, 1969.

[SEAL] ROBERT M. JOHNSON,
Hearing Examiner.

[F.R. Doc. 69-1432; Filed, Jan. 31, 1969; 8:50 a.m.]

[1] 49 CFR 1048.1.

[2] A Mr. Keller owns approximately 30 percent of the stock of each of the companies. However, it is stated that each of the companies will buy back, from Mr. Keller, his stock.

[3] *Cf.* Trygve B. Lodrup et al., Order E-26288, Jan. 26, 1968.

[4] In light of approval of the control relationships, any interlocking relationship within the purview of section 409 which exists will be entitled to the exemption provided for by § 287.2 of the Board's economic regulations.

[1] Attachment filed as part of the original document.

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18411; FCC 69-63]

ITT WORLD COMMUNICATIONS INC. ET AL.

Order Enlarging Issues

In the matter of ITT World Communications, Inc., Revisions to Tariff FCC No. 43, offering a 48 kHz leased channel service with customer subdivision; In the matter of RCA Global Communications, Inc., Revisions to Tariff FCC No. 67, offering a 48 kHz leased channel service with customer subdivision; In the matter of Communications Satellite Corporation Revisions to Tariff FCC No. 1, offering a 48 kHz channel with ultimate customer subdivision.

The Commission having before it the memorandum opinion, order, and authorizations of December 18, 1968 (FCC 68-1227), which, among other things, instituted this investigation into the lawfulness of tariff revisions separately filed by ITT World Communications Inc. (ITT), RCA Global Communications, Inc. (RCA), and Communications Satellite Corporation (Comsat) offering leased 48 kHz channel service;

It appearing, that such memorandum opinion, order, and authorizations directs that, without in any way limiting the scope of the proceeding, it shall include inquiry into five broad issues which are stated therein and such specific issues as the Commission will set out by further order;

It further appearing, that inquiry into the specific issues set out in the ordering paragraph hereinbelow would be relevant to and of assistance in resolving the general issues previously designated herein;

It further appearing, that since service under the tariff revisions under investigation herein will initially be provided to the Department of Defense (DoD) and to the National Aeronautics and Space Administration (NASA), the participation of such agencies will assist the Commission in the determination of the issues in question, and that, therefore, pursuant to section 411 of the Communications Act, DoD and NASA should be made parties respondent to this proceeding;

It further appearing, that any changes in the tariff offerings of the services under investigation herein should be included in the scope of such investigation;

It is ordered, That the scope of the investigation herein is enlarged to include investigation into the lawfulness of any changes, or amendments to tariff offerings relating to the services under investigation herein.

It is further ordered, That the issues in this proceeding are supplemented by the addition of the following issues:

6. What is the anticipated demand in 1969, 1970, and 1971 for the services in question, and to what extent would such demand be affected if voice channel derivation were not offered;

7. Conversely, to what extent, if any, will there be a diversion from single voice grade circuit leases to the 48 kHz service, and what will be the effect of any such diversion on each respondent carrier's revenues;

8. To what extent will prospective customers use the full capacity of the 48 kHz circuit, and what is the relative use that will be made of such circuit as a 48 kHz circuit and as subdivided circuits;

9. To what extent would the demand for 48 kHz channels, for use as a single broadband data channel, be met by the offering of 48 kHz service for periods shorter than a month (e.g., on a daily, hourly, or minute basis);

10. To what extent is there a need for contiguous voice-grade channels;

11. What are the incremental and fully allocated costs (including a return on investment and payouts to other carriers) that will be incurred by each respondent carrier in furnishing the services under investigation herein, and, with respect to ITT and RCA, (a) the separate costs of providing the broadband channel, voice-channel derivation, and voice channel conditioning, and (b) the separate cost of providing the service via satellite facilities and via cable facilities, if such facilities will be used for the service; and what is the expected relative use of each medium.

12. To what extent, if any, would the cost of providing the services differ from the cost of providing a number of individual voice channels between the same points which would be the equivalent of a 48 kHz bandwidth;

13. Assuming the charges under investigation herein are not justified by the carrier's costs of providing such service, what justification is there for such charges as promotional rates;

It is further ordered, That DoD and NASA are hereby made parties respondent to the proceeding.

Adopted: January 22, 1969.

Released: January 28, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-1347; Filed, Jan. 31, 1969; 8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

[H.C. 18]

GAC CORP.

Notice of Receipt of Application for Permission To Acquire Control of Equitable Savings and Loan Association

JANUARY 29, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the GAC Corp., Allentown, Pa., for permission to acquire control of the Equitable Savings and Loan Association, Portland, Oreg., under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)) and § 584.4 of the regulations for Savings and Loan Holding Companies (12 CFR 584.4). The proposed acquisition of control is to be effected by the exchange of stock of GAC Corp. for capital stock of Equitable Savings and Loan Association. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20052, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL] JACK CARTER,
Secretary,
Federal Home Loan Bank Board.

[F.R. Doc. 69-1330; Filed, Jan. 31, 1969; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP66-317]

COLORADO INTERSTATE GAS CO.

Notice of Petition To Further Amend

JANUARY 24, 1969.

Take notice that on January 21, 1969, Colorado Interstate Gas Co., a division of Colorado Interstate Corp. (Petitioner), Post Office Box 1087, Colorado Springs, Colo., 80901, filed in Docket No. CP66-317 a petition to amend the order of the Commission issued in said docket June 13, 1966, as amended June 28, 1968, which order and amendment authorized Petitioner to transport and deliver gas to Natural Gas Pipeline Company of America (Natural) on an exchange basis at the Beaver County, Okla., interconnection. Present authorization extends up to January 1, 1969.

By the instant filing, Petitioner seeks authorization to extend the term of the said exchange until January 1, 1970.

Petitioner states that the said exchange of gas enabled it to make a short-term direct sale to Public Service Company of Oklahoma (Public Service) for use in Public Service's power plant near Anadarko, Okla. Petitioner states that extension of the said gas exchange agreement is necessary because Petitioner continues to have a gas supply temporarily in excess of market requirements while Public Service continues to need additional gas to meet its anticipated short-term fuel requirements at its power plant near Anadarko, Okla.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 24, 1969.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-1316; Filed, Jan. 31, 1969; 8:45 a.m.]

[1] Commissioners Wadsworth and H. Rex Lee absent.

[Docket No. CP66-318]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Petition To Amend

JANUARY 24, 1969.

Take notice that on January 17, 1969, Natural Gas Pipeline Company of America (Petitioner), 122 South Michigan Avenue, Chicago, Ill. 60603, filed in Docket No. CP66-318 a petition to amend the order of the Commission issued in said docket June 13, 1966, as amended June 28, 1968, which order authorized Petitioner to exchange gas with Colorado Interstate Gas Co., a division of Colorado Interstate Corp. (Colorado Interstate) for a period terminating January 1, 1969.

By the instant filing Petitioner seeks to extend the term of the subject exchange to January 1, 1970, subject to prior termination in the event of termination of a related agreement between Colorado Interstate and Public Service Company of Oklahoma.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 24, 1969.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-1317; Filed, Jan. 31, 1969; 8:45 a.m.]

[Docket No. CP69-194]

SOUTH PARMER GAS FARMERS' CO-OPERATIVE SOCIETY AND EL PASO NATURAL GAS CO.

Notice of Application

JANUARY 24, 1969.

Take notice that on January 17, 1969, South Parmer Gas Farmers' Co-Operative Society (Applicant), Parmer County, Tex., filed in Docket No. CP69-194 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing El Paso Natural Gas Co. (Respondent) to establish physical connection of its transmission facilities with the facilities of Applicant and to sell and deliver to Applicant volumes of natural gas for resale to the membership therof, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to purchase gas from Respondent and sell said gas to a group of farmers who will construct their own group line, together with the necessary meters and other appurtenant facilities, at their own expense. Initial cost to be incurred by Applicant is stated to be nominal.

Applicant states that the proposed connection will enable it to furnish its farmer-customers with improved service at lower rates than has been furnished by their present supplier.

Present annual and peak month operating requirements are estimated at 38,600 Mcf and 6,200 Mcf, respectively.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 24, 1969.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-1318; Filed, Jan. 31, 1969; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[812-2361]

INVESTORS SYNDICATE LIFE INSURANCE AND ANNUITY CO. AND ISL VARIABLE ANNUITY FUND A

Notice of Application for Exemptions

JANUARY 28, 1969.

Notice is hereby given that Investors Syndicate Life Insurance and Annuity Co. ("Investors"), a stock life insurance company organized under the laws of the State of Minnesota, and ISL Variable Annuity Fund A ("Fund A"), Investors Building, Minneapolis, Minn. 55402, a separate account for contracts on a variable basis (herein collectively called "Applicants") have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of exemption to the extent noted below from the provisions of sections 17(f), 22(e), 27(a)(3), 27(c)(1), and 27(c)(2) of the Act and Rule 17f-2 thereunder. Investors established Fund A on May 10, 1968, pursuant to the provisions of Minnesota Statutes 61A.14 as amended to offer individual variable annuity contracts of three basic types. The Individual Installment Purchase Payment Deferred Annuity Contract, The Individual Single Purchase Payment Deferred Annuity Contract and The Individual Single Purchase Payment Immediate Annuity Contract. Fund A is an open-end, diversified management investment 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.

Section 27(a)(3). Section 27(a)(3) provides, inter alia, that no registered investment company issuing periodic payment plan certificates, and no underwriter for such company may sell any such certificates if the amount of sales load deducted from any payment subsequent to the first 12 monthly payments exceeds proportionately the amount deducted from any other subsequent payment. One of the contracts offered, the individual installment purchase payment deferred annuity contract, provides for a deduction for sales load of 20 percent of the purchase payments in the first contractual year, 18 percent of the purchase payments in the second and third contractual years, 7 percent in the fourth contract year and 4 percent thereafter, plus a deduction for any applicable premium tax. This scale of sales load deductions would not comply with section 27(a)(3) since the sales loading in the second and third contract years would not be proportionately equal to the loading in the fourth contract year, and neither would be proportionately equal to the loading in the fifth and subsequent contract years.

Applicants state that this proposed scale of sales loading goes further to accomplish the purpose of section 27(a)—to mitigate losses resulting from the concentration of sales load deductions in the early months of the operation of a periodic payment plan—than if the deductions were made in the manner expressly permitted by the statute. Accordingly, Applicants request an exemption from section 27(a)(3) to the extent required to permit the spread of sales load as described.

Sections 22(e) and 27(c)(1). Sections 22(e) and 27(c)(1) provide respectively, inter alia, that no registered investment company may suspend the right of redemption or postpone the date of payment except within certain prescribed limitations and no registered company issuing periodic payment plan certificates and no underwriter for such company, may sell any such certificates unless such certificates are redeemable securities.

Applicants represent that the mortality table employed in the Contracts is derived from studies of mortality among annuitants under contracts which contain the option of terminating and obtaining cash only prior to the annuity commencement date. Applicants state that the table, therefore, assumes that once the annuity payments commence the annuitant will continue in the group and payments will be made until his death and that this assumption is used in determining the amount of payment from life annuities whether fixed or variable. No surrender benefits following the commencement of payments have been considered in arriving at the amount of annuity payments which can be purchased under the various annuity options, and Applicants represent that if provision for any such benefits were made, these periodic payments would be significantly reduced. Applicants, therefore request exemption from sections 22(e) and 27(c)(1) to eliminate the right of redemption once an annuity has been provided at retirement.

Sections 27(c)(2) and 17(f) and Rule 17f-2. 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 trust indentures of a unit investment trust. Section 17(f) provides, in pertinent part, that a registered 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 interest of investors. Rule 17f–2 requires, in pertinent part, that such assets be placed in a bank or other company whose facilities are supervised by Federal or State authorities, and that access to the securities be limited to certain specified persons.

Under Minnesota law, assets in the Fund must be invested in the insurance company's corporate name. Compliance with this Minnesota law may result in Investors being regarded as the custodian of the assets of the Fund. Applicants will hold the assets in the Fund pursuant to a safekeeping agreement with a bank which meets the requirements of section 26(a)(1), but which provides for access by the examining representatives of State Insurance Departments and further contemplates access by the internal auditors of Investors.

Investors, as an insurance company, is subject to extensive supervision and control by the Minnesota Insurance Commissioner and the Insurance Department of the 49 other jurisdictions in which it does business. One aspect of such supervision and control is examination. Minnesota law requires an examination at least every 3 years, during which examination the assets of Investors must be made available to such examiner.

Another aspect of such supervision and control is that under Minnesota law the contractual obligations of Investors to the Contract Holder cannot be abandoned until such obligations have been discharged. In the opinion of Counsel, the substantial capital and surplus of Investors stand behind such obligations, insuring that it will be able to meet its obligations. Further, under Minnesota law, assets held in a separate account (the Fund) are not chargeable with liabilities arising out of any other business that the Company may conduct.

Further, protection is offered by an internal audit system. Investors has an internal audit staff which does make spot checks and complete examinations of the assets, books, and records of Investors. To preclude such auditors from proper access to the assets of Investors in the Fund would deprive the Fund's Contract Holders from additional protection enjoyed by other policyholders of the insurance company. The control and regulation by Minnesota law and the various State insurance departments provide substantial protection against the hazards at which sections 26(a)(2) and (3) are aimed.

Accordingly, Applicants request an exemption from sections 27(c)(2) and 17(f) and Rule 17f–2 to the extent required to permit custody of the Fund's securities and similar investments by Investors pursuant to a safekeeping agreement under which such investments will be deposited with a bank having the qualifications of section 26(a)(1) in a manner which Applicants represent is in substantial but not in literal compliance with sections 26(a)(2) and (3), and section 17(f) and Rule 17f–2 thereunder.

Applicants have consented to the requested exemption being subject to the condition that the payment of sums and charges out of the trusteed assets, other than such charges for administrative services, shall not be deemed to be exempted from regulation by the Commission provided that the Applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of the trusteed assets other than charges for administrative services, and Applicants reserve the right, in any proceeding before the Commission or in any suit or action in any court, to assert that the Commission has no authority to regulate the payment of such other sums and charges.

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 hereby given that any interested person may, not later than February 10, 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 stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69–1349; Filed, Jan. 31, 1969; 8:47 a.m.]

[812–2349]

INVESTORS SYNDICATE LIFE INSURANCE AND ANNUITY CO. AND ISL VARIABLE ANNUITY FUND B

Notice of Application for Exemptions

JANUARY 28, 1969.

Notice is hereby given that Investors Syndicate Life Insurance and Annuity Co. ("Investors"), a stock life insurance company organized under the laws of the State of Minnesota, and ISL Variable Annuity Fund B ("Fund B"), Investors Building, Minneapolis, Minn. 55402, a separate account for contracts on a variable basis (herein collectively called "Applicants") have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of exemption to the extent noted below from the provisions of sections 14(a), 15(a), 16(a), 17(f), 22(e), 27(a)(1), 27(a)(3), 27(c)(1), 27(c)(2), and 32(a)(2) of the Act and Rule 17f–2 thereunder. Investors established Fund B on June 10, 1968, pursuant to the provisions of Minnesota Statutes 61A.14 as amended to offer individual variable annuity contracts designed for use in retirement programs qualifying for special tax treatment under section 401 or 403 of the Internal Revenue Code ("Code"). Fund B is an open-end, diversified management investment 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.

Section 14(a). Section 14(a) provides that no registered investment company shall make a public offering of a security of which such company is the issuer, unless such company has a net worth of at least $100,000 or provision has been made to have such net worth prior to the issue of any security. Applicants submit that it is not feasible to secure $100,000 of assets through a nonpublic offering since Fund B will be limited to holding assets set aside with respect to contracts initially meeting the requirements of section 403(b) of the Code or issued with respect to plans initially qualifying under section 401 of the Code or initially qualified annuity plans under section 403(a) of the Code. Investors has over $37 million of assets and capital and surplus of over $12 million. Investors will provide the mortality and expense assurances contained in the Contracts and will also provide all sales and administrative services relative to such Contracts. Applicants assert that the purpose of section 14(a) will be served because under Minnesota law Fund B is an integral part of Investors and this close affiliation will substantially satisfy the statutory purpose of insuring that a registered investment company is financially responsible prior to its first public offering. The contractual obligations of Investors under the Contracts cannot be abandoned until such obligations have been discharged.

Applicants request an exemption from section 14(a) so that Fund B may commence its public offering prior to its having a net worth of $100,000.

Sections 15(a), 16(a), and 32(a)(2). Sections 15(a), 16(a), and 32(a)(2), in substance, require shareholder approval of the investment advisory agreement, the election of directors by shareholders, and shareholder ratification of the selection of an independent public accountant, respectively. The first Board of Managers of Fund B was elected by the Executive Committee of Investors. Investors will act as an Investment Advisor pursuant to an Investment Management Agreement with Fund B. Investors Diversified Services, Inc. ("IDS") will act as an Investment Advisor to Fund B pursuant to an Investment Advisory Agreement with Investors. Applicants state that there are no persons eligible to vote in connection with Fund B since no Contracts have as yet been sold. It is anticipated that the first meeting of Variable Contract Holders will take place in April 1969 if any contributions under variable annuity contracts have been received, or if no contributions have been received, it will be held as soon as practicable after a reasonable amount of such contributions is received. Applicants request an exemption from these provisions of the Act so that Fund B may operate without the Variable Contract Holders' approval of the Investment Management and Investment Advisory Agreements, without their election of the Board of Managers and without their ratification of the selection of the independent public accountants until action can be taken with respect to these matters by the Variable Contract Holders at their first meeting.

Sections 27(a)(1) and 27(a)(3). Sections 27(a)(1) and 27(a)(3) provide inter alia that no registered investment company issuing periodic payment plan certificates and no underwriter for such company may sell any such certificate if the sales load on such certificate exceeds 9 percent of the total payments to be made thereon or if the amount of sales load deducted from any payment subsequent to the first 12 monthly payments exceeds proportionately the amount deducted from any other payment. The application indicates that if a Contract, under which the maximum first-year deductions apply, is not redeemed until payments are made for 10 or more years, the overall average sales load will not exceed 9 percent. Investors represents that no Contract will be issued with a retirement date earlier than 10 years from the date of issue. However, although the Contracts specify a retirement date, it may be deferred or accelerated, or the Contract may be redeemed before such date, at the option of the contract owner, thereby incurring an overall average sales load in excess of 9 percent. In this connection, the application states that there is no fixed period of years over which the sales load can be computed and no fixed total purchase price. Applicants request exemption from section 27(a)(1) so that the deductions for sales charges may be made as provided in the Contracts.

One of the Contracts offered, the individual flexible purchase payment deferred annuity Contract, provides for a deduction for sales load of 20 percent of the first $1,000 of purchase payment and 4 percent of purchase payments in excess of $1,000, plus a deduction for any applicable premium tax. The minimum purchase payment which must be provided for in this contract is the greater of (a) an amount which when multiplied by the number of contract years between the application date and the retirement date, equals at least $3,200, or (b) $240 a year. This scale of sales load deductions would not comply with section 27(a)(3) since the sales load deducted from any payment subsequent to the first 12 monthly payments or their equivalent may exceed proportionately the amount of sales load deducted from other subsequent payments. The problem of compliance arises from the facts that the sales load in this contract is a function of quantity rather than of time of payment and the amount of purchase payments on separate individual contracts will differ. Applicants represent that the purpose behind the flexible purchase payment feature of this contract is to accommodate the different and changing needs of individual purchasers pursuant to the tax plans under which this contract will be offered. Further, Applicants state that with the minimum size requirements, this scale of sales load will not work to the disadvantage of purchasers as compared with the scale which would be permitted on a year-of-payment basis. Applicants request an exemption from 27(a)(3) so that this contract may be offered and sold as described.

Sections 22(e) and 27(c)(1). Sections 22(e) and 27(c)(1) provide respectively, inter alia, that no registered investment company may suspend the right of redemption or postpone the date of payment except within certain prescribed limitations and no registered company issuing periodic payment plan certificates and no underwriter for such company, may sell any such certificates unless such certificates are redeemable securities.

Applicants represent that the mortality table employed in the Contracts is derived from studies of mortality among annuitants under contracts which contain the option of terminating and obtaining cash only prior to the annuity commencement date. Applicants state that the table, therefore, assumes that once the annuity payments commence the annuitant will continue in the group and payments will be made until his death and that this assumption is used in determining the amount of payment from life annuities whether fixed or variable. No surrender benefits following the commencement of payments have been considered in arriving at the amount of annuity payments which can be purchased under the various annuity options, and Applicants represent that if provision for any such benefits were made, these periodic payments would be significantly reduced. Applicants, therefore request exemption from sections 22(e) and 27(c)(1) to eliminate the right of redemption once an annuity has been provided at retirement.

Sections 27(c)(2) and 17(f), and Rule 17f-2. 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 trust indentures of a unit investment trust. Section 17(f) provides, in pertinent part, that a registered 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 interest of investors. Rule 17f-2 requires, in pertinent part, that such assets be placed in a bank or other company whose facilities are supervised by Federal or State authorities, and that access to the securities be limited to certain specified persons.

Under Minnesota law, assets in the Fund must be invested in the insurance company's corporate name. Compliance with this Minnesota law may result in Investors being regarded as the custodian of the assets of the Fund. Applicants will hold the assets in the Fund pursuant to a safekeeping agreement with a bank which meets the requirements of section 26(a)(1), but which provides for access by the examining representatives of State Insurance Departments and further contemplates access by the internal auditors of Investors.

Investors, as an insurance company, is subject to extensive supervision and control by the Minnesota Insurance Commissioner and the Insurance Department of the 49 other jurisdictions in which it does business. One aspect of such supervision and control is examination. Minnesota law requires an examination at least every 3 years, during which examination the assets of Investors must be made available to such examiner.

Another aspect of such supervision and control is that under Minnesota law the contractual obligations of Investors to the Contract Holder cannot be abandoned until such obligations have been discharged. In the opinion of Counsel, the substantial capital and surplus of Investors stand behind such obligations, insuring that it will be able to meet its obligations. Further, under Minnesota law, assets held in a separate account (the Fund) are not chargeable with liabilities arising out of any other business that the Company may conduct.

Further, protection is offered by an internal audit system. Investors has an internal audit staff which does make spot checks and complete examinations of the assets, books, and records of Investors. To preclude such auditors from proper access to the assets of Investors in the Fund would deprive the Fund's Contract Holders from additional protection enjoyed by other policyholders of the insurance company. The control and regulation by Minnesota law and the various state insurance departments provide substantial protection against the hazards at which sections 26(a)(2) and (3) are aimed.

Accordingly, Applicants request an exemption from sections 27(c)(2), and 17(f), and Rule 17f-2 to the extent required to permit custody of the Fund's securities and similar investments by Investors pursuant to a safekeeping agreement under which such investments will be deposited with a bank having the qualifications of section 26(a)(1) in a manner which Applicants represent is in substantial but not in literal compliance with sections 26(a)(2) and (3), and section 17(f), and Rule 17f-2 thereunder.

Applicants have consented to the requested exemption being subject to the condition that the payment of sums and charges out of the trusteed assets, other than such charges for administrative services, shall not be deemed to be exempted from regulation by the Commission provided that the Applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payment of sums and charges out of the trusteed assets other than charges for administrative services, and Applicants reserve the right, in any proceeding before the Commission or in any suit or action in any court, to assert that the Commission has no authority to regulate the payment of such other sums and charges.

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 hereby given that any interested person may, not later than February 10, 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 stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-1350; Filed, Jan. 31, 1969; 8:47 a.m.]

[70-4710]

OHIO POWER CO. AND AMERICAN ELECTRIC POWER CO., INC.

Notice of Proposed Issue and Sale of First Mortgage Bonds and Sinking Fund Debentures at Competitive Bidding

JANUARY 28, 1969.

Notice is hereby given that Ohio Power Co. ("Ohio"), 301 Cleveland Avenue SW., Canton, Ohio 44702, an electric utility subsidiary company of American Electric Power Co., Inc. ("AEP"), 2 Broadway, New York, N.Y. 10004, has filed an application-declaration, with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b) and 12(c) and Rules 42 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Ohio proposes to issue and sell $70 million aggregate principal amount of its First Mortgage Bonds, ___ percent Series due 1999. Such bonds will be sold under competitive bidding and the interest rate (which shall be a multiple of one-eighth of 1 percent) and the price to be paid to Ohio (which shall be not less than 100 percent nor more than 102.75 percent of the principal amount thereof) will be determined by the competitive bidding. The bonds will be issued under the Mortgage and Deed of Trust dated as of October 1, 1938, between the Ohio and Manufacturers Hanover Trust Co. and Donald B. Herterich, as Trustees, as heretofore supplemented and amended and as to be further supplemented by a Supplemental Indenture to be dated as of March 1, 1969.

Ohio also proposes to issue and sell $15 million aggregate principal amount of its ___ percent Sinking Fund Debentures due 1999. Such debentures will be sold under competitive bidding and the interest rate (which shall be a multiple of one-eighth of 1 percent) and the price to be paid to Ohio (which shall not be less than 100 percent nor more than 102.75 percent of the principal amount thereof) will be determined by the competitive bidding. The debentures will be issued under an agreement dated as of January 1, 1966, between Ohio and First National City Bank, as Trustee, as heretofore supplemented and amended and as to be further supplemented by a supplemental agreement to be dated as of March 1, 1969.

The proceeds of the sale of the First Mortgage Bonds and Debentures are to be applied to the extent necessary to pay Ohio's commercial paper and to prepay without premium Ohio's notes payable to banks. As of October 31, 1968, commercial paper was outstanding in the amount of $36 million and it is expected that, at the time of issuance and delivery of the bonds and debentures, an aggregate amount, not exceeding $62 million of commercial paper and notes will be outstanding. The proceeds remaining after the repayment of Ohio's outstanding commercial paper and notes payable to banks will be added to Ohio's general funds.

The application-declaration states that the Public Utilities Commission of Ohio has jurisdiction over the proposed transactions, and that an appropriate order will be obtained from this Commission and copies thereof will be filed by amendment. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. The fees and expenses to be incurred in connection with the proposed transactions are to be supplied by amendment.

Notice is further given that any interested person may, not later than February 17, 1969, request in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the application-declaration 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 applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed or as it may be amended, may be granted and permitted to become effective, as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-1351; Filed, Jan. 31, 1969; 8:47 a.m.]

OMEGA EQUITIES CORP.

Order Suspending Trading

JANUARY 28, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Omega Equities Corp., New York, N.Y., 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 29, 1969, through February 7, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-1352; Filed, Jan. 31, 1969; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Loan Area 690]

CALIFORNIA

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of January 1969, because of the effects of certain disasters, damage resulted to residences and business property located in the county of Los Angeles, in the State of California;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Acting Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid county, and areas adjacent thereto, suffered damage or destruction resulting from floods occurring from January 18 through January 21, 1969.

OFFICE

Small Business Administration Regional Office, 849 South Broadway, Los Angeles, Calif. 90014.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to July 31, 1969.

Dated: January 23, 1969.

HOWARD GREENBERG, *Acting Administrator.*

[F.R. Doc.-69-1331; Filed, Jan. 31, 1969; 8:46 a.m.]

[Declaration of Disaster Loan Area 691]

MISSISSIPPI

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of January 1969, because of the effects of certain disasters, damage resulted to residences and business property located in the Counties of Copiah, Simpson, and Smith, in the State of Mississippi;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property, situated in the aforesaid counties, and areas adjacent thereto, suffered damage or destruction resulting from tornado occurring on January 23, 1969.

OFFICE

Small Business Administration Regional Office, Capital and West Streets, Jackson, Miss. 39201.

2. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to July 31, 1969.

Dated: January 24, 1969.

HOWARD J. SAMUELS, *Administrator.*

[F.R. Doc. 69-1328; Filed, Jan. 31, 1969; 8:45 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS

CALIFORNIA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85-763, Public Law 87-296, and Public Law 90-608; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855-1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter dated January 26, 1969, reading in part as follows:

I have determined that the damage in those areas of the State of California adversely affected by severe storms and flooding beginning on or about January 17, 1969, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875.

I do hereby determine the following areas in the State of California to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of January 26, 1969:

The counties of:

Fresno.	Riverside.
Inyo.	Santa Barbara.
Los Angeles.	Tulare.
San Bernardino.	Ventura.
San Luis Obispo.	

Dated: January 28, 1969.

M. M. MERKER, *Acting Director, Office of Emergency Preparedness.*

[F.R. Doc. 69-1322; Filed, Jan. 31, 1969; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[No. 35060]

CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD CO.

Iowa Intrastate Passenger Coach Fares

JANUARY 14, 1969.

Notice is hereby given that the Chicago, Milwaukee, St. Paul & Pacific Railroad Co., by its attorney, Thomas H. Ploss, 888 Union Station Building, Chicago, Ill. 60606, has filed a petition with the Interstate Commerce Commission praying that the Commission, pursuant to section 13 of the Interstate Commerce Act, issue an order permitting the petitioner to increase minimum intrastate passenger fare in the State of Iowa to 75 cents.

Any persons interested in any of the matters in the petition, may, on or before 30 days from the publication of this notice in the FEDERAL REGISTER, file replies to the petition, supporting or opposing the determination sought. An original and 15 copies of such replies must be filed with the Commission and must show service of two copies upon the petitioner's attorney at the above address.

Notice of the filing of this petition will be given by publication in the FEDERAL REGISTER.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-1335; Filed, Jan. 31, 1969; 8:46 a.m.]

[Notice 768]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 28, 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 3460 (Sub-No. 5 TA), filed January 15, 1969. Applicant: MORAN TRUCKING CO., INCORPORATED, Post Office Drawer E, McCoole Road, Westernport, Md. 21562. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printing paper*, from Luke, Md., to Versailles, Ky., for 150 days. Supporting shipper: West Virginia Pulp & Paper, 299 Park Avenue, New York, N.Y. 10017. Send protests to: Joseph A. Niggemyer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 531 Hawley Building, Wheeling, W. Va. 26003.

No. MC 14702 (Sub-No. 23 TA), filed January 15, 1969. Applicant: OHIO FAST FREIGHT, INC., 300 Liberty Road, Post Office Box 808, Warren, Ohio 4482. Applicant's representative: Paul F. Beery, 88 East Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glassware, glass containers, glass bottles, and glass jars, caps, covers, tops and stoppers for glass containers, glass bottles, and glass jars, and wooden or corrugated boxes and containers*, from Zanesville, Ohio, to points in Delaware, the District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia, and that part of eastern New York, east of a line extending from the shore of Lake Ontario, along New York Highway 18 to Rochester, thence along U.S. Highway 15 to Lakeville, thence along U.S. Highway 20A to Leicester, thence along U.S. Highway 36 to Mount Morris, thence along New York Highway 408 to junction with New York Highway 16 near Hinsdale, thence along New York Highway 16 to Olean, and thence along New York Highway 16 to the New York-Pennsylvania State line, *damaged or defective shipments* of the above-specified commodities, from points in the above destination States to Zanesville, Ohio, for 180 days. Supporting shipper: Brockway Glass Co., Inc., Brockway, Pa. Send protests to: G. J. Baccei, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, Cleveland, Ohio 44199.

No. MC 20841 (Sub-No. 5 TA), filed January 22, 1969. Applicant: MARATHON FREIGHT LINES, INC., 2400 83d Street, North Bergen, N.J. 07047. 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: *Candy and confectionery* in mechanical refrigerated equipment, from the facilities of Mason Candies, Inc., Mineola, N.Y., to General Warehouse Corp. at North Bergen, N.J., for 150 days. NOTE: Applicant intends to tack with its present operating authority at General Warehouse Corp., North Bergen, N.J. Supporting shipper: Mason Candies, Inc., Post Office Box 549, Mineola, Long Island, N.Y. 11502. Send protests to: District Supervisor Walter J. Grossman, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 33641 (Sub-No. 82 TA), filed January 16, 1969. Applicant: IML FREIGHT, INC., Post Office Box 2277, Salt Lake City, Utah 84110. Applicant's representative: Edward Hegarty, 100 Bush Street, San Francisco, Calif. 94104. 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, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the facilities of Nestle Co., Inc., at Burlington, Wis., as an off-route point in connection with carrier's authorized regular-route operations to and from Chicago, Ill. for 180 days. NOTE: Applicant states it does intend to tack the authority sought to its presently held authorities under MC-33641. Supporting shipper: The Nestle Co., Inc., 100 Bloomingdale Road, White Plains, N.Y. 10605. Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 34564 (Sub-No. 22 TA), filed January 22, 1969. Applicant: ADOLPH J. DAROSKA, 23 Concord Hill, Pittsfield, N.H. 03263. Applicant's representative: Andre J. Barbeau, 795 Elm Street, Room 510, Manchester, N.H. 03101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bags and in bulk, from Albany, N.Y., to points in the State of Rhode Island, for 150 days. Supporting shipper: Agway, Inc., Box 1333, Syracuse, N.Y. 13201; Attention: H. Gordon Burt, Traffic Manager. Send protests to: District Supervisor Ross J. Seymour, Bureau of Operations, Interstate Commerce Commission, 424 Federal Building, Concord, N.H. 03301.

No. MC 37327 (Sub-No. 4 TA), filed January 15, 1969. Applicant: PENN EMPIRE TRANSPORT, INC., Post Office Box 517, 253 Blackstone Avenue, Jamestown, N.Y. 14701. Applicant's representative: Raymond A. Richards, 23 West Main Street, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture* (crated and uncrated); (1) from points in Chautauqua and Cattaraugus Counties, N.Y., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, Rhode Island, and Virginia; and (2) from Youngsville, Pa., to Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, Virginia, and District of Columbia; except from Jamestown, N.Y., to Baltimore, Md., New Jersey, Rhode Island, and Massachusetts, and except, from points in Chautauqua and Cattaraugus Counties, N.Y., to Camden, N.J., and points in Hudson, Essex, and Passaic Counties, N.J., for 180 days. Supporting shippers: There are approximately 10 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Office Building, 121 Ellicott Street, Buffalo, N.Y. 14203.

No. MC 42487 (Sub-No. 707 TA), filed January 17, 1969. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 94025. Applicant's representative: Robert M. Bowden (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Benzoic acid*, in bulk, in tank vehicles, from Kalama, Wash., to Chattanooga, Tenn., for 150 days. Supporting shipper: The Dow Chemical Co., 350 Sansome Street, San Francisco, Calif. 94106. Send protests to: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 51146 (Sub-No. 120 TA), filed January 16, 1969. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, Wis. 54303. Applicant's representative: D. J.

Schneider (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, and container ends and accessories; and materials and supplies*, used in connection with the manufacture and distribution of metal containers and container ends when moving with metal containers and container ends, from Danbury, Conn., to South Bend, Ind., and Chicago, Ill., for 180 days. Supporting shipper: National Can Corp., 5959 South Cicero Avenue, Chicago, Ill. 60638 (Roger F. Hermann, Central Area Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 99427 (Sub-No. 10 TA), filed January 16, 1969. Applicant: ARIZONA TANK LINES, INC., Post Office Box 6910, Phoenix, Ariz. 85005. Applicant's representative: William J. Lippman, 1824 R Street NW., Washington, D.C. 20009. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gasoline, turbine fuel, and diesel fuel*, in bulk, in tank vehicles, from Phoenix and Tucson, Ariz., to points in Imperial, Riverside, San Bernardino, and San Diego Counties, Calif., for 180 days. Supporting shipper: Atlantic Richfield Co., Richfield Division, 645 South Mariposa Avenue, Los Angeles, Calif. 90005. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 107002 (Sub-No. 364 TA), filed January 17, 1969. Applicant: MILLER TRANSPORTERS, INC., Post Office Box 1123, U.S. Highway 80 West, Jackson, Miss. 39205. Applicant's representative: John J. Borth (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from Delhi, La., to points in Mississippi, for 180 days. Supporting shippers: Sun Oil Co., Post Office Box 2880, Dallas, Tex. 75221; Petro Supply Co., Inc., 1699 Tullie Circle NW., Atlanta, Ga. 30329. Send protests to: District Supervisor Alan C. Tarrant, Interstate Commerce Commission, Bureau of Operations, Room 212, 145 East Amite Building, 145 East Amite Street, Jackson, Miss. 39201.

No. MC 107496 (Sub-No. 700 TA), filed January 17, 1969. Applicant: RUAN TRANSPORT CORPORATION, Keosauqua at Third Street, Des Moines, Iowa 50309, Post Office Box 855, Des Moines, Iowa 50304. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand with additives*, in bulk, from Aurora, Ill., to points in Illinois, Indiana, Iowa, Ohio, Michigan, and Wisconsin, for 150 days. Supporting shipper: Faskure Coated Sand Division, Aurora Metal Co., 1019 Jericho Road, Aurora, Ill. 60538. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 109236 (Sub-No. 20 TA), filed January 16, 1969. Applicant: G. GRANT SIMS, ELMER L. SIMS, AND M. K. SIMS (GEORGE MILTON SIMS, ELMER L. SIMS, AND BEVERLY SIMS CANDLAND, EXECUTORS), a partnership doing business as SALT LAKE TRANSFER COMPANY, 35 South Fifth West Street, Salt Lake City, Utah 84101. Applicant's representative: Keith E. Taylor, Kearns Building, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery and construction equipment* (restricted against the movement to any point in Colorado of commodities which because of size or weight require special equipment or special handling and of self-propelled articles weighing 15,000 pounds or more), from points in Utah to points in Colorado west of the Continental Divide, and to points in San Juan and Rio Arriba Counties, N. Mex., for 180 days. NOTE: Applicant does intend to tack the authority herein sought with other authority held by it under MC-109236 and to interline traffic with other motor carriers. Supporting shipper: J. I. Case Co., 470 West Sixth South Street, Salt Lake City, Utah 84104. Send protests to: John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6201 Federal Building, Salt Lake City, Utah 84111.

No. MC 110686 (Sub-No. 37 TA), filed January 13, 1969. Applicant: McCORMICK DRAY LINE, INC., Avis, Pa. 17721. Applicant's representative: Theodore Polydoroff, 1120 Connecticut Avenue NW., Washington, D.C. 20036. *Authority* sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, complete*, knocked down, or in sections; and *building parts, materials, supplies, fixtures, and accessories* (except (1) those designed to be drawn by automobiles and mounted on wheeled undercarriages, and (2) those requiring the use of special vehicular equipment); from Galesburg, Ill.; to points in Pennsylvania; points in Trumbull, Mahoning, and Columbiana Counties, Ohio; and points in Allegany, Cattaraugus, Chemung, Schuyler, Steuben, and Yates Counties, N.Y., and *returned shipments*, on return, for 180 days. Supporting shippers: Butler Manufacturing Co., 1020 South Henderson Street, Galesburg, Ill. 61401; Lundy Construction Co., Inc., 1898 West Fourth Street, Williamsport, Pa. 17701; W. O. Kessel Co., Inc., 95 Rutherford Run, Bradford, Pa. 16701; Design Systems, Inc., 12 Colonial Drive, Youngstown, Ohio 44505. Send protests to: Paul J. Kenworthy, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 114725 (Sub-No. 42 TA), filed January 15, 1969. Applicant: WYNNE TRANSPORT SERVICE, INC., 2606 North 11 Street, Omaha, Nebr. 68110. Applicant's representative: Nelson, Harding, Leonard, and Tate, Post Office Box 2028, Lincoln, Nebr. 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed supplement*, in bulk, in tank vehicles, from Omaha, Nebr. to points in Iowa, for 150 days. Supporting shipper: Standard Chemical Manufacturing Co., 701 South 42 Street, Omaha, Nebr. 68105. Send protests to: Keith P. Kohrs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 117517 (Sub-No. 1 TA), filed January 17, 1969. Applicant: GEISE TRANSFER & STORAGE, INCORPORATED, 8 Franklin Street, Olean, N.Y. 14760. Applicant's representative: Alan F. Wohlstetter, 1 Farragut Square South, Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, between points in Cattaragus, Erie, Wyoming, Steuben, and Allegany Counties, N.Y., and McKean, Elk, Cameron, Potter, and Tioga Counties, Pa., restricted to the transportation of traffic having a prior or subsequent movement, in containers, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization or unpacking, uncrating, and decontainerization of such traffic, for 180 days. Supporting shipper: Home-Pack Transport Inc., 57-48 49th Street, Maspeth, N.Y. 11378. Send protests to: George M. Parker, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 518 Federal Office Building, 121 Ellicott Street, Buffalo, N.Y. 14203.

No. MC 118282 (Sub-No. 21 TA), filed January 21, 1969. Applicant: JOHNNY BROWN's, INC., 6801 Northwest 74th Avenue, Miami, Fla. 33166. Applicant's representative: Archie B. Culbreth, 1273 West Peachtree Street, NE., Atlanta, Ga. 30309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic or rubber articles, plastic or rubber articles combined with wood and/or metal, carpets or carpeting, and incidental accessories for such articles* (except commodities in bulk), originating at the plantsite of the Rubbermaid Commercial Products, Inc., at or near Winchester, Va., to points in Florida, South Carolina, Georgia, Alabama, Mississippi, Louisiana, and Texas, for 180 days. Supporting shipper: Rubbermaid Commercial Products, Inc., Winchester, Va. 22601. Send protests to: District Supervisor Joseph B. Teichert, Interstate Commerce Commission, Bureau of Operations, Room 1226, 51 Southwest First Avenue, Miami, Fla. 33130.

No. MC 119934 (Sub-No. 153 TA), filed January 17, 1969. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. 46040. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent phosphoric acid*, in bulk, in tank vehicles, from Cleveland, Miss., to points in Louisiana and Missouri, for 180 days. Supporting shipper: Mobil Chemical Co., a division of Mobil Oil Corp., 401 East Main Street, Richmond, Va. Send

protests to: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 119934 (Sub-No. 154 TA), filed January 17, 1969. Applicant: ECOFF TRUCKING, INC., 625 East Broadway, Fortville, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent phosphoric acid*, in bulk, in tank vehicles, from Bryan and Wapakoneta, Ohio, to points in Illinios, Indiana, and Kentucky, for 180 days. Supporting Shipper: Mobil Chemical Co., a division of Mobil Oil Corp., 401 East Main Street, Richmond, Va. Send protests to: James W. Habermehl, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 802 Century Building, 36 South Pennsylvania Street, Indianapolis, Ind. 46204.

No. MC 123905 (Sub-No. 9 TA), filed January 16, 1969. Applicant: OLEN BURRAGE, Route 9, Box 22–A, Philadelphia, Miss. 39350. Applicant's representative: Donald B. Morrison, Post Office Box 961, Jackson, Miss. 39205. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Laurel, Miss.; to Danville, Ill.; Columbus, Remington, and Richmond, Ind.; Barboursville, Lexington, and Stanford, Ky.; New Orleans, La.; Dickson, Jackson, Memphis, and Nashville, Tenn.; and Marshall, Red River Army Depot, and Texarkana, Tex., transportation limited to service under a continuing contract with Don-Bar Lumber Corp., Laurel, Miss., for 150 days. Supporting shipper: Don-Bar Lumber Corp., Post Office Box 488, Laurel, Miss. 39440. Send protests to: District Supervisor Alan C. Tarrant, Room 212, 145 East Amite Building, 145 East Amite Street, Jackson, Miss. 39201.

No. MC 127834 (Sub-No. 27 TA), filed January 17, 1969. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, Tenn. 37203. Applicant's representative: Bryan Stanley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum lamp posts and accessories*, from Nashville, Tenn., to points in the United States except Alaska, Hawaii, Washington, Oregon, Idaho, Montana, Wyoming, Utah, California, Arizona, New Mexico, and Nevada, for 120 days. Supporting shipper: Kerrigan Iron Works Co., Post Office Box 479, Nashville, Tenn. 37202. Send protests to: J. E. Gamble, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 803—1808 West End Building, Nashville, Tenn. 37203.

No. MC 127952 (Sub-No. 7 TA), filed January 16, 1969. Applicant: BLACKBURN TRUCK LINES, INC., 4998 Branyon Street, South Gate, Calif. 90280. Applicant's representative: Warren N. Grossman, 825 City National Bank Building, 606 South Olive Street, Los Angeles, Calif. 90014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal cans and can ends* on pallets, from Fullerton, Calif., to Phoenix, Ariz., under continuing contract with Crown Cork & Seal Co., Inc., for 150 days. Supporting shipper: Crown Cork & Seal Co., Inc., 1401 East Orangethorpe, Fullerton, Calif. 92631. Send protests to: John E. Nance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 7708 Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 128729 (Sub-No. 2 TA), filed January 17, 1969. Applicant: DOMINICK GIANNINI, 3016 Memphis Street, Philadelphia, Pa. 19134. Applicant's representative: Raymond A. Thistle, Jr., 1500 Walnut Street, Philadelphia, Pa. 19102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh and frozen meats*, from points in Nebraska and from points in that part of Iowa west of U.S. Highway Route 69, to Philadelphia, Pa., for 150 days. Supporting shipper: A. Servetnick & Sons, 420 North Ninth Street, Philadelphia, Pa. 19123. Send protests to: Ross A. Davis, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 129613 (Sub-No. 4 TA), filed January 13, 1969. Applicant: ARTHUR H. FULTON, Stephens City, Va. 22655. Applicant's representative: Eston H. Alt, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Newark, N.J., to Winchester, Va., under a continuing contract with A. K. Wingert and Winston Wallace, Jr., doing business as W & W Sales, for 180 days. Supporting shipper: A. K. Wingert and Winston Wallace, Jr., doing business as W & W Sales, 712 North Kent Street, Post Office Box 118, Winchester, Va. 22601. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 133219 (Sub-No. 2 TA), filed January 13, 1969. Applicant: PARKS TRANSPORT, INC., Ashland, Nebr. 68003. Applicant's representative: Nelson, Harding, Leonard, and Tate, Box 2028, Lincoln, Nebr. 68508. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed and feed supplements*, from Fremont, Nebr., to points in Colorado, Illinois, Iowa, Kansas, Missouri, Minnesota, North Dakota, Oklahoma, South Dakota, Texas, Wisconsin, and Wyoming, for 150 days. Supporting shipper: Farmland Industries, Inc., Box 7305, Kansas City, Mo. 64116. Send protests to: District Supervisor Max H. Johnston, Bureau of Operations, Interstate Commerce Commission, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 133228 (Sub-No. 1 TA), filed January 15, 1969. Applicant: JOHN WELCH, WILLIAM WELCH, AND W. D. WELCH, doing business as WELCH BROS. TRUCKING CO., 1105 South Boulder Street, Portales, N. Mex. 88130. Applicant's representative: Edwin E. Piper, Jr., 715 Sims Building, Albuquerque, N. Mex. 87101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Arizona, New Mexico, Texas, Louisiana, and Arkansas, to points in Texas, Oklahoma, and New Mexico, with the operations authorized to be limited to a transportation service to be performed under a continuing contract, or contracts, with Callaway Lumber Sales of Amarillo, Tex., for 180 days. Supporting shipper: Callaway Lumber Sales, Post Office Box 1258, Amarillo, Tex. 79105. Send protests to: William R. Murdoch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10515 Federal Building, U.S. Courthouse, Albuquerque, N. Mex. 87101.

No. MC 133348 (Sub-No. 1 TA), filed January 13, 1969. Applicant: JAMES EDWARD LAWLEY, doing business as L & L MOVING & STORAGE CO., 1705 Enterprise Street, Fairfield, Calif. 94533. Applicant's representative: George M. Carr, Suite 1215, 351 California Street, San Francisco, Calif. 94104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods*, restricted to the transportation of traffic having a prior or subsequent movement in containers beyond the points requested, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic, for 150 days. Supporting shippers: Dean International, Inc., 18420 South Santa Fe Avenue, Long Beach, Calif. 90801; Four Winds Forwarding, Inc., 4600 Wheeler Avenue, Alexandria, Va. 22304; Kingpak, Inc., Post Office Box 18298, Wichita, Kans. 67218. Send protests to: District Supervisor Wm. E. Murphy, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 133405 TA, filed January 15, 1969. Applicant: I. BOWIE HALL, doing business as BOWIE HALL TRUCKING, Box 1, Upper Marlboro, Md. 20870. Applicant's representative: Daniel B. Johnson, Perpetual Building, Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, tunnel lagging, equipment mats, form stock, and piling* from points in Prince Georges, Anne Arundel, Calvert, Charles, and St. Mary's Counties, Md., to points in Ohio, Pennsylvania, New Jersey, Delaware, New York, Connecticut, Rhode Island, Massachusetts, and West Virginia, for 180 days. Supporting shipper: G. E. Frisco & Co., Hall, Md. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Washington, D.C. 20423.

No. MC 133407 TA, filed January 16, 1969. Applicant: STOUT CORPORATION, 1200 West Second South Street, Provo, Utah 84601. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Del Norte, Modoc, Siskiyou, Lassen, Shasta, Humboldt, Tehama, Butte, Sonoma, Mendocino, Plumas, Glenn, Sierra, Nevada, Yuba, Placer, Eldorado, Lake, and Colusa Counties, Calif., to points in

Utah, for 180 days. Supporting shippers: Forest Products Sales, 331 East 33d South Street, Salt Lake City, Utah 84115; Diehl Lumber Products, Inc., 1756 South Sixth West, Post Office Box 6218; Sugar House Station, Salt Lake City, Utah 84106; Intermountain Lumber Co., 1938 South West Temple, Salt Lake City, Utah 84115; and Davidson Lumber Sales, Inc., 145 West Central Avenue, Salt Lake City, Utah 84107. Send protests to: John T. Vaughan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6201 Federal Building, Salt Lake City, Utah 84111.

MOTOR CARRIER OF PASSENGERS

No. MC 58487 (Sub-No. 4 TA), filed January 15, 1969. Applicant: FAYE PARSONS, doing business as FALLS CITY—LINCOLN STAGE LINES, 3621 B Street, Lincoln, Nebr. 68510. Applicant's representative: Dave Cullan, 608 Executive Building, Omaha, Nebr. 68102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, baggage of passengers, express, and newspapers*, from Lincoln, Nebr., to Auburn, Nebr., from Lincoln, Nebr., to Auburn, Nebr., over Nebraska Highway 2, to Syracuse Junction, thence over Nebraska Highway 50, to Tecumseh Junction, thence over U.S. Highway 136, to Auburn and return over the same route, serving intermediate points, for 180 days. NOTE: Applicant states it intends to interline with Central Greyhound Lines, holder of MC 1515 and Subs. Supporting shippers: There are approximately 13 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: District Supervisor Max H. Johnston, Interstate Commerce Commission, Bureau of Operations, 315 Post Office Building, Lincoln, Nebr. 68508.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-1336; Filed, Jan. 31, 1969; 8:46 a.m.]

[Notice 285]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 29, 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-71074. By order of January 28, 1969, the Motor Carrier Board approved the transfer to Dependable Trucking Co., Inc., Los Angeles, Calif., of the operating rights in certificate No. MC-38450 issued April 21, 1941, to Freight Transport Co., a corporation, Los Angeles, Calif., authorizing the transportation of: General commodities, with the usual exceptions, between points in a specified area of California. Robert B. Hankins, 1000 Ring Building, Washington, D.C. 20036, attorney for applicants.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-1337; Filed, Jan. 31, 1969; 8:45 a.m.]

[Notice 285-A]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 29, 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 general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-70441. By order of January 24, 1969, Division 3, approved the transfer to Cowboy Van Lines, Inc., 3722 Chestnut Place, Denver, Colo. 80216, of the operating rights in corrected certificate No. MC-117069 issued February 24, 1958, to Allstates Van Lines, Inc., 2575 South Meade Street, Denver, Colo. 80219, authorizing the transportation of new furniture from Chicago, Ill., to points in Nebraska and Oklahoma; and household goods, as defined by the Commission; (a) between points in Illinois on and north of U.S. Highway 36, and specified points in Indiana, Michigan, and Wisconsin, on the one hand, and, on the other, points in Delaware, Kansas, North Carolina, North Dakota, Rhode Island, South Carolina, South Dakota, and West Virginia; (b) between points in Illinois south of U.S. Highway 36, points in Indiana south of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Indianapolis, Ind., and thence along U.S. Highway 40 to the Indiana-Ohio State line; and points in Wisconsin north of U.S. Highway 16; and (c) between points as specified in Illinois, Indiana, and Wisconsin, on the one hand, and, on the other, points in 31 States east of the Rocky Mountains, and the District of Columbia.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 69-1338; Filed, Jan. 31, 1969; 8:46 a.m.]

[S.O. 1002; Car Distribution Direction No. 26]

TERMINAL RAILROAD ASSOCIATION OF ST. LOUIS AND ILLINOIS CENTRAL RAILROAD CO.

Car Distribution

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by Interstate Commerce Commission Service Order No. 1002.

It is ordered, That:

(1) Each common carrier by railroad subject to the Interstate Commerce Act shall comply with the following distribution directions:

(a) Terminal Railroad Association of St. Louis shall deliver to the Illinois Central Railroad Co. a weekly total of 175 empty plain serviceable boxcars with inside length less than 44 feet 8 inches and doors less than 8 feet wide. Exception: Canadian ownerships.

It is further ordered, That the rate of delivery specified in this direction shall be maintained within weekly periods ending each Sunday at 11:59 p.m., so that at the end of each 7 days the full delivery required for that period shall have been made.

It is further ordered, That cars applied under this direction shall be so identified on empty car cards, movement slips, and interchange records as moving under the provisions of this direction.

(b) The carrier delivering the empty boxcars as described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars, covered by this direction, delivered during the preceding week, ending each Sunday at 11:59 p.m.

(c) The carrier receiving the cars described above must advise Agent R. D. Pfahler each Wednesday as to the number of cars received during the preceding week, ending each Sunday at 11:59 p.m.

(2) *Regulations suspended.* The operation of all rules and regulations, insofar as they conflict with the provisions of this direction, is hereby suspended.

(3) *Effective date.* This direction shall become effective at 12:01 a.m., January 29, 1969.

(4) *Expiration date.* This direction shall expire at 11:59 p.m., February 15, 1969, unless otherwise modified, changed, or suspended by order of this Commission.

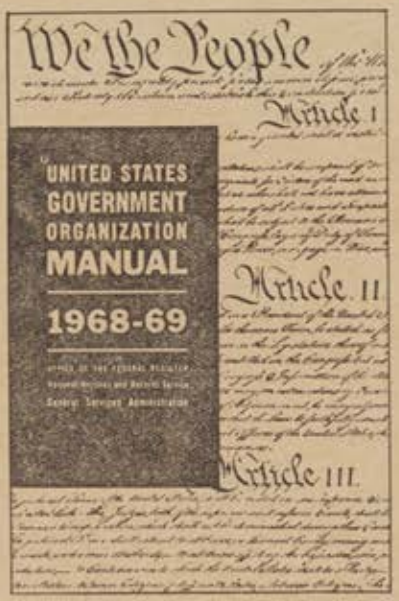
It is further ordered, That a copy of this direction shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this direction be given to the general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

Issued at Washington, D.C., January 27, 1969.

INTERSTATE COMMERCE COMMISSION,

[SEAL] R. D. PFAHLER, *Agent.*

[F.R. Doc. 69-1297; Filed, Jan. 30, 1969; 8:48 a.m.]



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