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Title 3—THE PRESIDENT

Proclamation 3908

PAN AMERICAN DAY AND PAN AMERICAN WEEK, 1969

By the President of the United States of America

A Proclamation

The Inter-American System is the oldest, most successful regional association in the world. On April 14, 1969, we celebrate the 79th Anniversary of its formation.

The Americas are bound together by history, geography and, most important of all, common concerns and shared hopes.

On this occasion, the United States reaffirms its dedication to:

—Close consultation with its Hemisphere partners in all matters of common concern.

—Furtherance of social and cultural ties that enhance human dignity and mutual respect.

—Cooperation with each of our partners in economic development that will benefit the entire Hemisphere.

Within this unity of purpose there is room for a diversity of viewpoint and approach. The United States seeks to cooperate, not to dominate; to participate fairly as a partner in the responsibilities that each nation shares within the System.

Much has been accomplished by the nations of our continents; the Organization of American States, focus of the Inter-American System, is stronger than ever, with a revised Charter soon coming into effect.

We shall treat with high priority the tasks that lie ahead—to extend to all Americans the opportunity for lives of dignity in a climate of freedom.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby proclaim Monday, April 14, 1969, as Pan American Day, and the week beginning April 13 and ending April 19 as Pan American Week; and I call upon the Governors of the fifty States of the Union, the Governor of the Commonwealth of Puerto Rico, and the officials of all other areas under the flag of the United States to issue similar proclamations.

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

Richard Nixon

[F.R. Doc. 69-4478; Filed, Apr. 11, 1969; 4:52 p.m.]

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 3]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Requirements, Quotas, and Quota Deficits for 1969

Basis and purpose and bases and considerations. This amendment is issued pursuant to the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), hereinafter referred to as the "Act". The purpose of this amendment to Sugar Regulation 811 (33 F.R. 19245), as amended, is to revise the determination of sugar requirements for the calendar year 1969, establish quotas, prorations, and direct-consumption limits consistent with such requirements and to determine and prorate or allocate the deficits in quotas established pursuant to the Act.

Section 201 of the Act requires that the Secretary shall revise the determination of sugar requirements at such time during the calendar year as may be necessary.

Physical deliveries of refined sugar are at a higher than normal rate and refiners demand for raw sugar continues to be strong. Puerto Rican sugar production through March 23, 1969, was about 95,000 tons below that of last year and although the strike in Hawaii has been resolved it will be some time before normal amounts of raw sugar will be arriving on the mainland. With raw sugar supplies from the two offshore domestic areas curtailed, demand for foreign sugar for early arrival has increased. This action increase is expected to move to domestic tons and a considerable quantity of this increase is expected to move to domestic refiners in advance of and during the heavy sugar consuming season.

Accordingly, total sugar requirements for the calendar year 1969 are hereby increased by 100,000 short tons, raw value, to a total of 10,800,000 short tons, raw value.

Section 204(a) of the Act provides that the Secretary shall from time to time determine whether any area or country will be unable to fill its quota or proration of a quota. On the basis of the quota established for Puerto Rico for the calendar year 1969 a finding was heretofore made (34 F.R. 5425) that Puerto Rico was unable to fill its quota by 300,000 short tons, raw value, and accordingly a quota deficit was determined for Puerto Rico for 300,000 tons. On the basis of the latest available information it is herein found that Puerto Rico will be unable to fill its quota by an additional 200,000 short tons, raw value. Therefore, a total deficit is herein determined in the 1969 quota for Puerto Rico of 500,000 short tons, raw value.

The additional deficit determined for Puerto Rico of 200,000 short tons, raw value, is herein prorated to Western Hemisphere countries listed in section 202(c)(3)(A) of the Act on the basis of published quotas most recently in effect. None of the additional Puerto Rican deficit is herein prorated to the Republic of the Philippines since information available to the Department indicates that the Republic of the Philippines will be unable to fill its statutory share of any deficit during the calendar year 1969.

The quota for Hawaii has been decreased by 9,327 short tons, raw value, pursuant to section 202(a)(2)(B) of the Act and on the basis of final data on production and marketing of Hawaiian sugar in 1968.

By virtue of the authority vested in the Secretary of Agriculture by the Act, Part 811 of this chapter is hereby amended by amending §§ 811.70, 811.71, 811.72, and 811.73 as follows:

1. Section 811.70 is amended to read as follows:

§ 811.70 Sugar requirements, 1969.

The amount of sugar needed to meet the requirements of consumers in the continental United States for the calendar year 1969 is hereby determined to be 10,800,000 short tons, raw value.

2. Section 811.71 is amended by amending paragraph (a) to read as follows:

§ 811.71 Quotas for domestic areas.

(a)(1) For the calendar year 1969 domestic area quotas limiting the quantities of sugar which may be brought into or marketed for consumption in the continental United States are established, pursuant to section 202(a) of the Act, in column (1) and the amounts of such quotas for offshore areas that may be filled by direct-consumption sugar are established, pursuant to section 207 of the Act, in column (2) as follows:

Area	Quotas (1)	Direct-consumption limits (2)
	(Short tons, raw value)	
Domestic beet sugar	3,215,667	no limit
Mainland cane sugar	1,169,333	no limit
Hawaii	1,190,673	36,936
Puerto Rico	1,140,000	162,000
Virgin Islands	15,000	0

(2) It is hereby determined pursuant to section 204(a) of the Act that for the calendar year 1969 Puerto Rico and the Virgin Islands will be unable by 500,000 and 15,000 short tons, raw value, respectively, to fill the quotas established for such areas in subparagraph (1) of this paragraph. Pursuant to section 204(b) of the Act the determination of such deficits shall not affect the quotas established in subparagraph (1) of this paragraph.

* * * * *

3. Section 811.72 is amended by changing the designation of paragraph (a) to paragraph (a)(1) and adding a new subparagraph (2) to read as follows:

§ 811.72 Proration and allocation of deficits and quotas in effect.

(a) * * *

(2) Pursuant to section 204(a) of the Act, the additional deficit in the quota determined in paragraph (a)(2) of § 811.71 of 200,000 short tons, raw value, is herein prorated to Western Hemisphere countries named in section 202(c)(3)(A) of the Act on the basis of published quotas most recently in effect as established in Sugar Regulation 811 for 1969 (34 F.R. 5425).

* * * * *

4. Section 811.73 is amended by amending paragraph (c) to read as follows:

§ 811.73 Quotas for foreign countries.

* * * * *

(c) For the calendar year 1969, the prorations to individual foreign countries pursuant to section 202 of the Act are shown in columns (1) and (2) of the following table. Deficit prorations previously established in Amendment 2 of § 811.73 are shown in column (3). In column (4) the additional deficit in the quota for Puerto Rico amounting to 200,000 short tons, raw value, is herein prorated to Western Hemisphere countries, listed in section 202(c)(3)(A) of the Act, on the basis of published quotas most recently in effect.

Countries	Basic quotas	Temporary quotas and prorations pursuant to Sec. 202(d) [1]	Previous deficit prorations	New deficit prorations	Total quotas and prorations
	(1)	(2)	(3)	(4)	(5)
	(Short tons, raw value)				
Mexico	226,331	242,117	60,722	38,577	567,747
Dominican Republic	221,353	236,703	59,386	37,729	555,261
Brazil	221,353	236,703	59,386	37,729	555,261
Peru	176,556	188,869	47,368	30,093	442,886
British West Indies	88,424	73,900	21,346	13,472	197,142
Ecuador	32,308	34,454	8,641	5,490	80,793
French West Indies	27,816	23,246	6,715	4,238	62,015
Argentina	27,230	29,130	7,305	4,641	68,306
Costa Rica	26,059	27,877	6,991	4,442	65,369
Nicaragua	26,059	27,877	6,991	4,442	65,369
Colombia	23,424	25,057	6,284	3,993	58,758
Guatemala	21,960	23,491	5,892	3,743	55,086
Panama	16,397	17,541	4,399	2,795	41,132
El Salvador	16,104	17,228	4,321	2,745	40,398
Haiti	12,297	13,155	3,299	2,096	30,847
Venezuela	11,126	11,902	2,985	1,896	27,909
British Honduras	6,441	5,383	1,555	981	14,360
Bolivia	2,635	2,818	707	449	6,609
Honduras	2,635	2,818	707	449	6,609
Australia	105,407	87,530			192,937
Republic of China	43,919	36,471			80,390
India	42,163	35,012			77,175
South Africa	31,036	25,772			56,808
Fiji Islands	23,131	19,208			42,339
Thailand	9,662	8,024			17,686
Mauritius	9,662	8,024			17,686
Malagasy Republic	4,978	4,133			9,111
Swaziland	3,806	3,161			6,967
Ireland	5,351	0			5,351
Bahamas	10,000	0			10,000
Total	1,475,523	1,467,784	315,000	200,000	3,458,307

[1] Proration of the quotas withheld from Cuba and Southern Rhodesia.

(Secs. 201, 202, 204, 207, 403; Stat. 923, as amended, 924, as amended, 925, as amended, 927, as amended, 932; 7 U.S.C. 1111, 1112, 1114, 1117, 1153)

Effective date. This action increases quotas for the calendar year 1969 by 100,000 tons and prorates additional deficits of 200,000 tons. In order to promote orderly marketing, it is essential that this amendment be effective immediately so that all persons selling and purchasing sugar for consumption in the continental United States can promptly plan and market under the changed marketing opportunities. Therefore, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of 5 U.S.C. 553 is unnecessary, impracticable, and contrary to the public interest and this amendment shall be effective when filed for public inspection in the Office of the Federal Register.

Signed at Washington, D.C., on April 9, 1969.

CLARENCE D. PALMBY,
Assistant Secretary.

[F.R. Doc. 69-4384; Filed, Apr. 10, 1969; 3:30 p.m.]

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

[Valencia Orange Reg. 269, Amdt. 1]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908, 33 F.R. 19829) regulating the handling of Valencia oranges grown in Arizona and designated part of California, 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 recommendation and information submitted by the Valencia Orange 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 Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

Order, as amended. The provisions in paragraph (b)(1)(iii) of § 908.569 (Valencia Orange Reg. (269, 34 F.R. 6035) are hereby amended to read as follows:

§ 908.569 Valencia Orange Regulation 269.

* * * * *

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

(iii) District 3: 275,000 cartons.

* * * * *

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

Dated: April 10, 1969.

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

[F.R. Doc. 69-4382; Filed, Apr. 14, 1969; 8:51 a.m.]

[Lemon Reg. 368, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

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

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

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.668 (Lemon Reg. 368; 34 F.R. 6181) are hereby amended to read as follows:

§ 910.668 Lemon Regulation 368.

* * * * *

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

(ii) District 2: 221,340 cartons.

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

Dated: April 10, 1969.

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

[F.R. Doc. 69-4395; Filed, Apr. 14, 1969; 8:52 a.m.]

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Subpart—Administrative Rules and Regulations

REVISION OF REPRESENTATION ON DATE ADMINISTRATIVE COMMITTEE

This action revises § 987.122 of Subpart—Administrative Rules and Regulations (7 CFR 987.100–987.174), to change the representation on the Date Administrative Committee. Section 987.122 is effective pursuant to § 987.22 of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987), regulating the handling of domestic dates produced or packed in a designated area of California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

A Date Administrative Committee of seven members is established in § 987.21 of the amended marketing agreement and order. The members are selected from three industry groups specified in § 987.22(a). They are: (1) Grower-handlers each of whom produced at least 51 percent of all the dates handled by him, and growers each of whom delivered to such handlers at least 50 percent of his deliveries to all handlers; (2) cooperative marketing associations; and (3) all other handlers and growers. Section 987.22(b) provides that each of the three groups shall have one member for each full 14.28 percent of the tonnage handled by all groups and one additional member for any remaining fractional part more than one-half of the basic 14.28 percent, i.e., more than 7.14 percent. The tonnages handled are those handled through February of the crop year in which selection occurs. Section 987.22(c) provides that whenever the percentage of dates handled by any of the three groups changes so as to warrant a change in representation, the Secretary is required to revise the representation consistent with the provisions of § 987.22(b).

The current data submitted by the Committee on tonnages of dates handled require a revision in the representation. The present total of seven members would remain the same, as would the one member representation to which the grower-handler and grower group is entitled. However, the representation of the cooperative marketing associations would be reduced from five to four, and that of the all other handler and grower group would be increased from one to two. The revision is pursuant to § 987.22 (c) and is consistent with § 987.22(b) of the amended date marketing agreement and order.

Based on the foregoing, the information submitted by the Committee, and other available information, it is hereby found and determined that: (1) a reduction in the proportionate tonnage of dates handled by the group specified in § 987.22(a)(2) (cooperative marketing associations) and an increase in the proportionate tonnage handled by the group specified in § 987.22(a)(3) (all other handlers and growers) require the representation of these groups to be revised from five to four, and from one to two, respectively; and (2) the revision, as hereinafter set forth, of representation on the Date Administrative Committee will provide representation consistent with the current tonnages handled and the provisions of § 987.22(b).

Therefore, Subpart—Administrative Rules and Regulations is hereby amended by revising § 987.122 to read as follows:

§ 987.122 Revision of representation on the Date Administrative Committee.

The representation or membership on the Committee is revised pursuant to § 987.22 (b) and (c) to provide as follows:

(a) One member to the group specified in § 987.22(a)(1).

(b) Four members to the group specified in § 987.22(a)(2). At least one of the members for the group shall be an employee of a cooperative marketing association in such group, and serve as a handler member, and the remainder of the members for the group shall be grower members of such associations in the group.

(c) Two members to the group specified in § 987.22(a)(3). One member for the group shall be a handler member and the other a grower member.

It is further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rule making procedure, and that good cause exists for making this action effective upon publication in the FEDERAL REGISTER and for not postponing the effective time until 30 days after such publication (5 U.S.C. 553) in that: (1) The relevant provisions of the said amended marketing agreement and order require nominations (on or before April 15) each year by industry groups for, and the selection by the Secretary of, the membership of the Date Administrative Committee for the term of office beginning May 15; (2) in view of the changes in the proportionate tonnages handled in the specified groups this program requires the revision set forth herein; and (3) the revision herein provided should become effective promptly so that the 1969–70 membership on the Committee will reflect such revision and be in accordance with the applicable provisions of the amended marketing agreement and order.

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

Dated: April 11, 1969, to become effective upon publication in the FEDERAL REGISTER.

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

[F.R. Doc. 69-4432; Filed, Apr. 14, 1969; 8:52 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

PART 1430—DAIRY PRODUCTS

Subpart—Milk and Butterfat Price Support Program

The U.S. Department of Agriculture has announced a price support program for milk and butterfat for the marketing year April 1, 1969, through March 31, 1970, through purchases by Commodity Credit Corporation (CCC) of dairy products as provided herein:

§ 1430.282 Price support program for milk and butterfat.

(a) (1) The general levels of prices to producers for milk and butterfat will be supported from April 1, 1969, through March 31, 1970, at $4.28 per hundredweight for manufacturing milk and 68.6 cents per pound for butterfat.

(2) Price support for milk and butterfat will be through purchases by CCC of butter, nonfat dry milk, and cheddar cheese, offered subject to the terms and conditions of purchase announcements issued by the Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture.

(3) Commodity Credit Corporation may, by special Announcements, offer to purchase other dairy products to support the price of milk and butterfat.

(4) Purchase announcements setting forth terms and conditions of purchase may be obtained upon request from:

U.S. Department of Agriculture, Agricultural Stabilization and Conservation Service, Commodity Operations Division, Washington, D.C. 20250,
or
U.S. Department of Agriculture, Agricultural Stabilization and Conservation Service, ASCS Commodity Office, 6400 France Avenue South, Minneapolis, Minn. 55435.

(b) (1) CCC will consider offers of butter, cheddar cheese, and nonfat dry milk in bulk containers meeting specifications in the announcements at the following prices:

Commodity and location	Price per pound: Produced before April 1, 1969	Price per pound: Produced on and after April 1, 1969
Butter:		
U.S. Grade A or higher:		
New York, N.Y., Jersey City and Newark, N.J.	$0.6725	$0.6850
Seattle, Wash. and San Francisco, Calif., Alaska, Hawaii, California	.6650	.6775
Arizona, New Mexico, Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina	.6625	.6750
U.S. Grade B 2 cents less than U.S. Grade A.		
Cheddar cheese (standard moisture basis, 37.8–39.0 percent) [1]	.4700	.4800

See footnotes at end of table.

Commodity and location	Price per pound: Produced before April 1, 1969	Price per pound: Produced on and after April 1, 1969
Nonfat dry milk, spray process:		
100-pound bags with sealed closures [1]	.2310	.2310
50-pound bags with sealed closures [2]	.2335	.2335

[1] For cheese which is offered on a "dry" basis (less than 37.8 percent moisture) the price per pound shall be as indicated in Form ASCS-150. Copies are available in offices listed in (a)(4).

[2] If upon inspection the bags do not fully comply with specifications for sealed closures, the price paid will be subject to a discount of 0.20 (¼) cent per pound for product packed in 100-pound bags and 0.25 (¼) cent per pound for product packed in 50-pound bags.

(2) Offers to sell butter at any location not specifically provided for in this section will be considered at the price set forth in this section for the designated market (New York, San Francisco, or Seattle) named by the seller, less 80 percent of the lowest published domestic railroad carlot freight rate per pound, applicable to carlots of 60,000 pounds, gross weight, in effect when the offer is accepted from such location to such designated market. In the area consisting of Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine, CCC will purchase only butter produced in that area; butter produced in other areas is ineligible for offering to CCC in these States.

(c) The butter shall be U.S. Grade B or higher. The nonfat dry milk shall be U.S. Extra Grade, except moisture content shall not exceed 3.5 percent. The cheddar cheese shall be U.S. Grade A or higher.

(d) The products shall be manufactured in the United States from milk produced in the United States, and shall be located in the United States and shall not have been previously owned by CCC.

(e) Purchases will be made in carlot weights specified in the announcements. Grades and weights shall be evidenced by inspection certificates issued by the United States Department of Agriculture.

(Sec. 4(d), 62 Stat. 1070, as amended; 15 U.S.C. 714b(d))

Signed at Washington, D.C., on April 8, 1969.

KENNETH E. FRICK,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 69-4381; Filed, Apr. 14, 1969; 8:51 a.m.]

Title 12—BANKS AND BANKING

Chapter II—Federal Reserve System

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

PART 224—DISCOUNT RATES

Changes in Rates

Pursuant to section 14(d) of the Federal Reserve Act (12 U.S.C. 357), and for the purpose of adjusting discount rates with a view to accommodating commerce and business in accordance with other related rates and the general credit situation of the country, Part 224 is amended as set forth below:

1. Section 224.2 is amended to read as follows:

§ 224.2 Advances and discounts for member banks under sections 13 and 13a.

The rates for all advances and discounts under sections 13 and 13a of the Federal Reserve Act (except advances under the last paragraph of such section 13 to individuals, partnerships, or corporations other than member banks) are:

Federal Reserve Bank of—	Rate	Effective
Boston	6	Apr. 8, 1969
New York	6	Apr. 4, 1969
Philadelphia	6	Do.
Cleveland	6	Do.
Richmond	6	Do.
Atlanta	6	Do.
Chicago	6	Do.
St. Louis	6	Do.
Minneapolis	6	Do.
Kansas City	6	Do.
Dallas	6	Do.
San Francisco	6	Do.

2. Section 224.3 is amended to read as follows:

§ 224.3 Advances to member banks under section 10(b).

The rates for advances to member banks under section 10(b) of the Federal Reserve Act are:

Federal Reserve Bank of—	Rate	Effective
Boston	6½	Apr. 8, 1969
New York	6½	Apr. 4, 1969
Philadelphia	6½	Do.
Cleveland	6½	Do.
Richmond	6½	Do.
Atlanta	6½	Do.
Chicago	6½	Do.
St. Louis	6½	Do.
Minneapolis	6½	Do.
Kansas City	6½	Do.
Dallas	6½	Do.
San Francisco	6½	Do.

3. Section 224.4 is amended to read as follows:

§ 224.4 Advances to persons other than member banks.

The rates for advances under the last paragraph of section 13 of the Federal Reserve Act to individuals, partnerships, or corporations other than member banks secured by direct obligations of, or obligations fully guaranteed as to principal and interest by, the United States or any agency thereof are:

Federal Reserve Bank of—	Rate	Effective
Boston	7	Apr. 8, 1969
New York	7½	Apr. 4, 1969
Philadelphia	7	Do.
Cleveland	7½	Do.
Richmond	7	Do.
Atlanta	7	Do.
Chicago	7	Do.
St. Louis	7	Do.
Minneapolis	7½	Do.
Kansas City	7	Do.
Dallas	7	Do.
San Francisco	7	Do.

For the reasons and good cause found as stated in § 224.7, there is no notice, public participation, or deferred effective date in connection with this action.

(12 U.S.C. 248(1). Interprets or applies 12 U.S.C. 357)

Dated at Washington, D.C., the 7th day of April 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-4332; Filed, Apr. 14, 1969; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Department of Transportation, Federal Aviation Administration

[Docket No. 69-SW-22; Amdt. 39-746]

PART 39—AIRWORTHINESS DIRECTIVES

Bell Model 206A Helicopters

There has been one failure and one crack found in the cyclic bellcrank support assembly, P/N 206-001-521-5 or -6, on the Bell Model 206A helicopter that could result in partial loss of cyclic control of the helicopter. In addition, there have been five cases reported in which bolts that attach the support assembly to the fuselage were found loose. Since these conditions are likely to exist or develop in other helicopters of the same type design, an airworthiness directive is being issued to require a repetitive visual inspection and inspection for firmness of the support attachment after 25 hours' time in service.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Director, § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive.

BELL. Applies to Model 206A.

Compliance required as indicated:

To prevent failure of the magnesium cyclic bellcrank support assemblies, P/N 206-001-521, due to fatigue cracks, accomplish the following:

(a) Inspect the right and left-hand support assemblies that have accumulated 25 hours' total time in service after the effective date of this A.D., before the first flight of each day as follows:

(1) Remove the upper forward cowling, P/N 206-061-801, to expose the hydraulic power cylinders.

(2) Inspect the attachment of the support assemblies to the fuselage for firmness. Torque the NAS 1304-9 bolt to 50 to 70 inch-pounds and the NAS 1305-9 bolt to 100 to 140 inch-pounds if the support assembly is loose.

(3) Inspect visually the right and left-hand support assemblies, P/N 206-001-521,

for cracks in the spotfaced areas around the attachment bolts and in the fillet radii between the base and vertical section of the supports, using a flashlight or equivalent. Both the forward and aft flange fillet radii and spotfaced areas must be inspected.

(4) Smooth out any nicks or corrosion visible in the forward and aft flange fillet radii and the spotfaced areas, using a fine file and crocus cloth.

(b) Remove and replace the support assembly before further flight if cracks are found. Inspect cyclic control rigging in accordance with paragraph 4-30 of the Model 206A Maintenance and Overhaul Instructions when the support assembly is replaced.

(Bell Model 206A Maintenance and Overhaul Manual Interim Revision No. 206A-69-16 pertains to this subject.)

This amendment becomes effective April 15, 1969.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, 1423; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Fort Worth, Tex., on April 1, 1969.

HENRY L. NEWMAN,
Director, Southwest Region.

[F.R. Doc. 69-4344; Filed, Apr. 14, 1969; 8:47 a.m.]

[Airspace Docket No. 69-CE-12]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the St. Louis, Mo., control zone.

A new public use instrument approach procedure has been developed for Runway 6 at Lambert-St. Louis Municipal Airport, St. Louis, Mo., using the St. Louis ILS as a navigational aid. All other instrument approaches for this runway have been canceled. Therefore, it is necessary to alter the St. Louis control zone to reflect this change. This alteration does not involve the designation of any additional airspace but rather reduces a portion of the southwest control zone extension which is no longer needed for the protection of aircraft executing the new procedure. Reduction of the size of the control zone extension will also place two satellite airports outside the St. Louis control zone.

Since this change reduces the amount of controlled airspace and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the change may be accomplished by final rule action.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., May 29, 1969, as hereinafter set forth:

In § 71.171 (34 F.R. 4557), the following control zone is amended to read:

ST. LOUIS, MO.

Within a 5-mile radius of Lambert-St. Louis Municipal Airport (latitude 38°44'50" N., longitude 90°21'55" W.); within 2 miles each side of the Lambert-St. Louis Municipal Airport Runway 24 ILS localizer southwest course, extending from the 5-mile radius zone to 10½ miles southwest of the OM; within 2 miles each side of the St. Louis VORTAC 142° radial; extending from the 5-mile radius zone to 7 miles northwest of the northwest end of the Lambert-St. Louis Municipal Airport Runway 12R; within 2 miles each side of the Lambert-St. Louis Municipal Airport Runway 12R ILS localizer northwest course, extending from the 5-mile radius zone to the Runway 12R OM; and within 2 miles each side of the Lambert-St. Louis Municipal Airport Runway 12R ILS localizer southeast course, extending from the 5-mile radius zone to 6 miles southeast of the Runway 12R localizer.

(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 Kansas City, Mo., on March 18, 1969.

JOHN A. HARGRAVE,
Acting Director, Central Region.

[F.R. Doc. 69-4345; Filed, Apr. 14, 1969; 8:47 a.m.]

[Airspace Docket 69-EA-23]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Auburn, Maine, transition area.

The public use and special use instrument procedures for Auburn-Lewiston Municipal Airport, Auburn, Maine, have been revised, including a 10° change in the procedure turn outbound and inbound courses. Alteration of the Auburn, Maine, transition area is required to reflect this change and to include the geographic coordinates of the New Gloucester, Maine, non-Federal radio beacon in the description.

Since the foregoing amendment is minor in nature, notice and public procedure herein are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., May 29, 1969 as hereinafter set forth:

Amend § 71.181 (34 F.R. 4637) of the Federal Aviation Regulations so as to delete in the description of the Auburn, Maine, transition area, "025° and 205° bearings" and insert in lieu thereof, "025°, 035°, and 215° bearings". Following the words "New Gloucester, Maine, RBN" insert the coordinates "43°59'13" N., 70°19'29" W."

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

Issued in Jamaica, N.Y., on March 27, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-4346; Filed, Apr. 14, 1969; 8:47 a.m.]

[Airspace Docket 69-EA-26]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of part 71 of the Federal Aviation Regulations so as to alter the Sanford, Maine, transition area.

A revision to the VOR instrument approach procedure for Sanford Municipal Airport, Sanford, Maine, includes a 2° change in the procedure turn outbound and inbound courses and will require alteration of the Sanford, Maine, 700-foot floor transition area to reflect this change.

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

In consideration of the foregoing, § 71.181 of Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., May 29, 1969, as hereinafter set forth:

Amend § 71.181 (34 F.R. 4637) of the Federal Aviation Regulations so as to delete in the description of the Sanford, Maine, transition area "064°" and insert "066°" in lieu thereof.

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

Issued in Jamaica, N.Y., on March 27, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-4347; Filed, Apr. 14, 1969; 8:47 a.m.]

[Airspace Docket No. 69-EA-27]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Sidney, N.Y., transition area.

The Sidney, N.Y., non-Federal radio beacon has been relocated approximately one-half mile northeast of its previous location. The special NDB (ADF) instrument approach procedure for Sydney Municipal Airport, predicated on the RBN was canceled and a new special NDB (ADF) instrument approach procedure has been authorized predicated on the relocated facility. This procedure includes a 1° change in the procedure turn outbound and inbound courses. The existing special VOR instrument approach procedure has also been revised and includes a 2° change in the final approach course. Alteration of the Sidney, N.Y., transition area to reflect these changes and the correct name of the airport will therefore be required.

Since the proposed rule is minor in nature, notice and public procedure herein are unnecessary.

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., May 29, 1969, as hereinafter set forth:

Amend § 71.181 (34 F.R. 4637) of the Federal Aviation Regulations so as to delete in the description of the Sidney, N.Y., transition area, "Sidney Airport" and insert "Sidney Municipal Airport" in lieu thereof. Delete "219°" and "048°" and insert "217°" and "049°" respectively in lieu thereof. Delete the coordinates "42°20'03" N., 75°22'10" W." and insert "42°20'25" N., 75°21'30" W." in lieu thereof.

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

Issued in Jamaica, N.Y., on March 27, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-4348; Filed, Apr. 14, 1969; 8:47 a.m.]

[Airspace Docket No. 69-EA-29]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Ebensburg, Pa., transition area.

A revision to the VOR instrument approach procedure for Ebensburg Airport, Ebensburg, Pa., requires the revocation of the 700-foot floor transition area extension north of the Revloc, Pa., VOR TAC described in the present Ebensburg, Pa., transition area.

Since the amendment relaxes the rule, notice and public procedure herein are unnecessary.

In consideration of the foregoing, § 71.181 of Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t. May 29, 1969, as hereinafter set forth:

Amend § 71.181 (34 F.R. 4637) of the Federal Aviation Regulations by deleting in the description of the Ebensburg, Pa., transition area the phrase "014° and 194° radials extending from the 6-mile radius area to 12 miles north of the VORTAC" and insert the following in lieu thereof; "194° radial extending from the 6-mile radius area to the VORTAC,".

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

Issued in Jamaica, N.Y., on March 27, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-4349; Filed, Apr. 14, 1969; 8:48 a.m.]

[Airspace Docket No. 69-SW-19]

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 Guthrie, Tex., transition area.

The 700-foot portion of this transition area provided controlled airspace for aircraft executing an instrument approach procedure to the 6666 Ranch Airport at Guthrie, Tex. This procedure was canceled effective March 5, 1969. Therefore, the requirement for this controlled airspace no longer exists.

Since this amendment lessens the burden on the public, notice and public procedures hereon are unnecessary and the amendment may be made effective immediately.

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

In § 71.181 (34 F.R. 4696) the 700-foot portion of the Guthrie, Tex., transition area is revoked.

(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 April 3, 1969.

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

[F.R. Doc. 69-4350; Filed, Apr. 14, 1969; 8:48 a.m.]

[Airspace Docket No. 68-CE-73]

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

Designation of Transition Area

On pages 12916 and 12917 of the FEDERAL REGISTER dated September 12, 1968, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Detroit Lakes, Minn.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the amendment as so proposed is hereby adopted, subject to the following change:

The Detroit Lakes Municipal Airport longitude coordinate recited in the Detroit Lakes, Minn., transition area designation as "longitude 95°53'10" W." is changed to read "longitude 95°53'05" W.".

This amendment shall be effective 0901 G.m.t., May 29, 1969.

(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 Kansas City, Mo., on March 24, 1969.

DANIEL E. BARROW,
Acting Director, Central Region.

In § 71.181 (33 F.R. 2137), the following transition area is added:

DETROIT LAKES, MINN.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Detroit Lakes Municipal Airport (latitude 46°49'35" N., longitude 95°53'05" W.); and within 2 miles each side of the 310° bearing from Detroit Lakes Municipal Airport, extending from the 6-mile radius area to 8 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles northeast and 8 miles southwest of the 310° bearing from Detroit Lakes Municipal Airport, extending from the airport to 12 miles northwest of the airport excluding the portion that overlies the Fargo, N. Dak., transition area.

[F.R. Doc. 69-4351; Filed, Apr. 14, 1969; 8:48 a.m.]

[Airspace Docket No. 68-CE-74]

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

Designation of Transition Area

On page 12917 of the FEDERAL REGISTER dated September 12, 1968, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Roseau, Minn.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the amendment as so proposed is hereby adopted, subject to the following change:

The coordinates recited in the Roseau, Minn., Municipal Airport transition area designation as "latitude 48°51'10" N., longitude 95°41'45" W." are changed to read "latitude 48°51'25" N., longitude 95°41'40" W.".

This amendment shall be effective 0901 G.m.t., May 29, 1969.

(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 Kansas City, Mo., on March 24, 1969.

DANIEL E. BARROW,
Acting Director, Central Region.

In § 71.181 (33 F.R. 2137), the following transition area is added:

ROSEAU, MINN.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Roseau Municipal Airport (latitude 48°51'25" N., longitude 95°41'40" W.); and within 2 miles each side of the 153° bearing from Roseau Municipal Airport, extending from the 5-mile radius area to 8 miles southeast of the 153° bearing from Roseau Municing upward from 1,200 feet above the surface

within 5 miles southwest and 8 miles northeast of the 153° bearing from Roseau Municipal Airport, extending from the airport to 12 miles southeast of the airport.

[F.R. Doc. 69-4352; Filed, Apr. 14, 1969; 8:48 a.m.]

[Airspace Docket No. 68-CE-111]

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

Designation of Transition Area

On page 18942 of the FEDERAL REGISTER dated December 19, 1968, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Marshall, Minn.

Interested persons were given 45 days to submit written comments, suggestions, or objections regarding the proposed amendment.

No objections have been received and the amendment as so proposed is hereby adopted, subject to the following change:

The coordinates recited in the Marshall, Minn., Municipal Airport transition area designation as "latitude 44°-27'00" N., longitude 95°49'05" W." are changed to read "latitude 44°26'50" N., longitude 95°49'10" W.".

This amendment shall be effective 0901 G.m.t., May 29, 1969.

(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 at Kansas City, Mo., on March 25, 1969.

DANIEL E. BARROW,
Acting Director, Central Region.

In § 71.181 (33 F.R. 2137), the following transition area is added:

MARSHALL, MINN.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Marshall Municipal Airport (latitude 44°26'50" N., longitude 95°49'10" W.); and within 2 miles each side of the 325° bearing from Marshall Municipal Airport, extending from the 7-mile radius area to 8 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles northeast and 8 miles southwest of the 325° bearing from Marshall Municipal Airport, extending from the airport to 12 miles northwest of the airport.

[F.R. Doc. 69-4353; Filed, Apr. 14, 1969; 8:48 a.m.]

[Airspace Docket No. 68-CE-89]

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

Designation and Alteration of Control Zones; Correction

On March 7, 1969, a final rule was published in the FEDERAL REGISTER (34 F.R. 4943), F.R. Doc. 69-2763, which included alteration of the Glenview, Ill., control zone. In this alteration the extensions are erroneously described in lines 3, 4, 5, and 6 of the alteration description as "within 2 miles each side of the Northbrook, Ill., VOR 131° and 163° radials extending from the 5-mile radius zone to 1 mile south and southeast of the VOR". The correct description should have read "within 2 miles each side of the Northbrook, Ill., VOR 131° and 163° radials, extending from the Glenview, Ill., and the Chicago, Ill. (O'Hare International Airport), 5-mile radius zones to 1 mile south and southeast of the VOR". Action is taken herein to make this correction.

Since this amendment is editorial in nature it imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, the alteration of the Glenview, Ill., control zone as set forth in F.R. Doc. 69-2763 is corrected effective immediately as follows: "within 2 miles each side of the Northbrook, Ill., VOR 131° and 163° radials, extending from the 5-mile radius zone to 1 mile south and southeast of the VOR;" as used in lines 3, 4, 5, and 6 of the alteration description are deleted and the words "within 2 miles each side of the Northbrook, Ill., VOR 131° and 163° radials, extending from the Glenview, Ill., and the Chicago, Ill. (O'Hare International Airport), 5-mile radius zones to 1 mile south and southeast of the VOR;" are substituted therefor.

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

Issued in Kansas City, Mo., on March 21, 1969.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 69-4354; Filed, Apr. 14, 1969; 8:48 a.m.]

[Airspace Docket No. 68-CE-119]

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

Designation of Control Zone and Alteration of Transition Area; Correction

On March 7, 1969, a final rule was published in the FEDERAL REGISTER (34 F.R. 4943), which included the designation of the Manistee, Mich., control zone. In this designation the control zone description was erroneously described as "Within a 5-mile radius of Manistee-Blacker Airport (latitude 44°16'25" N., longitude 86°15'00" W.); within 2 miles each side of the Manistee VOR 274° radial, extending from the 5-mile radius zone to 13 miles east of the VOR. This control zone is each side of the Manistee VOR 099° radial, extending from the 5-mile radius zone to 8 miles east of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual." The correct description should have been set forth to read as "Within a 5-mile radius of Manistee-Blacker Airport (latitude 44°16'25" N., longitude 86°15'00" W.); within 2 miles each side of the Manistee VOR 274° radial, extending from the 5-mile radius zone to 13 miles west of the VOR; and within 2 miles each side of the Manistee VOR 099° radial, extending from the 5-mile radius zone to 8 miles east of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual." Action is taken herein to make this correction.

Since this amendment is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, the designation of the Manistee, Mich., control zone, as set forth in F.R. Doc. 69-2762, is corrected effective immediately as follows: "Within a 5-mile radius of Manistee-Blacker Airport (latitude 44°-16'25" N., longitude 86°15'00" W.); within 2 miles each side of the Manistee VOR 274° radial, extending from the 5-mile radius zone to 13 miles west of the VOR; and within 2 miles each side of the Manistee VOR 099° radial, extending from the 5-mile radius zone to 8 miles east of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual."

Issued in Kansas City, Mo., on March 21, 1969.

(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))

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 69-4355; Filed, Apr. 14, 1969; 8:48 a.m.]

[Docket No. 9520; Amdt. 93-16]

PART 93—SPECIAL AIR TRAFFIC RULES AND AIRPORT TRAFFIC PATTERNS

Elimination of VFR Operations Under Less Than Basic VFR Weather Minimums

The purpose of this amendment to Part 93 of the Federal Aviation Regulations is to eliminate the VFR operation of fixed-wing aircraft in the Houston Intercontinental Airport control zone, under less than basic VFR weather minimums, and to permit special VFR operations in the William P. Hobby Airport control zone.

Amendment 93-10, effective April 30, 1968, prohibited the operation of fixed-wing aircraft under the Special VFR Weather Minimums prescribed in § 91.107 of the Federal Aviation Regulations within specifically designated control zones. The preamble to § 93.113 states that the FAA's objective in promulgating such a rule is to develop a system of airspace utilization and air traffic control and navigation which permits the

movement of people and goods in air commerce at optimum levels of safety and efficiency and serves the national security needs of the country. This requires that some portions of the navigable airspace be subjected to higher orders of regulation to provide the optimum degree of safety for the majority of the public, aircrews, passengers, and persons and property on the ground that may be affected by aircraft operations. Because of the increasing number of aircraft operating in the vicinity of airports serving large populations and the Federal Aviation Administration's responsibility for the safe and efficient use of the airspace, it was determined that regulatory action by the Administration was required.

The public was notified that "based upon changing conditions involving safety considerations additional airports may be designated in the future." In furtherance of that policy, this regulation is being promulgated.

The city of Houston, Tex., has advised the Federal Aviation Administration that they anticipate the inauguration of flight operations at the new Houston Intercontinental Airport on June 1, 1969. All scheduled air carrier operations are to be moved to the new airport site from Houston's William P. Hobby Airport. When this occurs, the criteria established by the FAA for elimination of Special VFR in control zones will automatically be met since air carrier operations alone at Hobby Airport during fiscal year 1968 totaled 112,922, instrument operations totaled 105,001, and actual instrument approaches conducted by air carriers totaled 12,589.

In conjunction with this airport change, a Notice of Proposed Rule Making, 68-SW-58, has been issued which describes the control zone proposed to serve Houston Intercontinental Airport.

Since Houston Intercontinental will be available for flight operations within a short period of time, I have determined that there is an immediate requirement for the early adoption of this regulation so that the changes made herein will be coincidental with the establishment of the new control zone and can be included in appropriate aeronautical publications. Therefore, I find it impracticable to comply with the notice and public procedure requirements of 5 U.S.C. 553.

In consideration of the foregoing, Part 93 of the Federal Aviation Regulations is amended, effective May 29, 1969, as follows: Item 13 of § 93.113 is amended by deleting "William P. Hobby Airport" and inserting "Intercontinental Airport" in place thereof.

(Secs. 307, 313(a), 601, 604, Federal Aviation Act of 1958; 49 U.S.C. 1348, 1354, 1421, 1424, sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Washington, D.C., on April 7, 1969.

J. H. SHAFFER,
Administrator.

[F.R. Doc. 69-4356; Filed, Apr. 14, 1969; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-1507]

PART 13—PROHIBITED TRADE PRACTICES

Hemphill Enterprises, Inc., et al.

Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1460 *Individual or private business as professional person, association or guild;* Misrepresenting oneself and goods—Goods: § 13.1608 *Dealer or seller assistance;* § 13.1625 *Free goods or services;* § 13.1663 *Individual's special selection or situation;* § 13.1665 *Indorsements;* § 13.1757 *Surveys;* Misrepresenting oneself and goods—Prices: § 13..805 *Exaggerated as regular and customary.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Hemphill Enterprises, Inc., et al., Los Angeles, Calif., Docket C-1507, Mar. 13, 1969]

In the Matter of Hemphill Enterprises, Inc., a Corporation, and Jack L. Hemphill and Noel J. Gravino, Individually and as Officers of Said Corporation

Consent order requiring a Los Angeles, Calif., distributor of books, reference services, and teaching aids to cease misusing the words "Guild" and "Society," misrepresenting the savings, discounts, or prices of its products, that it is conducting tests or surveys, that any book or service is "free," that its teaching aids have been approved by school authorities, that any school or university has devised or approved its tests or programs, and that it will assist purchasers to obtain scholarships for their children.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Hemphill Enterprises, Inc., a corporation, and its officers, and Jack L. Hemphill and Noel J. Gravino, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of books, publications or question reference services, or any other products or services, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that respondents are offering membership in a guild or society of persons associated or organized for the mutual benefit of its members or having a common interest; or using the word "Guild" or the word "Society" or any word or words of similar import or meaning in or as part of respondents' trade or corporate name; or misrepresenting, in any manner, their trade or business status or the nature of their business.

2. Representing, directly or by implication, that discounts or savings are available to respondents' customers or prospective customers purchasing merchandise from any source or through any material or plan supplied by respondents: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that the represented amount of discounts or savings are realized by respondents' customers from the prices at which such merchandise has been regularly offered for sale and sold in the recent regular course of business by a substantial number of the principal retail outlets in the same trade area.

3. Representing, directly or by implication, that respondents' representatives, agents, or employees are making or conducting a test, survey, or research program or that the purpose of the call or interview by respondents' representatives, agents, or employees relates to other than the sale of books, publications, or services; or misrepresenting, in any manner, the purpose of the call or interview by respondents' representatives, agents, or employees with prospective purchasers.

4. Representing, directly or by implication, that any prospective purchaser to whom an offer to sell respondents' books, publications, other products or services is made is specially selected, or is a member of a specially selected test family or is one of an otherwise limited or restricted group.

5. Representing, directly or by implication:

(a) That any books, publications, other products or services are given free or without additional cost or obligation to the purchaser.

(b) That any payment or the amount thereof, received from a customer is for:

1. Membership in any guild or society of persons associated or organized for the mutual benefit of its members or having a common interest;

2. The maintenance or upkeep of Univox courses or any other services or products: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that any payment or amount thereof, received from a customer is for the maintenance or upkeep of Univox courses or any other services or products;

3. The financing or cost of administering any reference service or educational program: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that any payment or amount thereof, received from a customer is for the financing or cost of administering any reference service or educational program.

(c) That any payment is for other than the purchase of respondents' books, publications, or other products or services.

6. Representing, directly or by implication, that "Univox" teaching aids or other products, sold or offered for sale by respondents, are approved by local school authorities or will be distributed by respondents to schools.

7. Representing, directly or by implication:

(a) That respondents test or will test, review or evaluate the scholastic progress of children of respondents' customers.

(b) That schools or any board or committee thereof, will assist respondents in the administration of tests or the evaluation of the scholastic progress or counseling of children of respondents' customers, or that respondents are in any way connected, affiliated or associated with schools, or with any board or committee thereof.

(c) That respondents evaluate or will evaluate the report cards of participants' children or supply or will supply educational materials to customers designed to assist them or their children in any area in which they are educationally deficient.

8. Representing, directly or by implication, that the Massachusetts Institute of Technology or any other educational institution of higher learning or board or committee thereof, devised, approved, or sponsored any test or educational program offered by respondents; or misrepresenting, in any manner, the persons or organizations which assisted or participated in the formulation of any tests or programs offered by respondents to prospective purchasers.

9. Representing, directly or by implication, that respondents are connected with any individual, firm, institution, or government agency, in any survey, test, experiment, or research program or have administered any survey, test, experiment, or research program.

10. Representing, directly or by implication, that the respondents' regular price of any products or services when singly offered for sale is any amount in excess of the price at which such products or services have been sold by respondents in substantial quantities for a substantial period of time, in the recent regular course of their business; or that the regular price of any products or services offered in combination is any amount in excess of the price at which such products or services have been sold by respondents in combination for a substantial period of time in substantial quantities, in the recent regular course of their business.

11. Representing, directly or by implication, that any price for respendents' products or services is a reduced or special price or an introductory price: *Provided, however,* That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that any price designated by the words "special" or "reduced" or by words of similar import or meaning is in fact significantly less than the price at which respondents have openly and actively offered such products or services for sale, in good faith for a reasonably substantial period of time, in the recent regular course of their business or to establish that any price for the products or services designated by the word "introductory" price or by words of similar import is less than the price to which respondents in good faith intend to increase the price in the trade area at a later date and that within a reasonable period of time thereafter the reduced price was in fact so increased in each such trade area.

12. Representing, directly or by implication, that respondents will assist in obtaining any scholarship for children of customers or that respondents will provide or assist in arranging financial assistance for the education of the child of a customer; or misrepresenting, in any manner, the financial assistance offered or furnished by respondents.

13. Misrepresenting, in any manner, the price of respondents' products or services, the amount or number of installment payments or the period of time during which a contract of purchase may be discharged.

14. Failing to deliver a copy of this order to cease and desist to all present and future salesmen or other persons engaged in the sale of respondents' products or services, and failing to secure from each such salesman or other person a signed statement acknowledging receipt of said order.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: March 13, 1969.

By the Commission.

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

[F.R. Doc. 69-4335; Filed, Apr. 14, 1969; 8:46 a.m.]

[Docket No. C-1506]

PART 13—PROHIBITED TRADE PRACTICES

Jack Feit, Inc., et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* 13.1108-45 Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition:* 13.1185-30 Fur Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-30 Fur Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition:* 13.1845-30 Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-35 Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Jack Feit, Inc., et al., New York, N.Y., Docket C-1506, Mar. 13, 1969]

In the Matter of Jack Feit, Inc., a Corporation, and Jack Feit and Elaine Feit, Individually and as Officers of Said Corporation

Consent order requiring a New York City manufacturer of fur trimmed ladies' garments to cease misbranding and falsely invoicing its fur products.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Jack Feit, Inc., a corporation, and its officers, and Jack Feit and Elaine Feit, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, or the manufacture for introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce," "fur," and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix a label to such fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Setting forth on labels attached to fur products the name or names of any animal or animals other than the name of the animal producing the fur contained in such fur products, as specified in the Fur Products Name Guide and as prescribed by the aforesaid rules and regulations.

3. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

4. Failing to set forth on labels the term "natural" to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices, as the term "invoice" is defined in the Fur Products Labeling Act, showing in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Setting forth on invoices pertaining thereto, the name or names of any animal or animals other than the name of the animal producing the fur contained in such fur product as specified in the Fur Products Name Guide and as prescribed by the rules and regulations.

3. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

4. Failing to set forth the term "natural" as part of the information required to be disclosed on an invoice under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe such product which is not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: March 13, 1969.

By the Commission.

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

[F.R. Doc. 69-4334; Filed, Apr. 14, 1969; 8:46 a.m.]

[Docket No. C-1508]

PART 13—PROHIBITED TRADE PRACTICES

Sivia Aulette, Inc., et al.

Subpart—Concealing, obliterating or removing law required and informative marking: § 13.523 *Textile fiber products tags or identification;* § 13.525 *Wool products tags or identification.* Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements:* 13.1212-80 Textile Fiber Products Identification Act; 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements:* 13.1852-70 Textile Fiber Products Identification Act; 13.1852-80 Wool Product Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Sat. 1128-1130, 72 Stat. 1717; 15 U.S.C. 45, 68, 70) [Cease and desist order, Sivia Aulette, Inc., et al., New York, N.Y., Docket C-1508, Mar. 18, 1969]

In the Matter of Sivia Aulette, Inc., a Corporation, and Sivia Montague and Milton Montague, Individually and as Officers of Said Corporation

Consent order requiring a New York City retailer of ladies' ready-to-wear garments to cease misbranding its wool and textile fiber products and failing to keep required records.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Sivia Aulette, Inc., a corporation, and its officers, and Sivia Montague and Milton Montague, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or offering for sale, sale, transportation, distribution, delivery for shipment or shipment, in commerce, of wool products, as "commerce" and "wool product" are defined in the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding wool products by failing to securely affix to or place on each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner each element of information required to be disclosed by section 4(a)(2) of the Wool Products Labeling Act of 1939.

It is further ordered, That respondents Sivia Aulette, Inc., a corporation, and its officers, and Sivia Montague and Milton Montague, individually and as officers of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, do forthwith cease and desist from removing, or causing or participating in the removal of, the stamp, tag, label, or other identification required by the Wool Products Labeling Act of 1939 to be affixed to wool products subject to the provisions of such Act, prior to the time any such wool product is sold and delivered to the ultimate consumer, without substituting therefor labels conforming to section 4(a)(2) of said Act.

It is further ordered, That respondents Sivia Aulette, Inc., a corporation, and its officers, and Sivia Montague and Milton Montague, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from misbranding such textile fiber products by failing to affix a stamp, tag, label, or other means of identification to each such textile fiber product showing in a clear, legible, and conspicuous manner each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

It is further ordered, That respondents Sivia Aulette, Inc., a corporation, and its officers, and Sivia Montague and Milton Montague, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from removing or mutilating, or causing or participating in the removal or mutilation of, the stamp, tag, label, or other identification required by the Textile Fiber Products Identification Act to be affixed to any textile fiber product, after such textile fiber product has been shipped in commerce and prior to the time such textile fiber product is sold and delivered to the ultimate consumer, without substituting therefor labels conforming to section 4 of said Act and the rules and regulations promulgated thereunder and in the manner prescribed by section 5(b) of said Act.

It is further ordered, That respondents Sivia Aulette, Inc., a corporation, and its officers, and Sivia Montague and Milton Montague, individually and as officers of said corporation, and respondents' representatives, agents, and employees, directly or through any corporate or other device, do forthwith cease and desist from failing to keep such records when substituting a stamp, tag, label, or other identification pursuant to section 5(b) as would show the information set forth on the stamp, tag, label, or other identification that was removed, and the name or names of the person or persons from whom such textile fiber product was received.

It is further ordered, That the respondent corporation shall forthwith distribute a copy of this order to each of its operating divisions.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with this order.

Issued: March 18, 1969.

By the Commission.

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

[F.R. Doc. 69-4333; Filed, Apr. 14, 1969; 8:46 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

Application and Closing Out of Offsetting Long and Short Positions

On December 18, 1968, there was published in the FEDERAL REGISTER (33 F.R.

18709) a notice of proposed amendment of § 1.46 of the general regulations under the Commodity Exchange Act, as amended (17 CFR 1.46), relating to application and closing out of offsetting long and short positions.

Interested persons were given 30 days in which to submit written data, views, or arguments on the proposed amendment. Pursuant to the authority vested in the Secretary of Agriculture under section 8a of the Commodity Exchange Act, as amended (7 U.S.C. 12a), and after careful consideration of all written data, views, and arguments, presented by interested persons, and of all other relevant facts and information available, § 1.46 of the general regulations under said act is hereby amended as follows:

(1) By adding the following at the end of paragraph (b): "With respect to every such offsetting transaction that, in accordance with such specific instructions, is not applied to the oldest portion of the previously held position, the futures commission merchant shall clearly show on the purchase and sale statement issued to the customer in connection with the transaction, that because of the specific instructions given by or on behalf of the customer the transaction was not applied in the usual manner, i.e., against the oldest portion of the previously held position. However, no such showing need be made if the futures commission merchant has received such specific instructions in writing from the customer for whom such an account is carried."

(2) By revoking subparagraph (1) of paragraph (d).

The foregoing revisions reflect a certain change in the proposals set forth in the notice of rule making published on December 18, 1968. Said change was made in the amendment of paragraph (b), for the purpose of providing an exception to the requirement set forth in the proposal, and does not impose any new requirement in addition to what was set forth in the proposal. It does not appear that further notice and other public procedure with respect to these matters would make additional information available to the Department of Agriculture. Accordingly, it is found upon good cause that further notice and other public procedure is impracticable and unnecessary.

(Sept. 21, 1922, c. 369, sec. 8a, as added June 15, 1936, c. 545, sec. 10, 49 Stat. 1500, amended Aug. 5, 1955, c. 574, 69 Stat. 535, and amended Feb. 19, 1968, Public Law 90-258, secs. 20-23, 82 Stat. 32, 33, 7 U.S.C. 12a)

This amendment shall become effective thirty (30) days after publication in the FEDERAL REGISTER.

Issued: April 10, 1969.

RICHARD E. LYNG,
Assistant Secretary.

[F.R. Doc. 69-4380; Filed, Apr. 14, 1969; 8:51 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 17—BAKERY PRODUCTS

Milk Bread, Identity Standard; Order Listing Butter Oil, Dehydrated Butter, and Anhydrous Milk Fat as Optional Ingredients

In the matter of amending the definition and standard of identity for milk bread (21 CFR 17.3) to permit the use of butter oil, dehydrated butter, and anhydrous milk fat as optional ingredients:

No comments were received in response to a notice of proposed rulemaking in the above-identified matter that was published in the FEDERAL REGISTER of December 18, 1968 (33 F.R. 18711), and set forth a proposal by Land O'Lakes Creameries, Inc., 2215 Kennedy Street NE., Minneapolis, Minn. 55413, and Williams Bakery, 154 South Summer Street, Scranton, Pa. 18504.

On the basis of the information submitted in the petition and other relevant material, the Commissioner of Food and Drugs concludes that it will promote honesty and fair dealing in the interest of consumers to adopt the amendment as proposed.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under authority delegated to the Commissioner (21 CFR 2.120): *It is ordered*, That § 17.3(c) be revised to read as follows:

§ 17.3 Milk bread and milk rolls or milk buns; identity; label statement of optional ingredients.

* * * * *

(c) The dairy ingredients referred to in paragraph (a)(1) of this section are concentrated milk, evaporated milk, sweetened condensed milk, dried milk, and a mixture of butter, cream, butter oil, dehydrated butter, anhydrous milk fat, or any combination of two or more of these with skim milk, concentrated skim milk, evaporated skim milk, sweetened condensed skim milk, sweetened condensed partly skimmed milk, nonfat dry milk, or any two or more of these, in such proportion that the weight of nonfat milk solids in such mixture is not more than 2.3 times and not less than 1.2 times the weight of the milk fat therein.

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

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

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

Dated: April 4, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-4336; Filed, Apr. 14, 1969; 8:46 a.m.]

Title 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.603]

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANTS UNDER THE IMMIGRATION AND NATIONALITY ACT, AS AMENDED

Nonresident Alien Mexican Border Crossing Cards

Part 41, Chapter I, Title 22 of the Code of Federal Regulations is being amended to accord with regulations of the Immigration and Naturalization Service which provide that an applicant for a Mexican nonresident alien border crossing card need submit only one photograph, and which provide further that a Form I-186 is valid until revoked or voided.

Section 41.128 is amended as follows:

§ 41.128 Nonresident alien Mexican border crossing cards.

* * * * *

(b) *Application for nonresident alien Mexican border crossing card.* A citizen of Mexico shall apply on Form I-190 for a nonresident alien border crossing card, supporting his application with evidence of Mexican citizenship and residence, a valid, unexpired Mexican passport, and one photograph, 1½ inches square. Each applicant applying at consular office, except a child under 14 years of age, shall appear in person before a consular officer and be interrogated regarding his eligibility for a temporary visitor visa.

(c) *Validity.* Notwithstanding any expiration date which may appear thereon,

Forms I–186 are valid until revoked or voided.

* * * * *

Effective date. The amendment to the regulations contained in this order shall become effective upon publication in the FEDERAL REGISTER.

The provisions of the Administrative Procedure Act (80 Stat. 383; 5 U.S.C. 553) relative to notice of proposed rule making are inapplicable to this order because the regulations contained herein involve foreign affairs functions of the United States.

(Sec. 104, 66 Stat. 174; 8 U.S.C. 1104)

BARBARA M. WATSON,
Administrator, Bureau of Security and Consular Affairs, Department of State.

MARCH 26, 1969.

[F.R. Doc. 69–4366; Filed, Apr. 14, 1969; 8:49 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER I—ANCHORAGES

[CGFR 69–24]

PART 110—ANCHORAGE REGULATIONS

Subpart A—Special Anchorage Areas

NIANTIC, CONN.

1. The Commander, 3d Coast Guard District, New York, N.Y., by letter dated March 5, 1969, requested the establishment of a special anchorage area in Niantic Bay, off Cresent Beach, Niantic, Conn. A public notice dated November 21, 1968, was issued by Commander, 3d Coast Guard District, New York, N.Y., describing the proposed anchorage. All known interested parties were notified and requested to comment on the proposal. One objection was received. However, this objection is minor and does not overcome the benefits resulting from this designation. Therefore, the request to establish a special anchorage area as described in 33 CFR 110.53 below is granted, subject to the right to change the requirements and to amend the regulations if and when necessary in the public interest.

2. This document effectuates this request by adding a new § 110.53 describing the limits of the special anchorage area. In this area, vessels not more than 65 feet in length, when at anchor, are not required to carry or exhibit anchor lights. The area is principally for use by yachts and other recreational craft. Temporary floats or buoys for marking anchors in place are allowed. Fixed mooring piles or stakes are prohibited.

3. In Part 110, Subpart A is amended by adding a new § 110.53 following § 110.52 to read as follows:

§ 110.53 Niantic, Conn.

Beginning on the shoreline at latitude 41°18′25.3″, longitude 72°12′16.3″; thence to latitude 41°18′23.3″, longitude 72°12′11.6″; thence to latitude 41°18′50.7″, longitude 72°11′51.5″; thence to the shoreline at latitude 41°18′56.5″, longitude 72°12′05.6″; thence along the shoreline to the point of beginning.

NOTE: This area is for public use, principally for vessels used for a recreational purpose. A temporary float or buoy for marking the location of the anchor of a vessel at anchor may be used. Fixed mooring piles or stakes are prohibited.

(Sec. 1, 30 Stat. 98, as amended, sec. 6(g)(1)(B), 80 Stat. 937; 33 U.S.C. 180; 49 U.S.C. 1655(g)(1)(B); 49 CFR 1.4(a)(3)(ii))

Effective date. This amendment shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Dated: April 9, 1969.

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

[F.R. Doc. 69–4379; Filed, Apr. 14, 1969; 8:50 a.m.]

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

Alabama River, Ala.

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.180 is hereby amended with respect to paragraph (d) adding subparagraph (11) to prescribe regulations governing the operation of Millers Ferry Lock on the Alabama River, Ala., effective 30 days after publication in the FEDERAL REGISTER, as follows:

§ 207.180 All waterways tributary to the Gulf of Mexico (except the Mississippi River, its tributaries, South and Southwest Passes and the Atchafalaya River) from St. Marks, Fla., to the Rio Grande; use, administration, and navigation.

* * * * *

(d) *Locks and floodgates.* * * *

(11) Millers Ferry Lock on the Alabama River, Ala., will be operated eight (8) hours per day from 7 a.m. to 3 p.m., seven (7) days per week, until traffic increases to the point that additional hours of operation will be required. Navigation interests planning on using the lock should schedule their arrivals to fit these hours of operation.

* * * * *

[Regs., Mar. 26, 1969, 1507–32 (Alabama River, Ala.)-ENGCW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

For the Adjutant General.

HAROLD SHARON,
Chief, Legislative and Precedent Branch, Management Division, TAGO.

[F.R. Doc. 69–4326; Filed, Apr. 14, 1969; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 0—COMMISSION ORGANIZATION

Location of Field Engineering Bureau's Field Offices and Monitoring Stations; Correction

In the matter of amendment of Part 0 of the Commission's rules and regulations to effect certain editorial changes.

In the Commission order, released March 21, 1969, and published in the FEDERAL REGISTER, 34 F.R. 5656, March 26, 1969, pertaining to § 0.121 of its rules showing the location of the Field Engineering Bureau's field offices and monitoring stations, Suboffice, Post Office Box 8004, Room 238, Post Office Building, Savannah, Ga. 31402 should be designated as being in the six [6th] Radio District.

Released: April 9, 1969.

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

[F.R. Doc. 69–4375; Filed, Apr. 14, 1969; 8:50 a.m.]

[No. 29394]

PART 1—PRACTICE AND PROCEDURE

PART 17—CONSTRUCTION, MARKING, AND LIGHTING OF ANTENNA STRUCTURES

Miscellaneous Amendments

Order. In the matter of editorial amendment of Parts 1 and 17 of the Commission's rules to specify use of new FAA Form 7460–1 in lieu of Form FAA–117.

1. FAA Form 117 "Notice of Proposed Construction or Alteration," used in notifying the Federal Aviation Administration of proposed antenna structure construction or alteration, was recently revised by the Federal Aviation Administration and redesignated FAA Form 7460–1. On December 11, 1968, Subpart B of Part 77 of the Federal Aviation Regulations was amended to revise the reference to the form on which notices of proposed construction or alteration are filed to reflect the new form number. Said amendment was published December 17, 1968, in 33 F.R. 18614 to become effective February 1, 1969.

2. Inasmuch as § 1.61 (c), (d), and (e) of Part 1 and § 17.4 (a), (b), and (c) of Part 17 of the Commission's rules make reference to the filing of Form FAA–117, and since this form will henceforth be designated FAA Form 7460–1, "Notice of Proposed Construction or Alteration," the aforementioned sections of the Commission's rules are amended to specify the use of the new form.

3. Authority for these changes is contained in section 4(i) and section 303(r) (47 U.S.C. secs. 154(i) and 303(r)) of the Communications Act of 1934, as

amended. Because the amendments are nonsubstantive and editorial in nature, the prior notice and effective date provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 553) do not apply.

4. In view of the foregoing: *It is ordered*, Pursuant to authority delegated by § 0.261 of the Commission's rules, that, effective April 18, 1969, Parts 1 and 17 of the Commission's rules are amended as set forth below.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 154, 303)

Adopted: April 8, 1969.

Released: April 9, 1969.

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

1. Paragraphs (c), (d), and (e) of § 1.61 of Part 1 of the Commission's rules are amended to specify FAA Form 7460–1 in lieu of FAA–117. Paragraphs (a), (b), (f), and (g) are unaffected.

§ 1.61 Procedures for handling applications requiring special aeronautical study.

* * * * *

(c) The Antenna Survey Branch then ascertains whether applicant is required to submit a "Notice of Proposed Construction or Alteration" [FAA Form 7460–1] to the Federal Aviation Administration.

(d) If FAA Form 7460–1 is not required, the application and appropriate antenna painting and lighting specifications are returned to the originating bureau or office for such further action as is necessary.

(e) If FAA Form 7460–1 is required, the originating bureau or office will be so advised. Unless the application includes a statement that FAA Form 7460–1 has been submitted to the Federal Aviation Administration, the originating bureau or office will notify the applicant to do so.

* * * * *

2. Paragraphs (a), (b), and (c) of § 17.4 of Part 17 of the Commission's rules are amended to specify FAA Form 7460–1 in lieu of FAA–117. Paragraphs (d), (e), (f), and (g) are unaffected.

§ 17.4 Commission consideration of proposed antenna structure with respect to possible hazard to air navigation.

(a) All applications are reviewed to determine whether there is a requirement that the applicant file a notice of proposed construction or alteration [FAA Form 7460–1] with the Federal Aviation Administration.

(b) Whenever applications require the filing of a notice of proposed construction or alteration [FAA Form 7460–1] the applicant will be advised to do so unless the application includes an FCC Form 714 certifying that notification has been submitted to FAA or the application form itself specifically supplies all of the information which would be provided on FCC Form 714.

(c) All applications which do not require the filing of FAA Form 7460–1 with the FAA will be deemed not to involve a hazard to air navigation and will be considered by the Commission without further reference to the FAA.

* * * * *

[F.R. Doc. 69–4376; Filed, Apr. 14, 1969; 8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 932]

OLIVES GROWN IN CALIFORNIA

Increase in Expenses for 1968–69 Fiscal Year

Consideration is being given to the following proposal submitted by the Olive Administrative Committee, established under the marketing agreement, as amended, and Order No. 932, as amended (7 CFR Part 932), regulating the handling of olives grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), as the agency to administer the terms and provisions thereof:

That the Secretary find that provisions pertaining to the expenses in paragraph (a) of § 932.205 *Expenses and rate of assessment* (33 F.R. 15903) be amended to read as follows:

§ 932.205 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Olive Administrative Committee, during the period September 1, 1968, through August 31, 1969, will amount to $340,880.

* * * * *

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: April 10, 1969.

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

[F.R. Doc. 69-4396; Filed, Apr. 14, 1969; 8:52 a.m.]

[7 CFR Part 1064]

[Docket No. AO-23-A37]

MILK IN GREATER KANSAS CITY MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Kansas City, Mo., on February 4, 1969, pursuant to notice thereof issued on January 14, 1969 (34 F.R. 868).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on March 18, 1969 (34 F.R. 5509; F.R. Doc. 69-3402) filed with the Hearing Clerk, U.S. Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (34 F.R. 5509; F.R. Doc. 69-3402) are hereby approved and adopted and are set forth in full herein:

The material issues on the record of the hearing relate to:

1. Location adjustments; and
2. Diverted milk.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Location adjustments.* The location adjustment provisions of the order should be amended by deleting paragraph (a) in § 1064.53. This will eliminate the 10-cent lower Class I and blend prices at plants located in St. Joseph, Mo., and Sabetha, Kans., as compared to plants located in Kansas City, Mo., and in Kansas City and Topeka, Kans. It will also eliminate the 10-cent adjustment as it now applies to other source milk classified as Class I.

Presently, the order provides that milk received from producers at plants located in the Kansas counties of Brown, Doniphan, or Nemaha or in the Missouri counties of Andrew, Atchison, Buchanan, Clinton, Daviess, De Kalb, Gentry, Holt, Nodaway, or Worth is priced 10 cents lower than milk received at plants located in the remainder of the marketing area. The only plants to which this provision applies are one plant located at Sabetha, Kans., and three plants located at St. Joseph, Mo.

Three cooperative associations of producers (Mid-America Dairymen, St. Joseph Milk Producers, and Sunflower Dairy) proposed the deletion of the 10-cent location adjustment at plants in St. Joseph, Mo., and Sabetha, Kans. Another cooperative and two handlers who operate pool plants in Kansas City supported the producers' proposal.

The three handlers who operate plants located in St. Joseph, Mo., opposed the deletion of the 10-cent location adjustment. They contended that a 10-cent lower Class I price has always existed under the order at St. Joseph in relation to Kansas City and that the present price level has resulted in an adequate supply of milk for St. Joseph handlers.

The Greater Kansas City marketing area and its supply area almost completely overlap. Three-fourths of the producer milk supply for the market in November 1968 came from counties within the marketing area. There were 13 counties from which producer milk deliveries to the market in November totaled more than 2 million pounds. Twelve of these counties are in the marketing area.

The metropolitan area surrounding Kansas City, Kans., and Kansas City, Mo., is the largest population center in the marketing area, but other important population centers are Topeka and Salina, Kans., and St. Joseph, Mo. The counties with the largest milk deliveries to plants regulated by the Kansas City order (except Nemaha County, Kans.) are adjacent to Topeka, Kansas City, and St. Joseph.

Since producers' farms are located relatively close to distributing plants, nearly all producer milk is hauled directly from the farms to distributing plants without being first received at a supply plant. There is one supply-balancing plant from which supplemental milk is shipped to distributing plants. This supply-balancing plant is located at Sabetha, Kans., 50 miles from both Topeka and St. Joseph and 100 miles from Kansas City.

The plant is operated by Mid-America Dairymen, Inc., a cooperative which also supplies most of the milk direct-shipped from farms to distributing plants regulated by the Kansas City order. The cooperative also ships milk from the Sabetha plant to distributing plants in Topeka, Kansas City, and St. Joseph when such plants request additional supplies to supplement their regular producer receipts.

Although the order permits a 10-cent lower Class I price at the Sabetha plant, the cooperative collects the higher Class I price applicable at Kansas City and Topeka, even on shipments to plants in St. Joseph where the 10-cent lower price is applicable under the order. Buyers also pay transportation costs from Sabetha to the point of delivery.

In paying producer-members, the cooperative also uses the same rate for members delivering to the Sabetha plant as that paid members delivering to Topeka and Kansas City plants. The cooperative takes the position that all of its member-producers delivering to the Kansas City market are so situated that they may deliver to all plants with about the same delivery costs.

The cooperative has eliminated the location adjustment at the Sabetha plant by charging the same Class I price at that plant as is applicable at Kansas City plants. As of April 1, 1969, this same cooperative will market the milk of producers now delivering milk to the three

distributing plants located at St. Joseph. The cooperative proposes to supply such handlers on the same price basis as it supplies other handlers in the Greater Kansas City area, i.e., at the Class I price without location adjustment. The new members also would receive the same price f.o.b. St. Joseph plants as producers receive at plants in Kansas City and Topeka.

Since producers' farms within the marketing area are so located near the principal cities where the plants they serve are located, there is no basis for designating part of the area for a location adjustment because plants therein provide a market for producers at a generally lower delivery cost.

Although St. Joseph is located about 50 miles north of Kansas City, it is only slightly further from available alternative milk supplies in Northeast Iowa, Minnesota, and Wisconsin. This is because milk coming to either Kansas City or St. Joseph from Iowa, Minnesota, or Wisconsin would be routed through Cameron, Mo., which is only about 18 miles closer to St. Joseph than it is to Kansas City. This small difference in mileage is not sufficient to justify a lower price at St. Joseph.

The area between Kansas City and St. Joseph is growing rapidly in population. Sales of fluid milk products are expected to increase in this segment of the area. By establishing the same Class I and blend prices at St. Joseph and Kansas City, handlers in both cities will be on a comparable basis in acquiring additional milk supplies to serve this expanding area.

Handlers opposing the elimination of the 10-cent location adjustment stated that they have obtained in times past an adequate supply at the lower price level. There is no evidence that handlers in St. Joseph can obtain a milk supply under present conditions at a price level less than herein proposed.

The hearing notice contained a proposal to make St. Joseph a basing point from which to calculate location adjustments for plants located outside the marketing area. This proposal was not supported at the hearing. Hence, no basis exists for making this change.

2. *Diverted milk.* The order now provides that only milk of a producer who delivers 6 days' production during the month to a pool plant may be considered producer milk on days it is diverted to a nonpool plant. Each day's delivery normally includes 2 days' production, thus the present 6 days' production requirement represents three deliveries. This provision should be changed to require delivery to a pool plant on only 1 day per month for diversion eligibility.

The present delivery requirement has made it necessary at times to move milk to Kansas City plants from farms near Council Grove, Kans., and El Dorado Springs, Mo., when, on the same day, milk on farms nearer to Kansas City is diverted to plants in Council Grove and El Dorado Springs. The proposed change will permit the cooperative to direct the delivery of milk more efficiently to supply the market at the lowest delivery cost.

The requirement that milk be delivered to a pool plant from each producer's farm on at least 1 day during the month will be sufficient to establish that such producer's milk continues to be available to this market for fluid use.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions, and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

A ruling of the Hearing Examiner to which an objection was taken in the brief has been reviewed. An objection was raised to the ruling which excluded testimony concerning hauling rates on the basis that it was hearsay evidence and was not of the sort upon which responsible persons are accustomed to rely.

The motion was supported by an offer of proof under § 900.8(d)(6) of the rules of practice (7 CFR Part 900). In compliance with § 900.9(b) of the rules of practice, a brief was filed by the interested party which requested review of the ruling made by the Hearing Examiner. It was contended that although the testimony was hearsay evidence, such fact should go to the weight of the evidence rather than require its complete exclusion from the record.

The offer of proof and brief and the ruling of the Hearing Examiner on this motion have been reviewed. The ruling of the Hearing Examiner is hereby affirmed.

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

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on Exceptions

In arriving at the findings and conclusions, and the regulatory provisions of this decision, each of the exceptions received was carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with any of the exceptions, such exceptions are hereby overruled for the reasons previously stated in this decision.

Marketing Agreement and Order

Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Milk in the Greater Kansas City Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Greater Kansas City Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the Federal Register. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of Representative Period

The month of February is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, as amended and as hereby proposed to be amended, regulating the handling of milk in the Greater Kansas City marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on April 9, 1969.

Richard E. Lyng,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Greater Kansas City Marketing Area

Findings and Determinations

The findings and determinations hereinafter set forth are supplementary and

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Greater Kansas City marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

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

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Greater Kansas City marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on March 18, 1969, and published in the FEDERAL REGISTER on March 21, 1969 (34 F.R. 5509; F.R. Doc. 69-3402), shall be and are the terms and provisions of this order and are set forth in full herein:

1. In paragraphs (a) and (b) of § 1064.15 the language "for at least 6 days' production" is deleted and the language "for at least 1 days' delivery" is substituted therefor.

2. In § 1064.53 paragraph (a) is revoked.

[F.R. Doc. 69-4383; Filed, Apr. 14, 1969; 8:51 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 61]

[Docket No. 9523; Notice 69-17]

GLIDER CLOUD-FLYING RATING

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 61 of the Federal Aviation Regulations to establish a new pilot rating to be known as a "glider cloud-flying rating", and to provide accompanying aeronautical knowledge, experience, and skill requirements for issuing the rating, and recent flight experience requirements for glider cloud-flying.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, D.C. 20590. All communications received on or before July 14, 1969, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

Under the existing regulations an instrument rating is required for a pilot to operate a glider into and within the clouds. The Soaring Society of America, Inc., has recommended that a pilot rating be established, with lesser qualifications than those now prescribed for issuance of an instrument rating, to allow glider cloud-flying by appropriately rated glider pilots. The following assertions were made in support of this recommendation:

(1) Soaring flight in convective and wave clouds is often practicable for glider pilots.

(2) Favorable conditions for those flights do not occur when the conditions of cloud cover, ceiling, and visibility are such as to require IFR clearances for powered aircraft operating in the same or adjoining airspace, and therefore the possibility of conflict is remote.

(3) Pilot proficiency requirements in the use of the fewer instruments required for cloud flight in gliders (as compared with powered aircraft) make it possible to provide a separate rating procedure to permit cloud flights by glider pilots.

(4) Requiring an instrument rating equal to that now required for powered aircraft pilots is an unjustifiable burden on glider pilots who wish to operate within clouds.

Soaring flight in convective and wave clouds has become increasingly popular in recent years. This is due in part to the availability of more high-performance gliders, and to the interest in international competition with sailplanes.

Operation of a glider within clouds differs basically from instrument operations with a powered aircraft. The former is primarily a matter of utilizing the vertical components associated with a cloud formation to sustain flight within the clouds, or to gain altitude to enable continuance of VFR gliding flight. Navigation by reference to instruments or radio aids to navigation is not normally involved. Furthermore, when the meteorological conditions are favorable for soaring flight, there is almost invariably a reasonably high ceiling.

Section 61.3(f) provides generally that no person may act as pilot in command of a civil aircraft (other than a helicopter or airship) under instrument flight rules or in weather conditions less than the minimums prescribed for VFR flight unless he holds an instrument rating or an airline transport pilot certificate. Thus, under the present rules a person who wishes to engage (as pilot in command) in glider cloud-flying is subject to pilot certificate requirements as though he were engaging in "regular" instrument operations with a powered aircraft. Likewise, he is required to have the recent experience prescribed in § 61.47(d) for instrument operations.

Instrument operations with powered aircraft are far more complex than glider cloud-flying. The glider pilot is primarily concerned with attitude and speed control, whereas the pilot of a powered aircraft is concerned also with such matters as navigation, position reporting, altitude control, power settings, holding procedures, instrument letdowns, and instrument approaches. In view of these facts, the qualification standards for a pilot who wishes to operate a glider into and within clouds need not be as stringent as those for a pilot who engages in instrument operations with a powered aircraft.

In view of the operational and equipment limitations of gliders, integration of cloud-flying activities of these aircraft with IFR operations of powered aircraft would be unrealistic and impractical. Therefore, glider cloud-flying operations in controlled airspace are, and would continue to be, subject to any restrictions and limitations found necessary from an air traffic control standpoint. Ordinarily, these operations would be authorized only during periods of low IFR activity, and the pilot would be responsible for conducting his flights within specified geographical limits, as determined for conducting his flights face, and within specified altitude blocks of airspace. While the holder of the proposed cloud-flying rating would be prohibited from engaging in operations which require navigation by radio aids, he would be encouraged to use any such facilities available to him as an aid in maintaining his position within his geographical clearance limits.

Except as otherwise authorized by ATC, the newly authorized glider cloud-flying operations in controlled airspace would also be subject to the applicable rules of Part 91 of the Federal Aviation Regulations governing IFR operations. In view of the simplified nature of these operations (normally consisting of climbs and descents within a specified block of airspace), ATC instructions pertaining to them usually are relatively simple, and compliance should be well within the capabilities of pilots with the qualifications now proposed for the glider cloud-flying rating.

The proposed rules, in a new § 61.34, would make the glider cloud-flying rating available to the holder of: A commercial pilot certificate with a glider category rating (but without an instrument rating applicable to airplanes); a private pilot certificate with a glider category rating (but without an instrument rating applicable to airplanes), who meets the aeronautical experience requirements (except specified flight instruction) for a commercial pilot certificate (glider); or an airline transport pilot certificate without an airplane category rating, but with either private or commercial pilot privileges for gliders. This means that the rating would not be made available to a student pilot. Nor would it be available to the holder of an instrument rating applicable to airplanes, or of an airline transport pilot certificate with an airplane category rating (who already has the privileges of an instrument rating). The latter airmen would be excluded since they already are authorized to operate into and within clouds with airplanes, and they would have little, if any, difficulty in adapting their instrument flying skill to glider cloud-flying operation. However, this exclusion would not cover holders of pilot certificates with helicopter ratings, since transfer of instrument capability to operation of gliders is considered appropriate only with reference to airplanes.

The proposed rules would, as in the case of an instrument rating, provide aeronautical knowledge, experience, and skill requirements attuned to the needs of the pilot in glider cloud-flying operations. The aeronautical experience requirements would include at least 10 hours of instrument time, as compared with 40 hours for a "regular" instrument rating. At least 1 hour of this instrument time would be required in a glider. At least 5 hours of instrument flight instruction would be included, as compared with 15 hours for a "regular" instrument rating. In addition to instrument time, flight instruction would be required in spins and spin recoveries, right and left. As proposed, a minimum amount of the latter instruction expressed in time or number of maneuvers would not be fixed, since there is no practicable method of doing this. However, it would be necessary for the applicant to show he has received instruction in these maneuvers from an appropriately rated flight instructor.

The proposed rules also would add to § 61.47 recent experience requirements for glider cloud-flying, of at least 1 hour of actual or simulated cloud or instrument flight in a glider or airplane, within the preceding 6-month period. One-half of this time could be obtained in a synthetic trainer. However, the entire hour would be required to be in a glider, if passengers are to be carried. As amended, this section also would provide that flight time within clouds or under simulated cloud-flying conditions with gliders could not be used to meet the recent experience requirements for the operation of powered aircraft under IFR.

Under the proposed rules, no person holding a glider cloud-flying rating would be allowed to engage in IFR operations requiring navigation by radio aids or involving instrument approach procedures. This limitation would be added to the general limitations listed in § 61.16.

In consideration of the foregoing, it is proposed to amend Part 61 of the Federal Aviation Regulations as follows:

1. By amending § 61.1(e) to read as follows:

§ 61.1 Applicability.

* * * * *

(e) Aircraft, instrument, and glider cloud-flying ratings.

2. By amending § 61.3 as follows: By amending the introductory language in paragraph (f) and adding a new paragraph (h) to read as follows:

§ 61.3 Certificates and ratings required.

* * * * *

(f) *Instrument rating.* Except when authorized by paragraph (h) of this section, no person may act as pilot in command of a civil aircraft under instrument flight rules or in weather conditions less than the minimums prescribed for VFR flight unless—

* * * * *

(h) *Glider cloud-flying rating.* No person other than the holder of an airline transport pilot certificate with an airplane category rating, or of an instrument rating that authorizes IFR operations with airplanes, may act as pilot in command of a glider operated into or within clouds unless he holds a glider cloud-flying rating issued to him under this part.

§ 61.5 [Amended]

3. By inserting the words "and glider cloud-flying" after the word "instrument" in the second sentence in § 61.5(b).

4. By adding a new paragraph after paragraph (d) in § 61.16 to read as follows:

§ 61.16 General limitations.

* * * * *

(e) *Glider cloud-flying rating: prohibited operations.* No person holding a glider cloud-flying rating may engage in IFR operations requiring navigation by radio aids or involving instrument approach procedures.

§ 61.21 [Amended]

5. By inserting the words "or glider cloud-flying" after the word "instrument" in the introductory language of § 61.21(a).

§ 61.22 [Amended]

6. By inserting the figures "61.34," after the figures and letters "§§ 61.17 (b) or (c)," in the introductory language in § 61.22.

§ 61.23 [Amended]

7. By inserting the words "or glider cloud-flying" after the word "instrument" in the first sentence in § 61.23(a).

8. By adding a new paragraph after paragraph (d) in § 61.25 to read as follows:

§ 61.25 Flight test: required aircraft.

* * * * *

(e) *Glider cloud-flying rating.* An aircraft furnished under paragraph (a) of this section for a flight test for a glider cloud-flying rating must have—

(1) The equipment described in paragraph (d) (2) and (3) of this section;

(2) A sensitive altimeter ajustable for barometric pressure;

(3) An airspeed indicator;

(4) A magnetic direction indicator;

(5) A gyroscopic rate-of-turn indicator; and

(6) A slip-skid indicator.

9. By inserting a new subdivision following subdivision (iv) in § 61.27(a)(2) to read as follows:

§ 61.27 Retesting after failure.

(a) *Written test.* * * *

(2) * * *

(v) For a glider cloud-flying rating—a certificated flight instructor with an instrument rating on his flight instructor certificate or a certificated ground instructor with an appropriate rating.

* * * * *

10. By inserting a new section after § 61.33 to read as follows:

§ 61.34 Glider cloud-flying rating: aeronautical experience, knowledge, and skill requirements.

(a) An applicant for a glider cloud-flying rating must hold the following:

(1) A commercial pilot certificate with a glider category rating, but without an instrument rating applicable to airplanes;

(2) A private pilot certificate with a glider category rating, but without an instrument rating applicable to airplanes, and meet the requirements of § 61.123 except paragraph (b) thereof; or

(3) An airline transport pilot certificate without an airplane category rating, but with either private or commercial pilot privileges for gliders.

(b) An applicant for a glider cloud-flying rating must have had the following:

(1) At least 10 hours of instrument time under actual or simulated conditions, of which at least 8 hours must be in flight, and including at least—

(i) 1 hour in a glider; and

(ii) 5 hours of instrument flight instruction in an airplane or glider from a flight instructor with an instrument rating on his flight instructor certificate, of which at least 4 hours were had with the use of only the following instruments: Altimeter, airspeed indicator, magnetic direction indicator, rate-of-turn indicator, and slip-skid indicator.

These 4 hours of instruction must include instruction on speed control, slow flight, constant circling, and recovery from stalls and unusual attitudes.

(2) Flight instruction, from an appropriately rated flight instructor, in spins and spin recoveries, right and left.

(c) An applicant for a glider cloud-flying rating must pass a written test on—

(1) This chapter as it applies to flight under IFR conditions;

(2) The nature and extent of controlled airspace;

(3) Radio communication procedures; and

(4) Meteorology, including the characteristics of air masses and fronts and the weather associated with them, elementary principles of forecasting, and the availability, evaluation, and utilization of meteorological reports.

(d) An applicant for a glider cloud-flying rating must pass a practical test on the procedures and maneuvers listed in this paragraph. The test is given in two phases: An oral operational test, and a flight test.

(1) *Phase I—oral operational test.* (i) Planning flights in gliders in convective and wave clouds.

(ii) Aircraft performance limits.

(iii) Use of speed-limiting dive brakes.

(iv) Required instruments and equipment, and their proper use in flight with gliders within clouds.

(2) *Phase II—flight test.* The flight test may be taken in a glider or an airplane. Any significant error of a dangerous nature is disqualifying. Any error that makes it necessary for the examiner to take over the controls to avoid violating the aircraft's operating limitations, or a loss of control is disqualifying. The applicant must perform the following maneuvers competently and solely by reference to the altimeter, airspeed indicator, magnetic direction indicator, rate-of-turn indicator, and slip-skid indicator.

(i) Straight and level flight.

(ii) Turns, climbs (unless conditions are not conducive to soaring when test is taken in a glider), and descents, including turns of at least 180° left and right to within ±20° of a designated heading.

(iii) Stalls.

(iv) Maneuvering at minimum controllable speeds.

(v) Steep turns with a minimum bank of 45°.

(vi) Recovery from unusual attitudes.

§ 61.47 [Amended]

11. By amending § 61.47 as follows:

a. By inserting the following sentence after the first sentence in paragraph (a): "Glider flight time into or within clouds or under simulated cloud-flying conditions may not be used to meet the recent flight experience requirements for the operation of powered aircraft under IFR."

b. By amending the first sentence in paragraph (d) to read as follows:

(d) *Instrument.* Except as provided in paragraph (i) of this section, a pilot may not act as pilot in command of an aircraft under IFR or in weather conditions less than prescribed VFR minimums unless, within the 6 calendar months before he acts, he has had at least 6 hours of instrument time under actual or simulated instrument conditions. * * *

c. By inserting the words "or glider cloud-flying" after the word "instrument" in paragraph (g).

d. By adding a new paragraph after paragraph (h) to read as follows:

(i) *Glider cloud-flying.* No person may act as pilot in command of a glider operated into or within clouds unless, within the 6 calendar months before he acts, he has had at least 1 hour of actual or simulated cloud or instrument flight, in a glider or in an airplane, of which not more than one-half hour in a synthetic trainer may be substituted for one-half hour of flight time. However, he may not act as pilot in command of that aircraft when it is carrying passengers, unless within those 6 calendar months he has had at least 1 hour of actual or simulated cloud or instrument flight in a glider.

These amendments are proposed under the authority of sections 307(c), 313 (a), and 601, of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), 1421), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on April 9, 1969.

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

[F.R. Doc. 69-4358; Filed, Apr. 14, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-EA-24]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the 700-foot Poughkeepsie, N.Y., transition area.

A new VOR instrument approach procedure has been developed for Stormville Airport, Stormville, N.Y. We will require alteration of the Poughkeepsie, N.Y., 700-foot floor transition area to provide airspace protection for aircraft executing the arrival and departure procedures at Stormville Airport.

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

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

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

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

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the description of the Poughkeepsie, N.Y., 700-foot floor transition area as follows:

In the description of the Poughkeepsie, N.Y., 700-foot floor transition area, after the words "NE of the VOR" insert "within a 5-mile radius of the center (41°34'40" N., 73°43'55" W.) of Stormville Airport, Stormville, N.Y.; within 2 miles each side of the Stormville Airport Runway 8 centerline extended from the 5-mile radius area to 10 miles east of the end of the runway; within 2 miles each side of the Stormville Airport Runway 26 centerline extended from the 5-mile radius area to 6 miles west of the end of the runway and within 2 miles each side of the Kingston, N.Y., VOR 322° and 142° radials extending from the 5-mile radius area to 8 miles northwest of the Kingston, N.Y., VOR."

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

Issued in Jamaica, N.Y., on March 27, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-4359; Filed, Apr. 14, 1969; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-SO-31]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Asheville, N.C., control zone and 700-foot transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box

20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of .comments received.

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

The Asheville control zone described in § 71.171 (34 F.R. 4557) would be redesignated as:

Within a 5-mile radius of Asheville Airport; within 2 miles each side of Runways 16/34 extended centerlines, extending from the 5-mile radius zone to the Broad River and Biltmore RBN's.

The Asheville 700-foot transition area described in § 71.181 (34 F.R. 4637) would be redesignated as:

That airspace extending upward from 700 feet above the surface within 7 miles east and west of the 160° and 340° bearings from the Biltmore RBN, extending from 7 miles north of Biltmore RBN to 12 miles south of Broad River RBN; within 8 miles east and 5 miles west of the Asheville ILS localizer south course, extending from Broad River RBN to 12 miles south of the RBN; within 2 miles each side of the 339° bearing from Biltmore RBN, extending from the RBN to 8 miles north of the RBN; within 2 miles each side of the Asheville VORTAC 230° radial, extending from the VORTAC to the Broad River RBN.

The proposed alteration to the control zone and 700-foot transition area will provide required controlled airspace protection for IFR aircraft during climb to 1,200 feet above the surface and during descent below 1,500 feet above the surface.

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

Issued in East Point, Ga., on April 4, 1969.

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

[F.R. Doc. 69-4360; Filed, Apr. 14, 1969; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-WE-5]

CONTROL ZONE

Proposed Designation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would designate a control zone for San Carlos Airport, Calif.

Interested persons may participate in the proposed rule-making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

On or about August 15, 1969, the FAA proposes to commission a new control tower at San Carlos Airport, Calif. Weather reporting, communications, and air traffic control services will be available. The control zone will be required to provide controlled airspace protection for aircraft conducting special VFR operations at San Carlos Airport.

In consideration of the foregoing the FAA proposes the following airspace actions:

In § 71.171 (34 F.R. 4557) the following control zone is added:

SAN CARLOS, CALIF.

Within a 3-mile radius of the San Carlos Airport (latitude 37°30'40" N., longitude 122°14'50" W.). This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective dates and times will thereafter be continuously published in the Airman's Information Manual.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif. on April 4, 1969.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 69-4361; Filed, Apr. 14, 1969; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-WE-6]

CONTROL ZONE

Proposed Designation and Alteration

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would designate a new control zone for Palo Alto Airport, Calif., and redesignate the Mountain View, Calif. (Moffett Field NAS), control zone.

Interested persons may participate in the proposed rule-making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, Calif. 90009. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the office of the Regional Counsel, Federal Aviation Administration, 5651 West Manchester Avenue, Los Angeles, Calif. 90045.

On or about June 15, 1969, the FAA proposes to commission a new control tower at Palo Alto Airport, Calif. Weather reporting, communications, and air traffic control services will be available. The control zone will be required to provide controlled airspace protection for aircraft conducting IFR and Special VFR operations at Palo Alto Airport.

Designation of the Palo Alto Airport control zone, as proposed, will also require amending the description of the Mountain View (Moffett Field NAS) control zone to contain the Palo Alto control zone during the hours that the Palo Alto control zone is not effective.

The contents of this notice were issued as a notice of proposed rule making (Airspace Docket No. 68-WE-6) on February 9, 1968, and published in the FEDERAL REGISTER (33 F.R. 3077) on February 16, 1968. No objections were received; however a Final Rule was not issued due to an indefinite commissioning date for the tower. Due to the time that has elapsed since the original issuance, it has been determined that the proposal should be reissued for comment.

In consideration of the foregoing the FAA proposes the following airspace actions:

In § 71.171 (34 F.R. 4557) the following control zone is added:

PALO ALTO, CALIF.

Within a 3-mile radius of Palo Alto Airport (latitude 37°27'39" N., longitude 122°06'50" W.) excluding the portion southeast of a line extending from latitude 37°25'14" N., longitude 122°08'30" W. to latitude 37°26'30" N., longitude 122°05'43" W. to latitude 37°29'10" N., longitude 122°04'08" W. This control zone is effective during the

specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

In § 71.171 (34 F.R. 4557) the description of the Mountain View, Calif. (Moffett Field NAS) is amended as follows:

MOUNTAIN VIEW, CALIF. (MOFFETT FIELD NAS)

Within a 5-mile radius of Moffett Field NAS (latitude 37°24'55" N., longitude 122°02'50" W.), within a 3-mile radius of Palo Alto, Calif. Airport (latitude 37°27'40" N., longitude 122°06'50" W.) within 2.5 miles southwest and 2 miles northeast of the Moffett TACAN 157° radial, extending from the 5-mile radius zone to 8 miles southeast of the TACAN and within 2 miles each side of the San Jose VOR 325° radial, extending from the VOR to 8 miles northwest of the VOR, excluding the portion southeast of a line from latitude 37°25'45" N., longitude 121°-56'35" W. to latitude 37°19'30" N., longitude 122°00'10" W., and the portion within the Palo Alto control zone when it is effective.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958, as amended (72 Stat. 749; 49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Los Angeles, Calif., on April 4, 1969.

LEE E. WARREN,
Acting Director, Western Region.

[F.R. Doc. 69-4362; Filed, Apr. 14, 1969; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-CE-11]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to designate a transition area at New Ulm, Minn.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, Mo. 64106.

A new public use instrument approach procedure has been developed for the New Ulm, Minn., Municipal Airport utilizing a State-owned radio beacon located on the airport as a navigational aid. Consequently, it is necessary to provide controlled airspace protection for aircraft executing this new approach procedure by designating a transition area at New Ulm, Minn. The new procedure will become effective concurrently with the designation of the transition area.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (34 F.R. 4637), the following transition area is added:

NEW ULM, MINN.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of New Ulm Municipal Airport (latitude 44°19'15" N., longitude 94°30'10" W.); and within 2 miles each side of the 307° bearing from New Ulm Municipal Airport, extending from the 5-mile radius area to 8 miles northwest of the airport; and that airspace extending upward from 1,200 feet above the surface within 5 miles northeast and 8 miles southwest of the 307° bearing from New Ulm Municipal Airport extending from the airport to 12 miles northwest of the airport; and within 5 miles each side of the 127° bearing from New Ulm Municipal Airport, extending from the airport to 12 miles southeast of the airport.

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

Issued at Kansas City, Mo., on March 25, 1969.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 69-4363; Filed, Apr. 14, 1969; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-EA-32]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot transition area over Williams County Airport, Bryan, Ohio.

A new NDB (ADF) Runway 25 instrument approach procedure has been authorized for Williams County Airport, Bryan, Ohio, predicated on the Bryan, Ohio, non-Federal radio beacon and will require designation of a 700-foot floor Bryan, Ohio, transition area to provide airspace protection for aircraft executing this procedure.

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

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

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

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

Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Bryan, Ohio, 700-foot transition area described as follows:

BRYAN, OHIO

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (41°28'05" N., 84°30'25" W.) of Williams County Airport, Bryan, Ohio; within 2 miles each side of the Runway 25 centerline extended from the 7-mile radius area to 7 miles west of the end of the runway and within 2 miles each side of a 068° bearing from the Bryan, Ohio, RBN (41°28'47" N., 84°27'58" W.) extending from the RBN to 8 miles east of the RBN, excluding the portion which coincides with the Defiance, Ohio, transition area.

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

Issued in Jamaica, N.Y., on March 27, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69-4364; Filed, Apr. 14, 1969; 8:49 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-SW-21]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations to designate a 700-foot transition area at Benton, Ark.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Southwest Region, Federal Aviation Administration, Post Office Box 1689, Fort Worth, Tex. 76101. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Division. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, Fort Worth, Tex. An informal Docket will also be available for examination at the Office of the Chief, Air Traffic Division.

It is proposed to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth.

In § 71.181 (34 F.R. 4637), the following transition area is added:

BENTON, ARK.

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Saline County Airport (lat. 34°33'30" N., long. 92°36'30" W.) excluding that portion within the Little Rock, Ark., transition area.

The proposed transition area will provide airspace protection for aircraft executing a standard instrument approach procedure proposed at the Saline County Airport, Benton, Ark.

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

Issued in Fort Worth, Tex., on April 4, 1969.

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

[F.R. Doc. 69-4365; Filed, Apr. 14, 1969; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 225]

[Docket No. 20725; EDR-158]

TARIFFS OF CERTAIN CERTIFICATED AIRLINES

Trade Agreement Authorizations for Subsidized Intra-Alaskan Carriers

APRIL 10, 1969.

Notice is hereby given that the Civil Aeronautics Board has under consideration amendment of Part 225 to increase the trade agreement authorization to $50,000 for the two larger subsidized carriers with intra-Alaskan routes. The reasons for the proposal are explained in the explanatory statement, and the proposed amendment is set out in the proposed rule.

This regulation is proposed under authority of sections 204(a), 403, 404, and 416 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 758, 760, 771; 49 U.S.C. 1324, 1373, 1374, 1386).

Interested persons may participate in the proposed rule making through submission of twelve (12) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C. 20428. All relevant matter in communications received on or before May 15, 1969, will be considered by the Board before taking action on the proposal. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 712, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.[1]

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. In Regulation ER-553, effective February 4, 1969, the Board amended Part 225 to establish variable trade agreement authorizations, based on number of stations served, for the local service carriers and to extend the regulation for 1 year.[2] Wien Consolidated Airlines, Inc., has requested that a similar formula be applied to the four subsidized air carriers providing intra-Alaskan air transportation.[3]

In support of its petition, Wien Consolidated states that the traffic of Wien and Northern Consolidated has tripled since 1959, when the $20,000 trade agreement limitation was established for eight subsidized intra-Alaskan carriers, but its trade allowance had been cut in half because of merger of the two carriers. The merged carrier asserts that its present need for advertising and promotion is actually four times as great as in 1959. Wien Consolidated argues that it has a substantially larger route system extending not only from Anchorage and Fairbanks, but also from Juneau, Whitehorse, and Nome, with improved direct nonstop rights between the major points, which greatly increases the potential for attracting tourist and other traffic to the interior. Wien requests that a formula be applied to the four carriers providing intra-Alaskan air transportation, under which the $160,000 limitation for the intra-Alaska carriers as a group would be reallocated on the basis of the stations served by the four remaining carriers, and that at least $60,000 be allowed for Wien Consolidated.

We do not believe that the station formula applied to local service carriers would be appropriate for the intra-Alaskan carriers. Stations served by the local service carriers are not generally comparable to Alaskan stations. Many of the latter are hamlets without a potential for generating additional traffic through advertising, and the number of stations served would not appear to have any direct bearing on the amount of advertising needed. However, an increase in the trade agreement limitation appears justified in the case of the two larger carriers, whose route systems have expanded considerably since the present $20,000 level was established in 1959. Not only are their route systems substantially larger than those of Kodiak and Western Alaska, they also include the major commerical centers and gateways to interior scenic attractions. They therefore appear to have a greater potential for increasing commercial revenues through advertising.

We therefore propose to increase the trade allowance for Wien Consolidated and Alaska to $50,000 in the aggregate for a year, but to retain the $20,000 limitation for Kodiak and Western Alaska.

Proposed rule. It is proposed to amend § 225.6 (14 CFR 225.6) by revising paragraph (b) to read as follows:

§ 225.6 Limitation on total value of trade agreements.

* * * * *

(b) $20,000 in the aggregate each year for airlines having gross transport operating revenues less than $2 million in the prior year and $50,000 in the aggregate each year for airlines having gross transport operating revenues of $2 million or more in the prior year, for the airlines identified under § 225.1(a)4).

* * * * *

[F.R. Doc. 69-4391; Filed, Apr. 14, 1969; 8:52 a.m.]

[1] Vice Chairman Murphy's dissenting opinion filed as part of the original document.

[2] Pursuant to Notice of Proposed Rule Making EDR-149, dated Oct. 7, 1968.

[3] Alaska Airlines, Inc. (intra-Alaska routes only); Kodiak Airways, Inc.; Western Alaska Airlines, Inc.; and Wien Consolidated Airlines, Inc.

Notices

DEPARTMENT OF THE INTERIOR

Office of the Secretary

IMPORTS INTO PUERTO RICO OF CRUDE OIL AND UNFINISHED OILS

Maximum Level of Imports

Pursuant to paragraph (c) of section 2 of Proclamation 3279, as amended, for the allocation period April 1, 1969, through March 31, 1970, a maximum level of imports of crude oil and unfinished oils into Puerto Rico by holders of allocations made pursuant to paragraph (a), section 15 of Oil Import Regulation 1 (Revision 5) is established at 150,653 B/D. Of this amount, 112,488 B/D is allocated to Commonwealth Oil Refining Co., Inc.; 37,400 B/D is allocated to Gulf Oil Corp.; and 765 B/D is set aside for allocation to W. R. Grace & Co., if such allocation is required.

RUSSELL E. TRAIN,
Acting Secretary of the Interior.

APRIL 8, 1969.

[F.R. Doc. 69-4390; Filed, Apr. 14, 1969; 8:52 a.m.]

INDIAN TRIBES PERFORMING LAW AND ORDER FUNCTIONS

Notice of Determination

Correction

In F.R. Doc. 69-3176 appearing at page 5341 in the issue of Tuesday, March 18, 1969, the second entry for "South Dakota" should read "Crow Creek Sioux Tribe" instead of "Oglala Sioux Tribe".

WATCHES AND WATCH MOVEMENTS

Allocation of Duty-Free Quotas for Calendar Year 1969 Among Producers Located in Virgin Islands and Guam

CROSS REFERENCE: For a document regarding the allocation of duty-free quotas of watches and watch movements for the calendar year 1969 among producers located in the Virgin Islands and Guam, see F.R. Doc. 69-4447, Department of Commerce, Office of the Secretary, *infra*.

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

DEPARTMENT OF AGRICULTURE

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00261-33-46040. Applicant: U.S. Department of Agriculture, Animal Disease & Parasite Research Division, Agricultural Research Center, Beltsville, Md. 20705. Article: Electron microscope, Model EM 200. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used for a broad and continuing program of research which has the following objectives:

(1) Studies on the ultrastructure of the intraerythrocytic hemoprotozoan parasites *Anaplasma marginale, Babesia caballi,* and *Babesia equi.*

(2) Identification and characterization of the above parasites within their arthropod vectors.

(3) Investigations on the effect of chemotherapeutic agents on the ultrastructure, particularly the cell membranes and matrices of the above mentioned hemoprotozoan parasites, using both stained and unstained specimens.

(4) Studies on the host cell and parasite interface to evaluate the effect of certain macromolecules which bring about a state of immunological tolerance within the host using negative staining techniques.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the applicant placed the order for the article. Reasons: This application is a resubmission of Docket No. 68-00123-33-46040 which was submitted on September 12, 1967. At that time, the only electron microscope being manufactured in the United States was the Model EMU-4 of the Radio Corporation of America (RCA). The foreign article provides accelerating voltages of 40, 60, 80, and 100 kilovolts, whereas the RCA Model EMU-4 provided only 50- and 100-kilovolt accelerating voltages. It has been experimentally established that the lower accelerating voltages provide optimum contrast for unstained specimens and that the voltages intermediate between 50 and 100 kilovolts provide optimum contrast for negatively stained specimens. The experiments of the applicant to be conducted with the foreign article, involve the use of both unstained and negatively stained specimens. Therefore, the additional voltages provided by the foreign article are pertinent characteristics.

For the foregoing reasons we find that the RCA Model EMU-4 was not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which was being manufactured in the United States at the time the applicant placed the order for the article.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-4325; Filed, Apr. 14, 1969; 8:45 a.m.]

HEALTH RESEARCH, INC.

Amendment to Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following notice of decision published in Volume 34, No. 59 of the FEDERAL REGISTER (Thursday, Mar. 27, 1969) pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) is hereby amended to read: Article: Klystron tube, Model VC 104 instead of Article: Manufacturer: Varian Associates of Canada Ltd., Canada.

Docket No. 69-00263-00-41200. Applicant: Health Research Inc., Roswell Park Division, 666 Elm Street, Buffalo, N.Y. 14203. Article: Klystron tube, Model VC 104. Manufacturer: Varian Associates of Canada Ltd., Canada. Intended use of article: The article will be used as a component to an existing instrument for the study of radiation damage in organs and biological materials. The scope of this work extends to the study of radiation protection measures as well. Comments: No comments were received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is to be used, is being manufactured in the United States. Reasons: The foreign article is a replacement for a Klystron tube incorporated in a microwave oscillator that was manufactured in the United States. However, the Klystron tube is no longer being manufactured in the United States by the

manufacturer of the oscillator, but in a Canadian facility of this manufacturer.

The Department of Commerce knows of no Klystron tube being manufactured in the United States, which is capable of fulfilling the technical requirements specified by the applicant, or can be adapted or modified to serve the purposes for which the foreign article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-4321; Filed, Apr. 14, 1969; 8:45 a.m.]

NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

The following are notices of the receipt of applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897). Interested persons may present their views with respect to the question of whether an instrument or apparatus of equivalent scientific value for the purposes for which the article is intended to be used is being manufactured in the United States. Such comments must be filed in triplicate with the Director, Scientific Instrument Evaluation Division, Business and Defense Services Administration, Washington, D.C. 20230, within 20 calendar days after date on which this notice of application is published in the FEDERAL REGISTER.

Regulations issued under cited Act, published in the February 4, 1967 issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

A copy of each application is on file, and may be examined during ordinary Commerce Department business hours at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

A copy of each comment filed with the Director of the Scientific Instrument Evaluation Division must also be mailed or delivered to the applicant, or its authorized agent, if any, to whose application the comment pertains; and the comment filed with the Director must certify that such copy has been mailed or delivered to the applicant.

Docket No. 69-00487-54050. Applicant: New York State, Department of Motor Vehicles, 800 North Pearl Street, Albany, N.Y. 12206. Article: Recording nyctometer with recording forms, No. 60-0-049. Manufacturer: Carl Zeiss Jena, West Germany. Intended use of article: The article will be used for research in night vision characteristics. The night vision characteristics are measured and recorded with a minimum of operator skill, which is essential to accurate research done on a mass-study basis. Application received by Commissioner of Customs: March 21, 1969.

Docket No. 69-00488-33-46500. Applicant: University of Minnesota, Department of Zoology, Minneapolis, Minn. 55455. Article: Ultramicrotome, Reichert "OmU2". Manufacturer: C. Reichert Optische Werk AG, Austria. Intended use of article: The article will be used for both research and teaching. For research, one project is the comparative study of the deoxyribonucleic acid (DNA) molecules in the kinetoplasts of trypanosomatid protozoa. In the second project the ultramicrotome will be employed to section Epon-embedded mouse hepatoma for the examination of cell junctions. A third project involves Epon-embedded spider cardiac muscle. In teaching, an advanced cytology course "Fine structure of Animal Cells, Zoology 5165" is offered for advanced undergraduate and graduate students. Application received by Commissioner of Customs: March 21, 1969.

Docket No. 69-00489-63-46040. Applicant: University of California, Santa Barbara, Department of Biological Sciences, Santa Barbara, Calif. 93106. Article: Electron microscope, Model Elmiskop 101. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used for biological research in the following areas:

1. Forms and distribution of plant viruses in cells of the hosts.

2. Reactions of host cells to the presence of virus as revealed by the formation of virus particles and viral byproducts in the cells and by generative changes in the components of host protoplasts.

3. Continuation of studies of subcellular structure of food conducting tissues in plants, especially of the most highly specialized cells in these tissues, which are concerned with the long-distance transport of organic molecules including the viruses in infected plants.

Application received by Commissioner of Customs: March 21, 1969.

Docket No. 69-00491-90-46070. Applicant: University of California at Santa Cruz Purchasing Department, Carriage House, Santa Cruz, Calif. 95060. Article: Scanning electron microscope, Model JSM-2. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used by students and faculty in the fields of biology, paleontology and geology. Students using the instrument will be both undergraduates and graduates pursuing their research thesis. Specific materials to be investigated are as follow:

1. Surface markings and fine texture of spores and pollen of land plants.

2. Spore development and the relationship of specific wall components to each other.

3. Morphology and development of insects.

4. Textures in fine-grained sedimentary, igneous, and metamorphic rocks.

5. Structures and defects within crystals.

6. Ultramicroscopic fossils such as coccoliths, fossil spores and pollen, silicoflagellates, dinoflagellates, and hystrichospherids.

7. Ultramicroscopic structure of the calcareous shells of larger invertebrate organisms, both fossil and modern.

8. Surface markings on sand grains composed of quartz-feldspar, etc.

Application received by Commissioner of Customs: March 21, 1969.

Docket No. 69-00492-65-46070. Applicant: University of Virginia, Department of Materials Science, Charlottesville, Va. 22901. Article: Scanning electron microscope, Model Stereoscan Mark IIA. Manufacturer: Cambridge Instruments Co., Ltd., United Kingdom. Intended use of article: The article will be used for the following purposes:

1. Investigations of surface properties of materials.

2. Investigations of interactions of biological environments with materials.

3. Investigations of soil in connection with highway research.

4. Investigations of semiconductor materials, integrated circuits.

5. The instrument will be a major part of a training program for dental students.

Application received by Commissioner of Customs: March 21, 1969.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-4322; Filed, Apr. 14, 1969; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433, et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00393-00-46040. Applicant: University of California, 405 Hilgard Avenue, Los Angeles, Calif. 90024. Article: Accessories for Siemens electron microscope, Model Elmiskop IA. Manufacturer: Siemens A.G., West Germany. Intended use of article: The articles will be used as accessories to an existing Siemens electron microscope, Model Elmiskop IA. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article is a photographic unit made up of

the four subassemblies listed in the application, which is intended for use with a priorly imported electron microscope manufactured by the supplier of the article.

The Department of Commerce knows of no similar photographic unit being manufactured in the United States, which is either interchangeable with the foreign article or can be adapted to the electron microscope with which the article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-4323; Filed, Apr. 14, 1969; 8:45 a.m.]

UNIVERSITY OF CALIFORNIA

Notice of Decision on Application for Duty-Free Entry of Scientific Article

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Scientific Instrument Evaluation Division, Department of Commerce, Washington, D.C.

Docket No. 69-00388-00-46040. Applicant: University of California, San Francisco Medical Center, Parnassus Avenue at Arguello, San Francisco, Calif. 94122. Article: Electromagnetic shutter for Siemens electron microscope. Manufacturer: Siemens A.G., West Germany. Intended use of article: The article will be used as an accessory to an existing Siemens electron microscope for electronically determining exposure times of photographic emulsions. Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The article is an accessory for an electron microscope previously imported for the use of the applicant, which was manufactured by the same manufacturer that is supplying the article. The Department of Commerce knows of no similar accessory being manufactured in the United States, which is either interchangeable with the foreign article or can be adapted to the foreign electron microscope with which the article is intended to be used.

CHARLEY M. DENTON,
Assistant Administrator for Industry Operations, Business and Defense Services Administration.

[F.R. Doc. 69-4324; Filed, Apr. 14, 1969; 8:45 a.m.]

Office of the Secretary

WATCHES AND WATCH MOVEMENTS

Allocation of Duty-Free Quotas for Calendar Year 1969 Among Producers Located in Virgin Islands and Guam

On January 7, 1969, the Departments of the Interior and Commerce published a Joint Notice announcing the formula to be used by the Departments in the allocation of 1969 calendar year quotas for duty-free entry into the customs territory of the United States of watches and watch movements assembled in the Virgin Islands, Guam, and American Samoa. (34 F.R. 222.) This notice provided that annual quotas for calendar year 1969 would be allocated as soon as practicable after April 1, 1969, on the basis of the number of units assembled by each firm in the particular territory and entered by it duty-free into the customs territory of the United States during calendar year 1968, and the total dollar amount of wages subject to FICA taxes paid by such firm in the particular territory during calendar year 1968 which were attributable to its watch operation. In making allocations under this formula, equal weight was assigned to production and shipment history, and to wages subject to FICA taxes.

As a temporary measure, pending announcement of final statistics to be issued by the U.S. Tariff Commission on total apparent U.S. watch consumption during 1968 and the verification of data submitted in support of individual quota applications, initial 1969 calendar year quotas were allocated to eligible producers that had received duty-free watch quota allocations for calendar year 1968.

Representatives of the Departments visited each of the insular possessions during February and March 1969 to verify the data submitted in support of individual quota applications. The verification indicated that firms had been generally accurate in reporting the number of units which were entered into the customs territory of the United States during calendar year 1968. Inconsistencies, however, occurred in reporting wages subject to FICA taxes paid by some firms during calendar year 1968 which were attributable to watch operations in the insular possessions. These inconsistencies were largely due to the inclusion of wages in excess of the maximum $7,800 taxable as FICA wages and the inclusion of wages paid to individuals whose services were not attributable to watch operations in the insular possessions.

Any watches and watch movements entered duty-free into the customs territory of the United States on or after January 1, 1969, are to be deducted from the following allocations which are issued for the full calendar year 1969. Adjustments have been made reflecting verification of the data submitted by individual applicants; however, the quotas announced are subject to possible reduction or revocation in the case of those firms which failed to enter into the customs territory of the United States at least 30 percent of their initial quota on or prior to April 1, 1969. Such firms will be notified in the near future of any action the Departments propose to take based on their failure to meet this requirement.

VIRGIN ISLANDS

Name of firm	*Number of units*
1. Admiral Time, Inc.	171,566
2. Antilles Industries, Inc.	44,209
3. Atlantic Time Products Corp.	446,566
4. Belair Time Corp.	222,682
5. Belmont Industries	97,107
6. Master Time Co., Ltd.	188,060
7. Quality Products Co., Inc.	469,909
8. Roza Watch Corp.	312,960
9. R. W. Summers Time Corp.	210,636
10. Standard Time Corp.	700,000
11. Sussex Watch Corp.	92,306
12. Unitime Corp.	498,488
13. Virgiline Watch Co., Inc.	33,009
14. Virgo Corp.	241,249
15. Watches, Inc.	186,554

GUAM

1. Hallmark Watch Factory, Inc.	76,179
2. Jun-Lau Watch Corp.	23,335
3. Maro Watch Co., Inc.	81,691
4. Phoenix Industries, Inc.	27,582
5. Stratton Watch Corp.	165,230
6. Westminster Time Corp.	36,819

The only applicant for the American Samoan quota withdrew its application for that quota on March 21. Accordingly, as soon as practicable the Departments will invite, by FEDERAL REGISTER notice, interested parties to submit applications for the 1969 calendar year American Samoan duty-free watch quota.

Assigned quotas may be adjusted at any time during this calendar year in the event it becomes apparent that shipments through December 31, 1969, by any firm will be less than 80 percent of the number of units allocated to it. Those firms which have been notified that their quota application forms are not complete, will not be issued an annual license covering the assigned quota until such time as their application forms are completed in all respects.

Dated: April 11, 1969.

K. N. DAVIS, Jr.,
Assistant Secretary for Domestic and International Business, Department of Commerce.

HARRISON LOESCH,
Assistant Secretary for Public Land Management, Department of the Interior.

[F.R. Doc. 69-4447; Filed, Apr. 11, 1969; 4:04 p.m.]

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

CHINESE TYPE FOODSTUFFS

Importation Directly From Taiwan (Formosa); Available Certifications

Notice is hereby given that certificates of origin issued by the Ministry of Economic Affairs of the Government of the

Republic of China under procedures agreed upon between that government and the Office of Foreign Assets Control in connection with the Foreign Assets Control Regulations are now available with respect to the importation into the United States directly, or on a through bill of lading, from Taiwan (Formosa) of the following commodities:

Mustard green, sweet and sour.
Red bean paste, canned.
Scallions, pickled.

Since certificates of origin are presently available for salted mustard green, the certification procedure will henceforth cover "Mustard green, salted, sweet and sour."

[SEAL] MARGARET W. SCHWARTZ,
Director,
Office of Foreign Assets Control.

[F.R. Doc. 69-4399; Filed, Apr. 14, 1969; 8:52 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMPHETAMINE SULFATE

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: Amfetasul; a parenteral solution containing 50 milligrams of amphetamine sulfate per cubic centimeter; marketed by Pitman-Moore, Division of the Dow Chemical Co., Research Center, Box 10, Zionsville, Ind. 46077.

The Academy concludes that (1) this drug is probably effective; (2) since the documentation does not show efficacy for most of the claims made, proof of each of these should be supplied, or the claims should be modified; and (3) there is little doubt that amphetamine is an analeptic and a sympathomimetic, and, if the claims were confined to these statements, the product would be acceptable. The Food and Drug Administration concurs with the conclusions of the Academy.

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

To alleviate overdosage of barbiturates, and for use as an analeptic and a sympathomimetic for cattle, horses, and dogs.

DOSAGE AND ADMINISTRATION

Administer intravenously, subcutaneously, or intraperitoneally.

Adult cattle and horses: 0.1 to 0.3 milligram per pound of body weight. Profound depressive states may require double this dosage. May be repeated at 24 hour intervals. Do not give more than seven daily doses without rest period.

Dogs: 0.5 to 2.0 milligrams per pound of body weight.

PRECAUTIONS

This drug should not be used in excessively excited animals or in those with cardiovascular diseases.

Warning: Excessive use of this drug may cause nervousness and restlessness. Not for use in animals producing milk since this will result in the contamination of the milk.

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

Notice: Do not use if product precipitates or becomes cloudy.

This evaluation of the drug is concerned only with its 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 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 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 subject drug has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling or any other interested person may obtain a copy 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: April 8, 1969.

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

[F.R. Doc. 69-4337; Filed, Apr. 14, 1969; 8:46 a.m.]

CHLORHEXIDINE DIHYDROCHLORIDE

Drugs for Veterinary Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated reports received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following preparations by Fort Dodge Laboratories, Inc., Fort Dodge, Iowa 50501:

1. Nolvasan Suspension; syringe contains 1 gram of chlorhexidine dihydrochloride.

2. Nolvasan Effervescent Uterine Cap-Tabs; each cap-tab contains 1 gram of chlorhexidine dihydrochloride.

The Academy concluded that Nolvasan Suspension is: (1) Probably not effective for conjunctivitis since more information and data are needed for its use in eyes and (2) probably effective for metritis, vaginitis, and other bacterial infections, but label should state that it is effective against infections caused by organisms sensitive to chlorhexidine. The company has not documented its use in otitis as claimed.

The Academy concluded that: (1) Nolvasan Effervescent Uterine Cap-Tabs are probably effective for intrauterine medication for treatment or prevention of vaginitis and endometritis of bacterial origin in cows and mares; (2) the label would be improved by more emphasis on degree of cleanliness to be observed in placing tablets in uterus; and (3) information is needed from the manufacturer for the tablets that are to be inserted into the uterus with respect to (a) the degree of disintegration within the uterus, (b) the presence of hazardous ingredients that may cause severe irritation, ulceration, perforation, or necrosis, and (c) the chemical compatibility of the vehicle and active agent or agents.

The Food and Drug Administration concurs with the conclusions of the Academy.

This evaluation of the drug is concerned only with its 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 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 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 applications for the drugs listed above has been mailed a copy of the NAS-NRC reports. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to those drugs or any other interested person may also obtain a copy 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: April 8, 1969.

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

[F.R. Doc. 69-4338; Filed, Apr. 14, 1969; 8:46 a.m.]

EMBRYOSTAT (OXYTETRACYCLINE 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 preparation: Embryostat; contains 100 milligrams of oxytetracycline (Terramycin) hydrochloride per single-dose vial; by Chas. Pfizer & Co., Inc., 235 East 42d Street, New York, N.Y. 10017.

The Academy concluded that this drug for use in cows is probably effective in mild endometritis leading to repeat breeder syndrome but is ineffective at the recommended dosage in other forms of metritis, cervicitis, and vaginitis; that the label should be changed to conform to this information; and that the label should also state that the product is effective only against organisms sensitive to oxytetracycline hydrochloride. The Food and Drug Administration concurs with the Academy's conclusions.

This evaluation is concerned only with the drug's 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 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 comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of the new-drug applications are provided 6 months from 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 subject drug has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to it or any other interested person may also obtain a copy 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: April 8, 1969.

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

[F.R. Doc. 69-4339; Filed, Apr. 14, 1969; 8:46 a.m.]

HISTOSTAT

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: Histostat-50 (Medicated Premix); contains 50 percent 4-nitrophenylarsonic acid; by Salsbury Laboratories, Charles City, Iowa 50616.

The Academy concludes that this product is effective as an aid in prevention of blackhead in chickens and turkeys. The Academy is aware of toxic reaction (leg weakness) at the recommended dose level of 0.025 percent as shown on label submitted for review and suggests reduced dosage and that the label indicate the desirability of adequate drinking water near feeder at all times.

The Food and Drug Administration concurs with the Academy's evaluation and concludes that the product is efficacious at 0.01875 percent for the claims made.

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:

INDICATION FOR USE

As an aid in the prevention of blackhead in chickens and turkeys.

DOSAGE AND ADMINISTRATION

Complete ration to contain 0.01875 percent of the drug.

PRECAUTIONS

Early medication is essential to prevent spread of the disease.

Adequate drinking water must be provided near feeder at all times.

The drug is not effective in preventing blackhead in birds infected more than 4 or 5 days.

Equipment used for mixing this drug with feed must be thoroughly cleaned before using in a mix with other feeds.

WARNINGS

Discontinue use 5 days before slaughtering for human consumption to allow for elimination of the drug from edible tissue.

Dangerous for ducks, geese, and dogs. Overdosage or lack of water may result in leg weakness or paralysis.

Keep out of the reach of children.

CAUTION: Use as the sole source of arsenic.

This evaluation of the drug is concerned only with its 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 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 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 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 also obtain a copy 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: April 8, 1969.

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

[F.R. Doc. 69-4340; Filed, Apr. 14, 1969; 8:46 a.m.]

NICARBAZIN

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: Nicarb (nicarbazin 25%, Merck); contains 113.5 grams of nicarbazin per pound, marketed by Merck & Co., Inc., Rahway, N.J. 07065.

The Academy concludes that this drug is effective as an aid in preventing outbreaks of cecal and intestinal coccidiosis in chickens. 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

As an aid in preventing outbreaks of cecal (*Eimeria tenella*) and intestinal (*E. acervulina, E. maxima, E. necatrix,* and *E. brunetti*) coccidiosis in chickens.

DOSAGE AND ADMINISTRATION

Finished feeds should contain 0.0125 percent nicarbazin. Feed as the only ration from the time chicks are placed on litter until past the time when coccidiosis is ordinarily a hazard.

CONTRAINDICATIONS

Do not use as a treatment for outbreaks of coccidiosis. Do not use in flushing mashes.

PRECAUTIONS

If losses exceed 0.5 percent in a 2-day period, obtain an accurate diagnosis and follow the instructions of your veterinarian or poultry pathologist.

WARNING: Discontinue medication 4 days before marketing the birds for human consumption to allow for elimination of the drug from the edible tissue.

CAUTION: Do not feed to laying hens in production. Keep out of reach of children. For veterinary use only.

This evaluation is concerned only with the drug's 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 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 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 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 subject drug has been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to it or any other interested person may also obtain a copy 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: April 8, 1969.

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

[F.R. Doc. 69-4341; Filed, Apr. 14, 1969; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGFR 69-23]

EQUIPMENT, INSTALLATIONS, OR MATERIALS

Approval Notice

Correction

In F.R. Doc. 69-3965 appearing at page 6128 in the issue of Friday, April 4, 1969, the following change should be made in the third paragraph under the center heading "Telephone Systems, Sound-Powered": The figure in the 12th line should read "161.005/60/0".

Hazardous Materials Regulations Board

SPECIAL PERMITS ISSUED

Correction

In F.R. Doc. 69-4161 appearing at page 6300 in the issue of Wednesday, April 9, 1969, the following changes should be made:

1. The entry in the "Mode or modes of transportation" column for Special Permit No. 5916 should read "Cargo-only aircraft, highway, rail, and water".

2. The phrase "Department of Transportation" in Special Permit Nos. 5918, 5919, 5932, and 5933 should read "DOT".

CIVIL AERONAUTICS BOARD

ALLEGHENY AIRLINES, INC.

Notice of Application for Amendment of Certificate of Public Convenience and Necessity

APRIL 9, 1969.

Notice is hereby given that the Civil Aeronautics Board on April 4, 1969, received an application, Docket 20886, from Allegheny Airlines, Inc., for amendment of its certificate of public convenience and necessity for route 97 to authorize it to engage in nonstop service between Louisville, Ky., and Washington, D.C. The applicant requests that its application be processed under the expedited procedures set forth in Subpart M of Part 302 (14 CFR Part 302).

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-4392; Filed, Apr. 14, 1969; 8:52 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18333, etc.; FCC 69-317]

COMMUNICATIONS TECHNICAL SALES, INC. ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Communications Technical Sales, Inc., for consent to assignment of license of Station KIY585 in the Domestic Public Land Mobile Radio Service at Columbia, S.C., to L. Marion Evans, doing business as Telephone Answering Service, Docket No. 18333, File No. 558-C2-AL-67; for renewal of licenses of Stations KIY585 and KIY589 in the Domestic Public Land Mobile Radio Service at Columbia and Sumter, S.C., Docket No. 18334, File No. 7546-C2-R-66, File No. 51-C2-R-66; for modification of license of Station KIY585 in the Domestic Public Land Mobile Radio Service at Columbia, S.C., Docket No. 18335, File No. 388-C2-ML-66; for consent to assignment of license of Station KIY589 in the Domestic Public Land Mobile Radio Service at Sumter, S.C., to Abraham Thomy, doing business as A-ble Answering Service, Docket No. 18336, File No. 5290-C2-AL-66; for a construction permit to modify the facilities of Station KIY589 in the Domestic Public Land Mobile Radio Service at Sumter, S.C., Docket No. 18510, File No. 2813-C2-P-69; L. Marion Evans, doing business as Telephone Answering Service, for renewal of license of Station KIY760 in the Domestic Public Land Mobile Radio Service at Columbia, S.C., Docket No. 18337, File No. 2868-C2-R-66; May G. Evans, doing business as Evans Telephone Answering Service, for a construction permit to establish new radio facilities in the Domestic Public Land Mobile

Radio Service at Columbia, S.C., Docket No. 18511, File No. 4423-C2-P-69; Abraham Thomy, doing business as A-ble Answering Service, for a construction permit to establish new radio facilities in the Domestic Public Land Mobile Radio Service at Sumter, S.C., Docket No. 18512, File No. 3519-C2-P-69; for renewal of license of Station KFL907 in the Domestic Public Land Mobile Radio Service at Florence, S.C., Docket No. 18513, File No. 5119-C2-R-69.

1. The Commission, in a memorandum opinion and order adopted September 25, 1968,[1] designated for hearing applications by Communications Technical Sales, Inc. (CTSI) (a) for consent to assignment of license of Station KIY585 in the Domestic Public Land Mobile Radio Service at Columbia, S.C., to L. Marion Evans, doing business as Telephone Answering Service;[2] (b) for consent to assignment of license of Station KIY589 in the Domestic Public Land Mobile Radio Service at Sumter, S.C., to Abraham Thomy, doing business as A-ble Answering Service (Thomy);[3] and, (c) for renewal of licenses of Stations KIY585 and KIY589.[4] The basic issue upon which designation was ordered was whether an unauthorized assignment of license of Station KIY585 had taken place, and, whether CTSI and L. Marion Evans possess the requisite character qualifications to be Commission licensees.[5] Accordingly, the application of L. Marion Evans, doing business as Telephone Answering Service, for renewal of license of Station KIY760 in the Domestic Public Land Mobile Radio Service at Columbia, S.C.,[6] was also designated for hearing in the same proceeding.

2. On September 30, 1968, CTSI filed an application for a construction permit and requested therein special temporary authority to modify the facilities of Station KIY589.[7] Thomy, on December 9, 1968, filed an application[8] for a construction permit to establish new facilities in the Domestic Public Land Mobile Radio Service at Sumter, S.C., requesting the frequency 152.21 Mc/s (base). It should be noted, at this point, that Station KIY589 in Sumter is currently authorized to operate on 152.21 Mc/s. Thomy's application contained a letter by the president of CTSI stating approval of Thomy's application, and advising that the grant of Thomy's application would be followed by CTSI abandoning its application for renewal of Station KIY589. On December 17, 1968, this application was amended by a request for waiver of § 21.24(d) of the Commission's rules[9] to permit said application to be filed though it was mutually exclusive with the application for renewal of license of Station KIY589. A second amendment to Thomy's application, filed December 19, 1968, changes the base frequency requested to 152.12 Mc/s, and states that both Thomy and CTSI waive any rights to comparative consideration of the applications for renewal and assignment of Station KIY589 and Thomy's present application for new facilities in the same city. A petition to Deny or Designate for Hearing was filed against this application by Columbia Telephone Answering Service on January 22, 1969. Since said petition lacks the affidavit of personal knowledge required by section 309(d)(1) of the Act, it is defective. On January 3, 1969, CTSI filed before the Examiner a petition to dismiss its application for consent to assignment of Station KIY589 to Thomy, on the ground that Thomy no longer had interest in said station.

3. On January 28, 1969, May G. Evans, doing business as Evans Telephone Answering Service[10] filed an application[11] to establish new facilities in the Domestic Public Land Mobile Radio Service at Columbia, S.C. This application, as did Thomy's in Sumter, contained a letter from CTSI waiving its rights to comparative consideration, and expressing its intent to dismiss its application for renewal of license of Station KIY585 as soon as May G. Evans' application is granted. On February 20, 1969, CTSI filed before the Examiner a Petition to Dismiss its application to assign the license of Station KIY585 to L. Marion Evans, citing as its reason that May G. Evans was not interested in the assignment of Station KIY585 to the Estate of L. Marion Evans.

4. As a result of these filings and pleadings, the factual situation surrounding the hearing proceeding has been substantially altered since the issuance of the designation order. However, the issues in this proceeding, as enlarged by the Review Board, have been in no way modified. Although L. Marion Evans is now deceased, it is still desirable to proceed with a determination of the nature and extent of his participation, and that of his business, in the proposed transaction. Moreover, the general issue as to Thomy's character qualifications appears to warrant the consolidation in these proceedings of his renewal application for Station KFL907 in the Domestic Public Land Mobile Radio Service at Florence, S.C. CTSI's character in connection with its operations at both Columbia and Sumter, S.C., remains in question, and the public interest demands that such issues be satisfactorily resolved.

5. Section 1.227(a) of the Commission's rules permits the Commission, upon its own motion, to consolidate for hearing "any cases which involve the same applicant or involve substantially the same issues," where consolidation "will best conduce to the proper dispatch of business and to the ends of justice." The instant parties, proposals, and issues are so entwined and interrelated as to make a consolidated hearing necessary.

6. Accordingly, in view of our conclusions above: *It is ordered*, That pursuant to section 309(e) of the Communications Act of 1934, as amended, and § 1.227(a) of the Commission's rules, the captioned applications are designated for hearing, in a consolidated proceeding with Dockets 18333 through 18337, at the Commission's offices in Washington, D.C., on the date ordered for Dockets 18333 through 18337, on the issues and burdens of proof specified in the initial memorandum opinion and order (FCC 68-979, 14 FCC 2d 793), as enlarged by the Review Board on December 27, 1968 (FCC 68R-542, 15 FCC 2d 776).

7. *It is further ordered*, That the petition to deny or designate for hearing filed by Columbia against the application by CTSI is hereby dismissed.

8. *It is further ordered*, That the request by CTSI for special temporary authority to modify the facilities of Station KIY589 is hereby denied.

9. *It is further ordered*, That the parties desiring to participate herein shall file their notices of appearance in accordance with the provisions of § 1.221 of the Commission's rules.

Adopted: April 2, 1969.

Released: April 3, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[12]

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

[F.R. Doc. 69-4377; Filed, Apr. 14, 1969; 8:50 a.m.]

[1] FCC 68-979; 14 FCC 2d 793, Dockets Nos. 18333 thru 18337.

[2] File No. 558-C2-AL-67, Docket No. 18333.

[3] File No. 5290-C2-AL-66, Docket No. 18336.

[4] Docket No. 18334, The Petitioner involved is Columbia Telephone Answering Service, Inc., doing business as Able Paging Service (Columbia).

[5] The Review Board, by its order released Dec. 31, 1968, enlarged the issues of the proceeding to include a determination of whether an unauthorized assignment of Station KIY589 had occurred, and whether, as a result of such determination, CTSI and/or Thomy possess the requisite character qualifications to be Commission licensees.

[6] Docket No. 18337.

[7] File No. 2813-C2-P-69. This application proposed a relocation of the station's base station, a change in the antenna system, and the addition of ten (10) dispatch stations.

[8] File No. 3519-C2-P-69.

[9] This subsection states that any mutually exclusive application filed after the date that a prior application has been designated for hearing "will be dismissed without prejudice and will be eligible for refiling only after a final decision is rendered by the Commission with respect to the prior application or applications or after such application or applications are dismissed or removed from the hearing docket."

[10] File No. 4423-C2-P-69. This application (No. 2842-C2-AL-69) was filed for consent to the involuntary assignment of Station KIY-760 from L. Marion Evans, who had died Oct. 29, 1969, to May G. Evans, the Executrix of his estate. This application was granted on Feb. 4, 1969, by staff action.

[11] File No. 4423-CS2-P-69. This application also requests a waiver of §§ 21.24(d) and 1.227(b)(4).

[12] Commissioner Wadsworth absent.

[Docket No. 18519; FCC 69-333]

WESTERN UNION TELEGRAPH CO.

Order Designating Application for Hearing on Stated Issues

In the matter of the application of The Western Union Telegraph Co. for authorization and approval of the acquisition of Teletypewriter Exchange Service

properties, facilities and operations; Docket No. 18519, File No. T–C–2228.

1. The Commission has under consideration an application by The Western Union Telegraph Co. filed pursuant to section 222 of the Communications Act of 1934, as amended, for approval and authorization of its acquisition of the teletypewriter exchange service properties, facilities and operations of American Telephone and Telegraph Co. and the associated Bell System companies. We also have under consideration a request by A.T. & T. and the Bell System companies for approval of Western Union's application.[1]

2. Section 222(c)(1) provides that upon submission of such an application the Commission shall order a public hearing with respect to such application.

3. *Accordingly, it is ordered*, That the above-mentioned application is designated for hearing to determine whether Western Union's proposal

(1) Is authorized by subsection (a) of section 222;

(2) Conforms to all other applicable provisions of that section; and

(3) Is in the public interest.

4. *It is further ordered*, That The Western Union Telegraph Co., American Telephone and Telegraph Co., and the associated Bell System companies are made parties respondent hereto;

5. *It is further ordered*, That a hearing be held in this proceeding at the Commission's Offices in Washington, D.C., at a time to be specified, before the Telegraph Committee, which is, pursuant to sections 4(j) and 5(d)(1) of the Communications Act of 1934, as amended, and sections 7(a) and 8(a) of the Administrative Procedure Act, designated as a panel of Commissioners to preside at the hearing with the assistance of an Examiner to be named who shall sit with them and preside in their absence;

6. *It is further ordered*, That upon completion of the receipt of the evidence in this proceeding, the panel of Commissioners shall, after consideration of proposed findings and conclusions with supporting reasons as provided by 47 CFR 1.263 and 1.264, prepare and issue a recommended decision which shall be subject to the submittal of exceptions and requests for oral argument as provided by 47 CFR 1.276 and 1.277 after which the Commission shall issue its decision as provided by 47 CFR 1.282; and

7. *It is further ordered*, That a copy of this order shall be served on the governor of each State, except Alaska and Hawaii, the Secretary of State, the Secretary of the Army, and Attorney General of the United States, the Secretary of the Navy, Communications Workers of America, United Telegraph Workers, Federation of Telephone Workers of Pennsylvania, and the National Association of Regulatory Utilities Commissioners.

[1] Western Union's application and the present Order do not take into account the independent telephone companies. It is expected that this matter will be brought before the Commission for consideration later.

Adopted: April 2, 1969.

Released: April 9, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[2]

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

[F.R. Doc. 69-4378; Filed, Apr. 14, 1969; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

ORIENTAL LATIN AMERICA LINES, INC., AND CHINESE MARITIME TRUST, LTD.

Notice of Application for Certificate (Casualty)

Security for the protection of the public, financial responsibility to meet liability incurred for death or injury to passengers or other persons on voyages.

Notice is hereby given that the following persons have applied to the Federal Maritime Commission for a Certificate of Financial Responsibility to meet liability incurred for death or injury to passengers or other persons on voyages pursuant to the provisions of section 2, Public Law 89–777 (80 Stat. 1356, 1357) and Federal Maritime Commisison General Order 20, as amended (46 CFR Part 540):

Oriental Latin America Lines, Inc., and Chinese Maritime Trust, Ltd. (Orient Overseas Line).

Dated: April 9, 1969.

THOMAS LISI, *Secretary.*

[F.R. Doc. 69-4327; Filed, Apr. 14, 1969; 8:45 a.m.]

ORIENTAL LATIN AMERICA LINES, INC., AND CHINESE MARITIME TRUST, LTD.

Notice of Application for Certificate (Performance)

Security for the protection of the public, indemnification of passengers for nonperformance of transportation.

Notice is hereby given that the following persons have applied to the Federal Maritime Commission for a certificate of financial responsibility for indemnification of passengers for nonperformance of transportation pursuant to the provisions of section 3, Public Law 89–777 (80 Stat. 1357, 1358) and Federal Maritime Commission General Order 20, as amended (46 CFR Part 540):

Oriental Latin America Lines, Inc., and Chinese Maritime Trust, Ltd. (Orient Overseas Line).

Dated: April 9, 1969.

THOMAS LISI, *Secretary.*

[F.R. Doc. 69-4328; Filed, Apr. 14, 1969; 8:45 a.m.]

[2] Commissioner Wadsworth absent; Commissioner Johnson concurring in the result.

FEDERAL POWER COMMISSION

[Docket No. G-3117, etc.]

HUMBLE OIL & REFINING CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates[1]

APRIL 7, 1969.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 1, 1969.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56 of the Commission's general policy and interpretations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or within the time fixed for filing protests or petitions to intervene, the Applicant indicates in writing that it is unwilling to accept such a condition. In the event Applicant is unwilling to accept such condition the application will be set for formal hearing.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

GORDON M. GRANT, *Secretary.*

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-3117 ..... D 10-11-68	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., South Crowley Field, Acadia Parish, La.	(1)	.....
G-11967 ..... D 3-14-69	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	El Paso Natural Gas Co., Spraberry Trend Field, Glasscock et al. Counties, Tex.	Assigned	.....
G-12362 ..... C 3-20-69	do	Southern Natural Gas Co., Main Pass Block 46 Area, Plaquemines Parish, La.	20.0	15.025
G-15079 ..... C 2-27-69 [2] 3-24-69 [3]	Pan American Petroleum Corp., Post Office Box 591, Tulsa, Okla. 74102.	Southern Union Gathering Co., Aztec Pictured Cliffs Field, San Juan County, N. Mex.	16.0	15.025
G-18726 ..... D 3-20-69	Mobil Oil Corp	Transwestern Pipeline Co., acreage in Ellis County, Okla.	(4)	.....
CI60-122 ..... C 3-24-69	Texas San Juan Oil Corp., c/o J. B. Avant, agent, 1136 Mercantile Securities Bldg., Dallas, Tex. 75201.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Miller & Fox Fields, Jim Wells and Duval Counties, Tex.	15.0	14.65
CI63-224 ..... D 3-14-69	Mobil Oil Corp. (Operator) et al.	Arkansas Louisiana Gas Co., Red Oak Area, Le Flore, Latimer, and Haskell Counties, Okla.	Assigned	.....
CI63-674 ..... E 3-24-69	Palm Resource Corp., Operator (successor to Palm Petroleum Corp.), Post Office Drawer 2507, Corpus Christi, Tex. 78401.	C. V. Lyman, Bentonville (Captain Lucey) Field, Jim Wells County, Tex.	10.88069	14.65
CI64-1135 ..... E 3-21-69	Texaco, Inc. (successor to San Oil Co. (DX Division), Operator et al.), Post Office Box 52332, Houston, Tex. 77052.	Lone Star Gas Co., Hewitt, East Field, Carter County, Okla.	15.0	14.65
CI64-1314 (CI61-121) F&C 3-19-69 [5]	Houston Natural Gas Production Co. (Operator) et al.	Valley Gas Transmission, Inc., Sejita Field, Duval County, Tex.	15.0	14.65
CI67-652 ..... C 3-17-69	Thomas A. Dugan et al., Box 234, Farmington, N. Mex. 87401.	El Paso Natural Gas Co., Bisti Field, San Juan County, N. Mex.	15.0619	15.025
CI67-1224 ..... E 3-17-69	Fain-Porter Drilling Corp. (successor to Joe N. Champlin), 2400 Liberty Bank Bldg., Oklahoma City, Okla. 73102.	Michigan Wisconsin Pipe Line Co., Laverne Field, Harper County, Okla.	[6] 17.0	14.65
CI68-677 ..... D 3-14-69	Mobil Oil Corp.	Arkansas Louisiana Gas Co., Chismville Field, Logan County, Ark.	(4)	.....
CI69-197 ..... C 3-24-69	Ashland Oil & Refining Co., Post Office Box 18695, Oklahoma City, Okla. 73118.	United Fuel Gas Co., Poca District, Kanawha County, W. Va.	28.0	15.325
CI69-864 ..... A 3-14-69 [7] 3-21-69 [8]	do	Michigan Wisconsin Pipe Line Co., North Freedom Field, Woods and Woodward Counties, Okla.	17.0 [9] 15.0	14.65
CI69-871 ..... (CI60-651) F 3-6-69	Hunting Oil Co., Inc. (successor to M. A. Hall), 14701 Detroit Ave., Lakewood, Ohio 44107.	The Ohio Fuel Gas Co., Groundhog Creek Field, Meigs County, Ohio.	22.0	15.025
CI69-880 ..... A 3-19-69	F. M. Chisler Dobbins Farm No. 1, Route No. 2, Fairview, W. Va. 26570.	Equitable Gas Co., Birch District, Braxton County, W. Va.	27.0	15.325
CI69-881 ..... (CI68-1084) A 3-19-69 [10]	Kerr-McGee Corp.,[11] Kerr-McGee Bldg., Oklahoma City, Okla. 73102.	Transcontinental Gas Pipe Line Corp., Ship Shoal Block 233, Offshore Louisiana, Gulf of Mexico.	21.25	15.025
CI69-882 ..... A 3-19-69	Sun Oil Co. (DX Division), Post Office Box 2039, Tulsa, Okla. 74102.	Transcontinental Gas Pipe Line Corp., Ship Shoal Area, Block 233, Offshore Terrebonne Parish, La.	21.25	15.025
CI-69-883 ..... A 3-19-69	D. A. Derward et al., 41 North Chesterfield Rd., Columbus, Ohio 43209.	Consolidated Gas Supply Corp., Glenville District, Gilmer County, W. Va.	27.0	15.325
CI69-884 ..... (CI68-1086) A 3-19-69 [10]	Kerr-McGee Corp.[11]	Transcontinental Gas Pipe Line Corp., Ship Shoal Block 230 Field, Offshore Louisiana, Gulf of Mexico.	21.25	15.025
CI69-885 ..... A 3-19-69	Petroleum, Inc., 300 West Douglas, Wichita, Kans. 67202.	Cities Service Gas Co., Mocane-Laverne Pool, Beaver County, Okla.	[6] 17.0	14.65
CI69-886 ..... A 3-19-69	Glen Daniels Gas Co., c/o James E. Allen, partner, Post Office Box 169, Charleston, W. Va. 25321.	Consolidated Gas Supply Corp., Trap Hill and Marsh Fork Districts, Raleigh County, W. Va.	25.0 [12] 27.0	15.325
CI69-887 ..... A 3-19-69	Texas Gas Exploration Corp., 1111 First City National Bank Bldg., Houston, Tex. 77002.	Texas Gas Transmission Corp., Graham Lake Gas Field, Muhlenberg County, Ky.	15.0	15.025
CI69-888 ..... A 3-19-69	Humble Oil & Refining Co.	Transcontinental Gas Pipe Line Corp., Fire Island Field, Vermilion Parish, La.	21.25	15.025
CI69-889 ..... A 3-19-69	Monsanto Co., 1300 Main St., Houston, Tex. 77002.	Arkansas Louisiana Gas Co., Kinta Field, Le Flore County, Okla.	[6] 15.0	14.65
CI69-890 ..... A 3-20-69	Grey Eagle Construction Co., Post Office Box 108, Kermit, W. Va. 25674.	United Fuel Gas Co., acreage in Mingo County, W. Va.	25.0	15.325
CI69-892 ..... A 3-21-69	Kendall-Davis Drilling Co., Inc. (Operator) et al., 2 Court Bldg., Evansville, Ind. 47708.	Texas Gas Transmission Corp., Elk Creek Field, Hopkins County, Ky.	15.0	15.025
CI69-893 ..... A 3-21-69	Petroleum, Inc.	Kansas-Nebraska Natural Gas Co., Inc., Guymon-Hugoton Area, Texas County, Okla.	[6] 17.0	14.65
CI69-894 ..... (CI62-1257) A&F 3-17-69	Jones & Pellow Oil Co. (successor to Joseph E. Seagram & Sons, Inc., d.b.a. Texas Pacific Oil Co.), 101 Northeast 26th St., Oklahoma City, Okla. 73105.	Arkansas Louisiana Gas Co., acreage in Le Flore County, Okla.	[13] 15.015	14.65
CI69-895 ..... A 3-21-69	Skelly Oil Co., Post Office Box 1650, Tulsa, Okla. 74102.	Texas Gas Transmission Corp., Coon Point Field, Ship Shoal Area, Offshore Louisiana.	21.25	15.025
CI69-896 ..... (G-19837) F 3-17-69	John H. Hill (successor to Estate of Russell Maguire (Operator) et al.), c/o Gordon L. Llewellyn, attorney, 905 Southland Center, Dallas, Tex. 75201.	Colorado Interstate Gas Co., a division of Colorado Interstate Corp., Mocane Field, Beaver County, Okla.	[6] 17.0	14.65
CI69-897 ..... A 3-24-69	Union Oil Co. of California (Operator) et al., Union Oil Center, Los Angeles, Calif. 90017.	Diamond Shamrock Corp., Farnsworth Field, Ochiltree County, Tex.	12.0	14.65
CI69-898 ..... A 3-24-69	Cabot Corp., Post Office Box 1101, Pampa, Tex. 79065.	Transcontinental Gas Pipe Line Corp., Ship Shoal Block 233, Offshore Louisiana, Gulf of Mexico.	21.25	15.025
CI69-899 ..... B 3-24-69	Union Oil Co. of California.	Northern Natural Gas Co., Harper Ranch Field, Clark and Comanche Counties, Kans.	Depleted	.....

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

[1] Deletes formations between 9,000' and 11,960' in a portion of sec. 10, T10S, R1E.
[2] Application previously noticed Mar. 18, 1969, in Dockets Nos. G-2978 et al., at a total initial price of 13 cents per Mcf.
[3] Applicant filed revised contract summary to reflect a total initial rate of 10 cents per Mcf in lieu of the original proposed rate of 13 cents per Mcf.
[4] Leases have expired or were canceled.
[5] Amendment to certificate filed to include interest of Glen A. Martin, which interest was acquired from William D. Neary, Trustee in Docket No. CI61-121. Filing was made by Glen A. Martin.
[6] Subject to upward B.t.u. adjustment.
[7] Application was previously noticed Mar. 26, 1969, in Dockets Nos. G-8785 et al., with location of sale shown as Woods County, Okla., at a total initial rate of 17 cents per Mcf, subject to upward and downward B.t.u. adjustment.
[8] Amendment to application filed to reflect location of sale as Woods and Woodward Counties Okla.; and to reflect a rate of 15 cents per Mcf for production from acreage in Woods County and 17 cents per Mcf for production from acreage in Woodward County.
[9] Subject to upward and downward B.t.u. adjustment.
[10] Applicant has heretofore filed and concurrently with the instant applications have withdrawn applications in Dockets Nos. CI68-1084 and CI68-1086, respectively, to sell gas from the same acreage from which sales are proposed in the instant applications.
[11] Applicant states it is willing to accept a certificate conditioned as provided in Commission General Order No. 352, issued June 30, 1967.
[12] Price determined by volume of gas sold.
[13] Subject to reduction for compression and/or treating costs if required.
[14] Includes 0.015-cent tax reimbursement. An increase in rate to 14.015 cents has been suspended in Docket No. RI68-659.
[15] Rate in effect subject to refund in Docket No. RI63-454.

[F.R. Doc. 69-4274; Filed, Apr. 14, 1969; 8:45 a.m.]

[Docket No. CP69-191]

CUMBERLAND AND ALLEGHENY GAS CO. AND MANUFACTURERS LIGHT AND HEAT CO.

Order Granting Intervention, Prescribing Procedures, and Setting Date for Prehearing Conference; Correction

APRIL 3, 1969.

In the order granting intervention, prescribing procedures, and setting date for prehearing conference, issued March 27, 1969, and published in the FEDERAL REGISTER April 3, 1969 (34 F.R. 6060), on page 2, Item No. 2, third line: Change "March 20, 1969" to read "April 10, 1969."

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-4329; Filed, Apr. 14, 1969; 8:45 a.m.]

[Projects Nos. 2669, 2323]

NEW ENGLAND POWER CO.

Order Consolidating Proceedings, Setting Hearing and Prescribing Procedure

APRIL 8, 1969.

On February 15, 1968, the New England Power Co. (Applicant) filed an application for license for the proposed Bear Swamp Project No. 2669 to be located on the Deerfield River in Berkshire and Franklin Counties, Mass. The Applicant also filed an application for amendment of the license for its constructed Deerfield River Project No. 2323, because the proposed Bear Swamp Project would involve changes in project works forming a part of Project No. 2323.

By order issued September 12, 1968, we granted intervention to Western Massachusetts Electric Co. and to the Power Planning Committee of Municipal Electric Association of Massachusetts and the Municipal Electric Departments and Plants of Chicopee, Shrewsbury, and Wakefield, Mass.

We noted in the order granting intervention that while the petitioners there granted intervention do not oppose, per se, the grant of license to construct the project, they request that a public hearing be held to review in detail the feasibility of the project and to determine whether it is properly conceived as part of a sound and proper plan for the New England region. Western Massachusetts Electric Co. states that granting the applications may result in changes in patterns of water discharge so as to have a detrimental effect on its licensed project. As provided below, we think it appropriate that a public hearing be held on the applications and that a prehearing conference be convened for, among other purposes, the clarification of the issues to be considered in the hearing.

The Commission finds: It is appropriate and in the public interest in carrying out the provisions of the Federal Power Act that the above-designated proceedings be consolidated and set for public hearing.

The Commission orders:

(A) The proceeding on the application for a license for the proposed Project No. 2669 and the proceeding on the application for amendment of the license for constructed Project No. 2323 are hereby consolidated for purposes of hearing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly sections 4(e), 10(a) and 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held on September 9, 1969, at 10 a.m. in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., respecting the matters involved and the issues presented in the consolidated proceedings.

(C) The following procedure is prescribed for the consolidated proceedings:

(1) A prehearing conference shall be held on April 28, 1969, at 10 a.m. in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., for the purposes specified in § 1.18 (b) of the Commission's rules of practice and procedure, and particularly for clarification of the issues to be considered in the hearing.

(2) The Applicant shall file by June 2, 1969, an original and 10 copies of all direct testimony, including qualifications of the witnesses, and exhibits to be presented in Applicant's direct case.

(3) All other parties, including the Commission staff, shall file by August 4, 1969, an original and 10 copies of all testimony and exhibits including qualifications of witnesses.

(4) All motions to strike shall be filed by August 18, 1969, with replies to such motions to be filed by August 29, 1969.

(5) All of the testimony, except exhibits, shall be in question and answer form.

(6) No exhibits, except those of which official notice may properly be taken shall contain narrative material other than brief explanatory notes.

(7) Any party submitting more than one exhibit shall enclose a cover sheet listing the title of each exhibit in the sequence they are to be marked for identification.

(8) The Presiding Examiner will specify the order of cross-examination and time to be permitted for preparation of rebuttal evidence.

(9) The Presiding Examiner, at his discretion, may modify or change the time and place for the hearing or procedures set forth in this order where the circumstances indicate clearly that such a change is required or that it would make a substantial contribution to the expeditious and effective conduct of the hearing.

(D) The Commission's rules of practice and procedure shall apply in this proceeding except to the extent that they are modified or supplemented herein.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-4330; Filed, Apr. 14, 1969; 8:45 a.m.]

[Project No. 405]

SUSQUEHANNA POWER CO. AND PHILADELPHIA ELECTRIC POWER CO.

Notice of Application for Amendment of License for Constructed Project

APRIL 8, 1969.

Public notice is hereby given that application for amendment of license has been filed under the Federal Power Act (16 U.S.C. 791a—825r) for constructed Conowingo Project No. 405, located on the Susquehanna River in York, Lancaster, Chester, and Montgomery Counties, Pa., and Harford and Cecil Counties, Md., near Chester and Philadelphia, Pa., and Baltimore, Md.

The application seeks approval of a revised Exhibit K map to show a change in the project boundary caused by the proposed removal of approximately 26.2 acres of privately owned land located on the westerly bank of the river about 9 miles above the Conowingo Dam. The land would be sold to Philadelphia Electric Co. for use in connection with two proposed nuclear thermal electric generating units of 1,100 mw. (electrical output) each. The nuclear plant, known as Peach Bottom Nuclear Plant, would withdraw 400 g.p.m. raw processing water, 50,000 g.p.m. service water and 3,350 c.f.s. condenser cooling water from the Conowingo Reservoir—all of which, except for minor losses, would be returned to the reservoir. Three induced draft cooling towers would be constructed on the land to be sold to reduce the temperature of the used cooling water to an acceptable level before it is returned to the reservoir.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 29, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and available for public inspection.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-4331; Filed, Apr. 14, 1969; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

BARTEP INDUSTRIES, INC.

Order Suspending Trading

APRIL 9, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Bartep Industries, Inc., 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 April 10, 1969, through April 19, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-4367; Filed, Apr. 14, 1969; 8:49 a.m.]

DUMONT CORP.

Order Suspending Trading

APRIL 9, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the class A and class B common stock of Dumont Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period April 10, 1969, through April 15, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-4368; Filed, Apr. 14, 1969; 8:49 a.m.]

DYNA RAY CORP.

Order Terminating Summary Suspension of Trading

APRIL 9, 1969.

The common stock of Dyna Ray Corp., New York, N.Y., being traded otherwise than on a national securities exchange; and

The Commission having, on April 4, 1969, issued an order pursuant to section 15(c)(5) of the Securities Exchange Act of 1934 summarily suspending trading in said securities effective for the period April 6, 1969, through April 15, 1969; and

The Commission being of the opinion that the public interest does not require the continuance of said suspension of trading after April 14, 1969:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that the suspension of trading pursuant to said order of April 4, 1969, shall terminate effective at the closing of business on April 14, 1969.

By the Commission.

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

[F.R. Doc. 69-4369; Filed, Apr. 14, 1969; 8:49 a.m.]

[70-4734]

GEORGIA POWER CO.

Notice of Proposed Issue and Sale of Commercial Paper Notes and Notes to Banks and Exemption From Competitive Bidding

APRIL 9, 1969.

Notice is hereby given that Georgia Power Co. ("Georgia"), 270 Peachtree Street, Atlanta, Ga. 30303, an electric utility subsidiary company of The Southern Co., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Georgia proposes to issue and sell short-term notes to a group of banks and to issue and sell commercial paper from time to time prior to December 31, 1969, which together shall not exceed $85 million in aggregate principal amount at any one time outstanding (including approximately $45 million which currently may be borrowed pursuant to the exemption provided by the first sentence of section 6(b) of the Act and of which there are currently outstanding bank loans and commercial paper aggregating $23,344,000 in principal amount). Georgia requests that from and after the effective date of the Commission's order herein to December 31, 1969, the exemption from the provisions of section 6(a) of the Act afforded by the first sentence of section 6(b) of the Act, relating to the issue of short-term notes, be increased from 5 percent of the principal amount and value of other securities of Georgia at the time outstanding up to but not more than such greater percentage thereof as may be necessary to permit the issuance and sale of the notes and commercial paper as herein proposed.

The proposed notes to banks will be dated the date of the borrowing, will mature not more than 9 months after the date of issue, and will not exceed $68,989,000 outstanding at any one time. The group of banks to which notes are to be issued consists of four New York City banks (maximum of $36,725,000 to be borrowed) and 246 Georgia banks (maximum of $32,264,000 to be borrowed). Each bank note will bear interest at the prime rate in effect at the lending bank on the date of the borrowing, except that notes to The Chase Manhattan Bank (National Association) will bear interest at the rate in effect from time to time at that bank. Georgia may prepay the notes, in whole or in part, without penalty or premium.

The proposed commercial paper will be in the form of promissory notes with varying maturities not to exceed 270 days, will be issued in denominations of not less than $50,000 and not more than $5 million, and will not be prepayable prior to maturity. The commercial paper will be sold by Georgia directly to Goldman, Sachs & Co., at a discount which will not be in excess of the discount rate per annum prevailing at the date of issuance for prime commercial paper of comparable quality of the particular maturity sold by issuers thereof to commercial paper dealers: *Provided, however,* That no commercial paper shall be issued having a maturity more than 90 days which has a discount rate which exceeds the prime commercial bank rate at which Georgia would obtain loans from the above-mentioned banks in an amount at least equal to the principal amount of such commercial paper. No commission or fee will be payable in connection with the issuance and sale of commercial paper. The dealer, as principal, will reoffer the commercial paper at a discount rate of one-eighth of 1 percent per annum less than the prevailing discount rate to Georgia to not more than 100 customers of the dealer identified and designated in a nonpublic list prepared in advance by the dealer.

Georgia will apply, to the extent necessary, the net proceeds of any long-term public financing effected by it prior to the maturity of the bank notes and commercial paper notes authorized pursuant to this application to pay in full or reduce the principal amount of such notes outstanding, and the authorization shall be permanently reduced to the extent of such net proceeds. The company expects to sell during 1969 first mortgage bonds in the amount of $65 million and preferred stock in the amount of $15 million.

Georgia asserts that the issue and sale of commercial paper should be exempted from the competitive bidding requirements of Rule 50 because all the commercial paper will have a maturity not in excess of 270 days, current rates for commercial paper for prime borrowers such as Georgia are published daily in financial publications, and it is not practical to invite invitations for bids for commercial paper. Georgia also requests authority to file certificates of notification under Rule 24 in respect of its commercial paper on a quarterly basis.

Georgia's fees and expenses to be incurred in connection with the proposed transactions are estimated at $1,450, including legal fees of $750. The application states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 30, 1969, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles

from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

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

[F.R. Doc. 69-4370; Filed, Apr. 14, 1969; 8:50 a.m.]

MAJESTIC CAPITAL CORP.

Order Suspending Trading

APRIL 9, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Majestic Capital Corp., Encino, Calif., 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 April 10, 1969, through April 19, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-4371; Filed, Apr. 14, 1969; 8:50 a.m.]

[812-2493]

PRUDENTIAL INSURANCE COMPANY OF AMERICA AND PRUDENTIAL VARIABLE CONTRACT ACCOUNT-2

Notice of Application for Exemption

APRIL 9, 1969.

Notice is hereby given that Prudential Insurance Company of America ("Prudential") and The Prudential Variable Contract Account-2 ("VCA-2"), Prudential Plaza, Newark, N.J. (hereinafter collectively "Applicants"), have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq. ("Act"), for an order exempting Applicants from the provisions of section 22(d) of the Act. Prudential established VCA-2 pursuant to New Jersey Law on January 9, 1968, as a segregated investment account to offer group variable annuity contracts which are intended to qualify for Federal tax benefits under section 403(b) of the Internal Revenue Code of 1954, as amended ("Code"). VCA-2 is an open-end diversified management company registered under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representation therein which are summarized below.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus. This section has been construed as prohibiting variations in the sales load except on a uniform basis.

Prudential proposes to offer a companion fixed-dollar annuity contract to each purchaser of a group variable annuity contract and, where both contracts are purchased, participants may designate what portion of the purchase payments made on their behalf shall be allocated to the variable annuity contract and what portion shall be allocated to the companion fixed-dollar contract. This designation may be changed from time to time. In addition, transfers may be made of a participant's accumulated values under the companion fixed-dollar contract, or under any other fixed-dollar annuity contract issued by Prudential which meets the conditions set forth in section 403(b) of the Code to a participant's individual accumulation account under the group variable annuity contract. Such transfers will be made without sales load. Prudential reserves the right to limit the frequency of such payment.

Applicants submit that since no sales expense is incurred in connection with transfers of accumulated values between the companion fixed-dollar and variable annuity contracts, it would be inappropriate to charge a sales load in connection with such transfers. Four percent of each purchase payment made under the variable contracts is deducted for sales expenses and 96 percent is allocated to the individual accumulation account of the participant on whose behalf the payment is made. An identical charge has been made from each purchase payment made under companion fixed-dollar contracts issued subsequent to July 1, 1968, the effective date of the registration statement under the Securities Act of 1933 describing the group variable annuity contracts. There are, however, a few companion fixed-dollar contracts or other Prudential fixed-dollar annuity contracts, which were issued prior to that date, under which purchase payments may have been made with a sales charge of less than 4 percent. Applicants allege that the charge was never less than 3 percent. A condition of the issuance of a group variable annuity contract to the holders of such contracts is their agreement to a revision of their fixed-dollar contracts that would increase the sales charge to 4 percent for all future contributions. Applicants assert that imposition of an additional sales charge at the time of transfer to the variable annuity contract upon the portion of the accumulated amount resulting from contributions upon which a sales charge of not less than 3 percent was made, in order to produce a total charge of 4 percent would be cumbersome, and would appear to the participants to be a retroactive charge. Applicants request exemption from section 22(d) to the extent necessary to permit transfers without a sales load as described above.

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 April 28, 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. 69-4372; Filed, Apr. 14, 1969; 8:50 a.m.]

[File No. 24SF-3434]

WESTERN TIN MINING EXPLORATION CORP.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

APRIL 9, 1969.

I. Western Tin Mining Exploration Corp. ("Western"), 108 West Telegraph

Street, Carson City, Nev., incorporated in Nevada on February 17, 1969, filed a notification and offering circular on March 24, 1969, covering a proposed offering of 300,000 of its 10 cents par value comon stock at $1 per share for an aggregate offering price of $300,000, for an exemption from the registration requirements of the Securities Act of 1933 pursuant to section 3(b) and Regulation A promulgated thereunder. E. M. C. Securities, Inc., was named as the underwriter on an all-or-nothing best efforts basis. The offering circular states that the company intends to explore six unpatented lode mining claims in Death Valley Monument, Calif.

II. The Commission, on the basis of information reported to it by its staff, has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer failed to disclose in the notification and offering circular that Lewis A. Ray, its president, director, promoter, and controlling security holder, is subject to a judgment entered on March 24, 1964, in the U.S. District Court for the Southern District of California, permanently enjoining him from engaging in acts and practices in connection with the purchase or sale of securities and has been found by the Commission to be a cause of an order entered on February 28, 1964, pursuant to section 15(b) of the Securities Exchange Act of 1934 which is still in effect.

2. The Regulation A exemption is not available for the issuer under the provisions of Rule 252(d) (2) and (3) in that Lewis A. Ray, president, director, promoter, and controlling stockholder of Western, is subject to a judgment permanently enjoining him from engaging in acts and practices in connection with the purchase or sale of any security and has been found by the Commission to be a cause of an order entered pursuant to section 15(b) of the Securities Exchange Act of 1934, which is still in effect.

B. The notification and offering circular contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to the following:

1. The notification is materially false and misleading in failing to disclose the facts with respect to Lewis A. Ray as to the injunction and Commission order referred to above.

2. The offering circular fails to disclose accurately and adequately the background of Lewis A. Ray, Western's president, director, promoter, and controlling stockholder.

C. The offering, if made, would be in violation of the antifraud provisions of section 17 of the Securities Act of 1933, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended:

It is ordered, Pursuant to Rule 261(a), subparagraph (1) and (2) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that, if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the 30th day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

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

[F.R. Doc. 69-4373; Filed, Apr. 14, 1969; 8:50 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-6 (Southwestern Area), Disaster No. 697]

MANAGER, DISASTER BRANCH OFFICE, BAYTOWN, TEX.

Delegation of Authority

Notice is hereby given that Delegation of Authority No. 30-6, Disaster No. 697, 34 F.R. 5183, dated March 13, 1969, is hereby canceled in its entirety, effective April 4, 1969.

Effective date: April 4, 1969.

ROBERT E. WEST,
Area Administrator, Southwestern Area Office, SBA, Dallas, Tex.

[F.R. Doc. 69-4343; Filed, Apr. 14, 1969; 8:47 a.m.]

DEPARTMENT OF LABOR

Manpower Administration

MANPOWER ADMINISTRATOR ET AL.

Notice of Delegation of Authority

Pursuant to Secretary's Order No. 14-69, notice is hereby given that all authority delegated in Subtitle A of Title 29 and Chapter V of Title 20 of the Code of Federal Regulations to the Bureau of Employment Security or any of its component organizations or the U.S. Employment Service is hereby redelegated to the Manpower Administration. Authority so delegated to the Administrator of the Bureau of Employment Security or any of his subordinates is hereby redelegated to the Manpower Administrator. Authority so delegated to the Regional Administrators of the Bureau of Employment Security is hereby redelegated to the Regional Manpower Administrators.

Signed at Washington, D.C. this 10th day of April 1969.

ARNOLD R. WEBER,
Assistant Secretary for Manpower.

[F.R. Doc. 69-4397; Filed, Apr. 14, 1969; 8:52 a.m.]

Office of the Secretary

[Secretary's Order 14-69]

MANPOWER ADMINISTRATION

Reorganization and Delegation of Authority and Assignment of Responsibilities for Manpower Programs

1. *Purpose.* This order redelegates to the Assistant Secretary for Manpower the authority vested in the Secretary of Labor for manpower programs, except as herein provided, and establishes the first, second, and in some cases, the third level of the organization structure of the Manpower Administration.

2. *Background.* Secretary's Order 9-69 directed an immediate study of the organization structure of the Manpower Administration for the purpose of establishing a sound organization and system of management. As a result of this study, a number of major changes in the organization structure of the Manpower Administration has been approved and is set forth below and depicted on the attached organization chart.[1] These changes will lead to the following improvements:

a. The top executive management capability of the Manpower Administration will be strengthened by reestablishing the Assistant Secretary for Manpower Administrator as separate positions.

b. The Manpower Administrator will be able to assume operating management responsibilities with improved staff support.

c. A single direct line of administration is established from the Office of the Manpower Administrator to the regions. This arrangement replaces the multiple lines of administration from the national office to the field that existed under the previous structure.

d. Duplication and overlapping authority in the administration of manpower programs at the national level is

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

essentially reduced by combining the U.S. Employment Service and the Bureau of Work-Training Programs.

e. The status and effectiveness of the Employment Service function will be enhanced by moving responsibility for this function to a higher position in the Manpower Administration.

f. Duplication in the provision of administrative and management support services to program offices is greatly reduced by moving resources and responsibility from the Bureaus to the staff components of the Manpower Administration.

g. Decentralization of operating authority, responsibility and accountability to the Regional Manpower Administrators and the consolidation of the Manpower Administration field staff under their direction will lead to significant improvements in program operations at the State and local level with the concomitant improvement of service to the public.

3. *Office of the Assistant Secretary of Labor for Manpower.* There is established in the Department of Labor an Office of the Assistant Secretary of Labor for Manpower headed by an Assistant Secretary who reports to the Secretary. The following special staff elements are established in the Office and report directly to the Assistant Secretary of Labor for Manpower:

a. Special Review Staff.

b. Office of Equal Employment Opportunity.

c. President's Committee on Manpower.

4. *Manpower Administration.* There is established in the Department of Labor a Manpower Administration headed by a Manpower Administrator who reports to the Assistant Secretary for Manpower. In the absence of the Assistant Secretary, the Manpower Administrator shall act as the Assistant Secretary for Manpower. There is also established in the Manpower Administration a Deputy Manpower Administrator for Employment Security who shall report to the Manpower Administrator.

5. *Organization Structure of the Manpower Administration.*—a. *Staff level.* The following staff components are established in the Manpower Administration and report directly to the Manpower Administrator:

(1) Office of Information comprised of a:

Division of Press and Broadcast Media.
Division of Publications.
Division of Community Relations.
Division of Program Resources.

(2) Office of Manpower Management Data Systems (official substructure to be developed).

(3) Office of Financial and Management Systems comprised of an:

Office of Management Systems.
Office of Comptroller.

(4) Office of Policy, Evaluation, and Research comprised of an:

Office of Evaluation.
Office of Planning and Policy Development.
Office of Manpower Research.
Office of Special Manpower Programs.

(5) Intergovernmental and Interagency Relations Staff.

b. *Program level.* The following program components are established in the Manpower Administration and report to the Office of the Manpower Administrator:

(1) Bureau of Apprenticeship and Training.

(2) U.S. Training and Employment Service comprised of the:

Veterans Employment Service.
Farm Labor and Rural Manpower Service.
Office of Systems Support.
Office of Technical Support.
Office of National Projects.

(3) Unemployment Insurance Service comprised of an:

Office of Federal UI Programs and Training Allowances.
Office of Operations.
Office of Program Development and Legislation.
Office of Actuarial and Financial Services.

(c) *Field level.* The following field components are established in the Manpower Administration and report to the Office of the Manpower Administrator:

(1) Office of the Regional Manpower Administrator, Region I, Boston.

(2) Office of the Regional Manpower Administrator, Region II, New York.

(3) Office of the Regional Manpower Administrator, Region III, Philadelphia.

(4) Office of the Regional Manpower Administrator, Region IV, Atlanta.

(5) Office of the Regional Manpower Administrator, Region V, Chicago.

(6) Office of the Regional Manpower Administrator, Region VI, Kansas City.

(7) Office of the Regional Manpower Administrator, Region VII, Dallas.

(8) Office of the Regional Manpower Administrator, Region VIII, San Francisco.

(9) Office of the Manpower Administrator for the District of Columbia.

Each regional manpower office is comprised of a:

Farm Labor and Rural Manpower Service Staff.
U.S. Training and Employment Service Staff.
Unemployment Insurance Service Staff.
Financial and Management Systems Staff.

The substructure of the Manpower Administration for D.C. is presently being reviewed.

6. The Bureau of Apprenticeship and Training and the Veterans Employment Service field structures remain unchanged.

7. *Abolished Manpower Administration organizational components.* The following components of the Manpower Administration are hereby abolished:

a. The Bureau of Work-Training Programs and its regional offices.

b. The Bureau of Employment Security and its regional offices.

The components and titles of the substructure of these bureaus will remain in existence for purposes of control, reference and program continuity pending the development of integrated substructures in the newly established components of the Manpower Administration. The Assistant Secretary for Manpower is authorized to make temporary reassignments of these components as entities and of individual positions and incumbents until such time as additional substructures are approved and established in the newly established components of the Manpower Administration.

8. *Delegations of authority and assignment of responsibilities.* a. The Assistant Secretary for Manpower is hereby delegated authority and assigned responsibility, except as hereinafter provided, for carrying out the Department's manpower programs and activities including functions to be performed by the Secretary of Labor under:

(1) The Wagner-Peyser Act of 1933, as amended (29 U.S.C. 49 et seq.).

(2) Titles III, IX, XII and relevant sections of titles VII and XI of the Social Security Act of 1935, as amended, and 5 U.S.C. 8501–8525.

(3) The Federal Unemployment Tax Act (26 U.S.C. 3301 et seq.).

(4) Title IV of the Servicemen's Readjustment Act of 1944 (38 U.S.C. 2001 et seq.).

(5) Executive Order 10366 of June 26, 1952 (amending the Selective Service regulations) (3 CFR, 1949–1953 Comp., p. 881).

(6) The Farm Labor Contractor Registration Act of 1963 (7 U.S.C. 2041 et seq.), including the issuance of rulings and interpretations and the bringing of legal proceedings under the Act, the determination in each case whether such proceedings are appropriate to be made by the Solicitor of Labor.

(7) The Immigration and Nationality Act, as amended (8 U.S.C. 1101 et seq.).

(8) The Manpower Development and Training Act of 1962, as amended (42 U.S.C. 2571 et seq.).

(9) The trade adjustment assistance provisions of the Trade Expansion Act of 1962 (19 U.S.C. 1202 et seq.) and Executive Order 11075 (3 CFR, 1959–1963 Comp. p. 692) of January 18, 1963, as amended, consistent with the provisions of Secretary's Order No. 19–66.

(10) The Public Works and Economic Development Act of 1965 (42 U.S.C. 3121 et seq.), as it relates to the designation of redevelopment areas.

(11) The Public Works Acceleration Act of 1962 (42 U.S.C. 2641 et seq.).

(12) The trade adjustment assistance provisions of the Automotive Products Trade Act of 1965 (19 U.S.C. 2001).

(13) National Apprenticeship Act of 1937 (29 U.S.C. 50).

(14) D.C. Apprenticeship Act (Public Law 79–387).

(15) Manpower Aspects of the Appalachian Regional Development Act of 1965 (40 U.S.C. 461).

(16) Title V, and as provided for in and consistent with the delegation from the Director of the Office of Economic Opportunity, Parts B and D of title I of the Economic Opportunity Act of 1964, as amended, (42 U.S.C. 2701 et seq.).

(17) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) except the suspension or termination of financial assistance.

(18) Executive Order 11141 of February 12, 1964—Discrimination on the basis of age (3 CFR, 1964–1965 Comp., p. 179).

(19) Executive Order 11000 of February 16, 1962 (3 CFR, 1959–1963 Comp., p. 553), as related to manpower and contained in section 2 (a), (d), (e), (g), and (j), section 3, and section 4(a) of the order except that such authority and responsibility are subject to the over-all supervision and guidance of the Deputy Under Secretary who serves as the Department's Mobilization Planning Coordinator.

(20) Vocational Rehabilitation Amendments of 1954 (29 U.S.C. 31 et seq.).

(21) Defense Manpower Policy No. 4, Revised (32A CFR, Ch. 1) Placement of Procurement and Facilities in Sections and Areas of High Unemployment.

(22) Manpower aspects of the Vocational Education Act of 1963 (20 U.S.C. 11 et seq.) and the Vocational Education Amendments of 1968 (Public Law 90–576).

(23) Executive Order 10582 of December 17, 1954 (3 CFR 1954–1958 Comp., p. 230)—Implementing the Buy American Act.

(24) Executive Order 10651 of January 6, 1956 (3 CFR, 1954–1958 Comp., p. 297)—Providing for the Screening of the Ready Reserve of the Armed Forces.

(25) Executive Order 1152 of April 15, 1964 (3 CFR 1964–1965 Comp., p. 195)—Establishing the President's Committee on Manpower.

(26) Exemplary Rehabilitation Certificates (29 U.S.C. 601 et seq.).

(27) Part C, Title IV of the Social Security Act, as amended (42 U.S.C. 630 et seq.).

(28) Intergovernmental Cooperation Act of 1968 (Public Law 90–577).

(29) Executive Order 11422, Cooperative Area Manpower Planning System (33 F.R. 11739).

b. The Solicitor of Labor shall have responsibility for providing legal advice and assistance to all officers of the Department relating to manpower, employment and unemployment insurance laws and Executive Orders.

9. *Reservation of authority, and exceptions.* a. The following functions are reserved to the Secretary:

(1) Submission of reports and recommendations to the President and the Congress concerning the administration of the statutes and Executive orders listed in paragraph 8a of this order.

(2) The determination of conformity and compliance questions.

10. *Redelegation of authority.* The Assistant Secretary for Manpower may redelegate such authority as vested in him by this order.

11. *Authority and directives affected.* a. This order is issued pursuant to the Act of March 4, 1913 (37 Stat. 736; 29 U.S.C. 551), Reorganization Plan No. 6 of 1950 (15 F.R. 3174; 64 Stat. 1263); Delegation of authorities regarding special impact programs from the Acting Director of Office of Economic Opportunity dated June 17, 1968, and approved by the President June 27, 1968 (33 F.R. 9890); Delegation of authorities from the Acting Director of Economic Opportunity dated August 2, 1968, and approved by the President October 2, 1968 (33 F.R. 15139).

b. This order cancels Secretary's Order Nos. 6–68, 22–68, and 9–69.

c. The delegations in this order are subject to the provisions of Secretary's Order 13–68.

12. *Effective date.* The reorganization of the National Office structure of the Manpower Administration is effective March 17, 1969. The reorganization of the field structure of the Manpower Administration is effective March 24, 1969.

Signed at Washington, D.C., this 14th day of March 1969.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 69–4342; Filed, Apr. 14, 1969; 8:47 a.m.]

Wage and Hour and Public Contracts Divisions

EMPLOYEES OF C. L., LUTHER L., AND GENE GEORGE

Postponement of Proceedings To Determine Reasonable Cost of Housing and Other Facilities Furnished; Hearing

On February 27, 1969, notice was published in the FEDERAL REGISTER (34 F.R. 2696) that pursuant to authority in section 3(m) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(m)), Reorganization Plan No. 6 of 1950 (3 CFR 1949–1953 Comp., p. 1004), Order No. 19–67 of the Secretary of Labor (32 F.R. 12980), and 29 CFR 531.4, the Acting Administrator of the Wage and Hour and Public Contracts Divisions on his own motion proposed to determine the "reasonable cost" to C. L. George, Luther L. George, and Gene George of Springdale, Ark., of furnishing their employees with housing and other facilities which they customarily furnish their employees. The time and place of hearing, the time for submitting written data, views, or argument, and for filing notice of intention to appear, as stated in the February 27, 1969, notice are changed to reflect the continuance granted by the Hearing Examiner's order dated April 7, 1969, (File No. F–68–C–1), as follows:

Interested persons may submit written data, views, or argument pertinent to this question by mail to Mr. Sterling B. Williams, Regional Director, Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, 1931 South Ninth Avenue, Birmingham, Ala. 35205, not later than May 15, 1969.

Opportunity will be provided for interested persons to make oral presentation of data, views, or arguments before E. West Parkinson, a hearing examiner appointed under 5 U.S.C. 3105 in the City Council Room, City Administration Building, Springdale, Ark., at 10 a.m., May 19, 1969.

Notice of intention to appear should be filed with Mr. Sterling B. Williams, Regional Director, Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, 1931 South Ninth Avenue, Birmingham, Ala. 35205, not later than May 15, 1969.

All those making oral presentations shall be subject to cross examination by counsel for C. L. George, Luther L. George, and Gene George and counsel for the Government. The hearing examiner shall govern the course of the proceeding, hold presentations to relevant matters, govern the content of the record, have disciplinary power to exclude persons from the room where oral presentations are made, and require that the proceedings be stenographically reported and that transcripts be made available to persons participating on payment of fees therefor. The hearing examiner shall certify the record together with his recommended findings to the Administrator for consideration of all relevant matters presented and resolution of the issues.

Upon the publication of this notice C. L. George, Luther L. George, and Gene George shall notify their employees of the place, date, and purpose of the hearing hereby announced by posting copies of this notice in conspicuous places on their premises and noting that it replaces the February 27, 1969, notice.

Signed at Washington, D.C., this 10th day of April 1969.

BEN P. ROBERTSON,
Acting Administrator.

[F.R. Doc. 69–4398; Filed, Apr. 14, 1969; 8:52 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 10, 1969.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 41612—*Processed clay from points in southern territory.* Filed by O. W. South, Jr., agent (No. A6090), for interested rail carriers. Rates on clay, processed, in carloads, as described in the application, from specified points in southern territory, to Donaldsonville, La., and Springfield, Mo.

Grounds for relief—Market competition.

Tariff—Supplement 4 to Southern Freight Association, agent, tariff I.C.C. S–801.

FSA No. 41613—*Lime from producing points in Alabama.* Filed by O. W. South, Jr., agent (No. A6091), for interested rail carriers. Rates on lime, in carloads, as described in the application, from specified points in Alabama, to Branford, Fla., and points taking the same rates.

Grounds for relief—Market competition, short-line distance formula and grouping.

Tariff—Supplement 96 to Southern Freight Association, agent, tariff I.C.C. S-257.

By the Commission.

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

[F.R. Doc. 69-4387; Filed, Apr. 14, 1969; 8:51 a.m.]

[Notice 813]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

APRIL 10, 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 2253 (Sub-No. 38 TA), filed April 9, 1969. Applicant: CAROLINA FREIGHT CARRIERS CORPORATION, Post Office Box 697, Cherryville, N.C. 28021. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Kings Mountain, N.C., and New York, N.Y., serving the off-route points of Reading, Lebanon, Harrisburg, Allentown, Pottstown, and Phoenixville, Pa., as follows: From Kings Mountain over U.S. Highway 29 via Salisbury, N.C., to Greensboro, N.C. (also from junction U.S. Highway 29 and Alternate U.S. Highway 29, near Concord, N.C., over Alternate U.S. Highway 29 to junction U.S. Highway 29 near China Grove, N.C., and thence over U.S. Highway 29 to Salisbury), thence over U.S. Highway 70 to Durham, N.C., thence over U.S. Highway 15 to Oxford, N.C., thence over U.S. Highway 158 to Henderson, N.C., thence over U.S. Highway 1 to Baltimore, Md., thence over U.S. Highway 40 to junction U.S. Highway 13, thence over U.S. Highway 13 to Philadelphia, Pa., thence over U.S. Highway 1 to New York, and return over the same route. From Kings Mountain over U.S. Highway 29 to Charlotte, N.C., thence over North Carolina Highway 27 to Carthage, N.C., thence over U.S. Highway 15 to junction U.S. Highway 1, thence over U.S. Highway 1 to Henderson, N.C., thence to New York as specified above, and return over the same route. Restriction: The only service authorized over the foregoing route shall be at Reading, Lebanon, Harrisburg, Allentown, Pottstown, and Phoenixville, Pa., for 180 days. NOTE: Applicant intends to tack the authority here applied for to other authority held by it under MC-2253 and Subs thereof, and authority of Wilson's Motor Transit now operated under temporary authority granted in Docket MC-F9522. Supporting shipper: There are approximately 63 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: Jack K. Huff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 316 East Morehead, Suite 417 (BSR Building), Charlotte, N.C. 28202.

No. MC 23976 (Sub-No. 27 TA), filed April 7, 1969. Applicant: BEND-PROTLAND TRUCK SERVICE, INC., doing business as TRANS WESTERN EXPRESS, 5940 North Basin Avenue, Portland, Oreg. 97217. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, from Klamath Falls, Oreg., to points within 150 miles of Klamath Falls, Oreg., and return, for 180 days. Supporting shipper: Burnham World Forwarders, Inc., 1632 Second Avenue, Columbus, Ga. NOTE: Applicant states it intends to tack with its authority in MC 23976. Send protests to: A. E. Odoms, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, Portland, Oreg. 97204.

No. MC 57591 (Sub-No. 13 TA), filed April 4, 1969. Applicant: EVANS DELIVERY COMPANY, INC., Rural Delivery 3, Post Office Box 268, Pottsville, Pa. 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: *Wearing apparel, and equipment, material, and supplies* used or useful in the manufacture or sale of wearing apparel, between the facilities of Phillips-Van Heusen Corp. at Pottsville and Schuylkill Haven, Pa., on the one hand, and, on the other, points in the New York, N.Y., commercial zone as defined by the Commission, for 180 days. Supporting shipper: Phillips-Van Heusen Corp., 323 East Mauch Chunk Street, Pottsville, Pa. 17901. 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 61440 (Sub-No. 117 TA) (Correction), filed February 25, 1969, published in FEDERAL REGISTER, issues of March 6, 1969, and republished as corrected this issue. Applicant: LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Post Office Box 82488, Oklahoma City, Okla. 73108. Applicant's representative: Richard H. Champlin, Post Office Box 82488 Oklahoma City, Okla. 73108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, including classes A and B explosives (excluding commodities in bulk, household goods as defined by the Commission, and those requiring special equipment) when moving (1) on Government bills of lading, and (2) on commercial bills of lading containing endorsements approved in interpretation of *Government Rate* Tariff—Eastern Central, 332 I.C.C. 161, 164, 165, between points in Kentucky, Indiana, Illinois, Missouri, Arkansas, Louisiana, Texas, Oklahoma, and Kansas on the one hand, and, on the other, points in Washington, California, Nevada, Arizona, and Utah, for 180 days. NOTE: Applicant intends to tack the authority here applied for to other authority in No. MC 61440 and to interline with other carriers. The purpose of this republication is to include tacking and interlining information. Supporting shipper: Curtis L. Wagner, Jr., Chief, Regulatory Law Division, Department of the Army, Office of the Judge Advocate General, Washington, D.C. 20310. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 350, American General Building, 210 Northwest Sixth, Oklahoma City, Okla. 73102.

No. MC 83539 (Sub-No. 246 TA), filed April 7, 1969. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, Post Office Box 5976, Dallas, Tex. 75222. Applicant's representative: J. P. Welsh (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors, excavating and trailers, including tractor and trailer parts and attachments therefor*, when moving in connection with the above-named commodities, from Perry, Okla., to points in the United States except Oklahoma and Hawaii, for 180 days. NOTE: Applicant does not intend to tack authority. Supporting shipper: The Charles Machine Works, Inc., Post Office Box 66, Perry, Okla. 73077. Send protests to: E. K. Willis, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 513 Thomas Building, 1314 Wood Street, Dallas, Tex. 75202.

No. MC 109612 (Sub-No. 24 TA), filed April 1, 1969. Applicant: LEE MOTOR LINES, INC., State Road 67 South, Box 728, Muncie, Ind. 47305. Applicant's representative: Eugene Lee (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glass containers and closures therefor*,

from Mundelein, Ill., to Terre Haute, Ind., and Springboro, Pa.; and, *materials and supplies* used in the manufacture and distribution of glass containers and closures, from Chardon, Ohio, and Washington, Pa., to Muncie, Ind., restricted to traffic which originates and/or terminates at plantsite and warehouse facilities of Ball Brothers Co., Inc., for 180 days. Supporting shipper: Ball Brothers Co., Inc., Muncie, Ind. 47302. Send protests to: District Supervisor J. H. Gray, Interstate Commerce Commission, Bureau of Operations, Room 204, 345 West Wayne Street, Fort Wayne, Ind. 46802.

No. MC 112822 (Sub-No. 99 TA), filed March 28, 1969. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little Street, Cushing, Okla. 74023. Applicant's representative: Joe W. Ballard (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes: (a) *manufactured metal articles* from Cushing, Okla., to points in Alabama, Arkansas, California, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska, New Mexico, Ohio, Tennessee, Texas, Virginia, West Virginia, and Wisconsin; (b) *materials* used in the manufacture of metal articles, from points in Alabama, Arkansas, Florida, Illinois, Indiana, Kansas, Ohio, Missouri, and South Carolina, to Cushing, Okla., for 180 days. Supporting shipper: The Dalton Foundries, Inc. (Dalton Precision, Cushing, Okla. 74023) Warsaw, Ind. 46580. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 118474 (Sub-No. 7 TA), filed April 9, 1969. Applicant: AIR VAN LINES, INC., 135 Post Road, Anchorage, Alaska 99501. 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 *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, as defined by the Commission, between Seattle, Wash., on the one hand, and, on the other, points in Alaska, for 150 days. Supporting shippers: Leonard J. Hansen, General Manager, Northern Television, Inc., KTVA, Channel 11, Box 2200, Anchorage, Alaska; Michael Woolcock, 434 Aurora Drive, Anchorage, Alaska; Benjamin F. Miles, Field Manager, Xerox Corp., 1689 C Street, Anchorage, Alaska 99501; Roy Robinson, Manager, Radio Station KFQD, KFQD Road, Anchorage, Alaska 99501; John Searcy, Administrative Officer, Geophysical Services, Inc., 524 West International Airport Road, Anchorage, Alaska 99502. Send protests to: Hugh H. Chaffee, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 1532, Anchorage, Alaska 99501.

No. MC 123392 (Sub-No. 13 TA), filed April 7, 1969. Applicant: JACK B. KELLEY, doing business as JACK B. KELLEY CO., 3801 Virginia Street, Amarillo, Tex. 79109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbon monoxide*, in bulk, from Newark, Calif.; Joliet, Ill.; East Rutherford, N.J.; and Houston, Tex., and their points in their commerical zones, to points in the contiguous United States, for 180 days. Supporting shipper: Allen C. Lee, Southwestern Regional Manager, Matheson Gas Products, Post Office Box 908, La Porte, Tex. 77571. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 918 Tyler Street, Amarillo, Tex. 79101.

No. MC 127812 (Sub-No. 3 TA), filed April 7, 1969. Applicant: TYSON TRUCK LINES, INC., 185 Fifth Avenue SW., New Brighton, Minn. 55112. Applicant's representative: Michael E. Miller, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *meats, meat products, meat byproducts, dairy products and articles distributed by meat packinghouses* (except hides and commodities in bulk) from the plant and warehouse sites of Swift & Co., located in South St. Paul, Minn., to Superior, Wis., for 180 days. Supporting shipper: Swift & Co., South St. Paul, Minn. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 128058 (Sub-No. 5 TA), filed March 28, 1969. Applicant: LAUREL HILL TRUCKING COMPANY, a corporation, 614 New County Road, Secaucus, N.J. 07094. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except in bulk), between Kansas City, Mo., Wichita, Kans., Tulsa and Oklahoma City, Okla.; Amarillo, Tex.; Albuquerque, N. Mex.; Tucson and Phoenix, Ariz.; Las Vegas, Nev.; Minneapolis and St. Paul, Minn.; and Milwaukee, Wis; restricted to the transportation of shipments having either origin or destination at a terminal of Trans World Airlines, Inc., for 180 days. Supporting shipper: Trans World Airlines, Inc., 605 Third Avenue, New York, N.Y. 10016. Send protests to: District Supervisor W. J. Grossmann, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 129198 (Sub-No. 3 TA), filed March 28, 1969. Applicant: GLASGOW TRANSPORT INC., 123 West Park Place, Newark, Del. 19711. Applicant's representative: Philip F. Hudock, Suite 300, 2400 Wilson Boulevard, Arlington, Va. 22201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt, prepared roofing material, and accessories*, from Philadelphia, Pa., to points in Virginia outside the Washington, D.C., commercial zone. *Return movement: supplies, materials, and equipment* used in the manufacture of asphalt and prepared roofing materials, from all points in Virginia outside the Washington, D.C., commercial zone, to Philadelphia, Pa., and *wood chips* used in the manufacture of asphalt and prepared roofing materials, from Salisbury, Md., to Philadelphia, Pa., for 180 days. Supporting shipper: The Celotex Corp., 1500 North Dale Mabry, Tampa, Fla. 33607, William A. Brock, Traffic Manager. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 206 Old Post Office Building, 129 East Main Street, Salisbury, Md. 21801.

No. MC 129557 (Sub-No. 2 TA), filed April 7, 1969. Applicant: PAONE TRUCKING, INC., 88 Briggs Street, Cranston, R.I. 02920. Applicant's representative: Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I. 02905. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pumice*, crushed, in bulk, in dump vehicles, from Manchester, N.H., to Cranston, R.I., for 150 days. Supporting shipper: Park Avenue Cement Block Co., Inc., 30 Budlong Road (off 1350 Park Avenue), Post Office Box 3530, Cranston, R.I. 02910. Send protests to: Gerald H. Curry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 187 Westminster Street, Providence, R.I. 02903.

No. MC 133607 TA, filed April 7, 1969. Applicant: JAMES DOSS, doing business as DOSS MOVING & STORAGE, Box 1341, 400 Wilcox SW., Sierra Vista, Ariz. 85635. Applicant's representative: A. Michael Bernstein, 1327 United Bank Building, 3550 North Central, Phoenix, Ariz. 85012. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods as defined by the Commission in Ex Parte MC–19* for the account of unregulated freight forwarders (King Pak, Inc., investigation of operations MC–C–4455), between points in Arizona, for 180 days. Supporting shippers: Bekins Van Lines Co., 820 East D Street, Wilmington, Calif. 90744; Getz Bros. & Co. (U.S.), Post Office Box 2230, Wilmington, Calif. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 133608 TA, filed April 7, 1969. Applicant: LESTER C. DENZIN, Route No. 1, Oakfield, Wis. 53065. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Forage box units*, from Waupun, Wis., to Owatonna and Cosmos, Minn.; Omaha, Nebr.; Batavia and Oneida, N.Y., for 180 days. Supporting shipper: Denzin & Rahn Manufacturing Co., Route No. 2 Highway 151 North, Waupun, Wis. 53963 (Erwin E. Denzin, President). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

By the Commission.

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

[F.R. Doc. 69-4388; Filed, Apr. 14, 1969; 8:51 a.m.]

[Notice 325]

MOTOR CARRIER TRANSFER PROCEEDINGS

APRIL 10, 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-71207. By order of March 26, 1969, the Motor Carrier Board approved the transfer to Everett Lohman, doing business as Lewis & Clark Delivery, Clarkston, Wash. 99403, of a portion of the operating rights set forth in certificate No. MC-111255, and all of the operating rights set forth in certificate No. MC-111255 (Sub-No. 1), issued December 5, 1950 and May 13, 1968, respectively, in the name of Joe Lupinacci, doing business as Clarkston Delivery Service, Clarkston, Wash., authorizing the transportation of specified commodities to, from and between specified points in Washington and Idaho. Donald A. Ericson, 708 Old National Bank Building, Spokane, Wash. 99201, attorney for applicants.

No. MC-FC-71174. By order of March 26, 1969, the Motor Carrier Board approved the transfer to New Castle Trucking Co., New Castle, Pa., of the operating rights in certificates Nos. MC-108912 and subs thereunder issued on various dates to Chicago Pittsburgh Express, Inc., Chicago, Ill., authorizing the transportation of: General commodities, with usual exceptions, and other specified commodities from, to and between specified points in Pennsylvania, Ohio, Illinois, New York, Michigian, West Virginia, Indiana, Wisconsin, Nebraska, Massachusetts, and New Jersey. A. Charles Tell, 100 East Broad Street, Columbus, Ohio 43215, attorney for applicants.

No. MC-FC-71181. By order of April 9, 1969, the Motor Carrier Board approved the transfer to Eldon E. Mayfield, doing business as Rainbow Tours, 110 53d Street, Niagara Falls, N.Y. 14304, of certificate No. MC-116585, issued July 28, 1958, to Leonard Michael Cannello, doing business as Leonard's Tours, 646 Fourth Street, Niagara Falls, N.Y. 14301, authorizing the transportation of passengers and their baggage, in special operations in round-trip sightseeing or pleasure tours, limited to the transportation of not more than seven passengers in any one vehicle, but not including the driver thereof and not including children under 10 years of age who do not occupy a seat or seats, beginning and ending at Niagara Falls, N.Y., and points in Niagara County, N.Y., within 6 miles thereof, and extending to ports of entry on the United States-Canada boundary line at Niagara Falls and Lewiston, N.Y.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-4389; Filed, Apr. 14, 1969; 8:51 a.m.]

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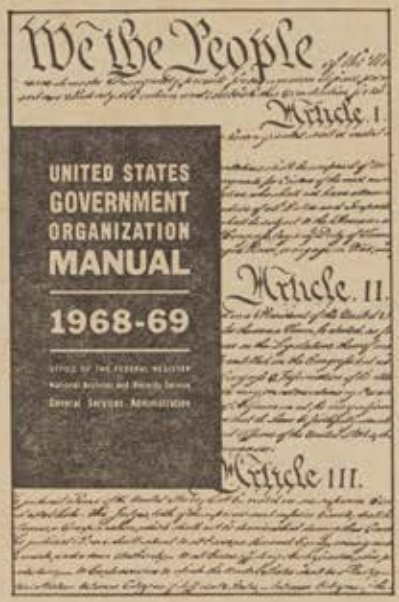

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