

# FEDERAL REGISTER

VOLUME 34 • NUMBER 91

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Pages 7603-7635

PART I

(Part II begins on page 7631)

Agencies in this issue—

Business and Defense Services  
Administration  
Civil Service Commission  
Consumer and Marketing Service  
Education Office  
Emergency Preparedness Office  
Federal Aviation Administration  
Federal Home Loan Bank Board  
Federal Maritime Commission  
Federal Power Commission  
Federal Reserve System  
Federal Trade Commission  
Food and Drug Administration  
Interstate Commerce Commission  
Maritime Administration  
Securities and Exchange Commission  
Small Business Administration  
Transportation Department  
Veterans Administration

Detailed list of Contents appears inside.



# Volume 81

## UNITED STATES STATUTES AT LARGE

[90th Cong., 1st Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1967, reorganization plans, the twenty-fifth amendment to the Constitution, and Presidential proclamations. Also included are: a subject index, tables

of prior laws affected, a numerical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

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# Contents

## AGRICULTURE DEPARTMENT

See Consumer and Marketing Service.

## BUSINESS AND DEFENSE SERVICES ADMINISTRATION

### Notices

Duty-free entry of scientific articles:	
Georgia Institute of Technology et al. (2 documents).....	7618, 7619
Pittsylvania County Schools, Virginia.....	7620
University of Illinois.....	7619

## CIVIL SERVICE COMMISSION

### Rules and Regulations

Excepted service; Department of Commerce.....	7607
---	------

## COMMERCE DEPARTMENT

See Business and Defense Services Administration; Maritime Administration.

## CONSUMER AND MARKETING SERVICE

### Rules and Regulations

Lemons grown in California and Arizona; handling limitation...	7607
Meat inspection; label statements of ingredients.....	7607

## EDUCATION OFFICE

### Rules and Regulations

College work-study program.....	7632
---------------------------------	------

## EMERGENCY PREPAREDNESS OFFICE

### Notices

Wisconsin; major disaster.....	7625
--------------------------------	------

## FEDERAL AVIATION ADMINISTRATION

### Rules and Regulations

Airworthiness directive; Vickers Viscount Models 744, 745D and 810 Series airplanes.....	7609
Transition area; alteration.....	7609

### Proposed Rule Making

Transition areas; designations (2 documents).....	7616
---	------

## FEDERAL HOME LOAN BANK BOARD

### Rules and Regulations

Federal Savings and Loan System; use of pledged shares as security for real estate loans.....	7609
---	------

## FEDERAL MARITIME COMMISSION

### Notices

Hellenic Lines, Ltd., and Compagnie Malgache de Navigation; agreement filed for approval....	7622
--	------

## FEDERAL POWER COMMISSION

### Notices

Utah; vacation of withdrawal of lands.....	7622
Hearings, etc.:	
Carnegie Natural Gas Co.....	7622
Southern Natural Gas Co.....	7623
Tidal Transmission Co.....	7623
Tishomingo, Miss., town of, and Alabama-Tennessee Natural Gas Co.....	7623
Tracy City, Tenn., city of, and East Tennessee Natural Gas Co.....	7624

## FEDERAL RESERVE SYSTEM

### Rules and Regulations

Truth in lending; interpretations...	7607
--------------------------------------	------

### Notices

Bankers Trust New York Corp.; approval of acquisition of bank stock by bank holding company... First at Orlando Corp.; approval of acquisition of bank shares by bank holding company.....	7624
Girard Trust Bank; approval of merger of banks.....	7625

## FEDERAL TRADE COMMISSION

### Rules and Regulations

Prohibited trade practices:	
All-State Industries of North Carolina, Inc., et al.....	7609
Consumers Products of America, Inc., et al.....	7610
Duesberg-Bosson Woolen Spinning Co. and Kenneth Cytron.....	7611
Gibson Sales et al.....	7612

## FOOD AND DRUG ADMINISTRATION

### Rules and Regulations

Food additives:	
Clopidol.....	7612
Sulfachlorpyridazine.....	7612

### Notices

Drugs for veterinary use; adrenocorticotrophic hormone; efficacy study implementation.....	7621
--	------

## HEALTH, EDUCATION, AND WELFARE DEPARTMENT

See Education Office; Food and Drug Administration.

## INTERSTATE COMMERCE COMMISSION

### Notices

Motor carriers:	
Temporary authority applications.....	7627
Transfer proceedings.....	7629

## MARITIME ADMINISTRATION

### Notices

American President Lines, Ltd.; application for approval of certain cruises.....	7620
--	------

## SECURITIES AND EXCHANGE COMMISSION

### Rules and Regulations

Interpretative release; expediting registration statements filed under Securities Act of 1933....	7613
---	------

### Notices

Hearings, etc.:	
Christopher Partners.....	7625
Continental Investment Corp....	7625
Greenwood Management Corp....	7626
Loew's Theatres, Inc.....	7626
Technical Operations, Inc.....	7626

## SMALL BUSINESS ADMINISTRATION

### Notices

Authority delegation; Manager, Disaster Branch Office, Los Angeles, Calif.....	7627
--	------

## TRANSPORTATION DEPARTMENT

See also Federal Aviation Administration.

### Proposed Rule Making

Relocation of mountain-Pacific standard time zone boundary in State of Oregon.....	7616
--	------

## VETERANS ADMINISTRATION

### Rules and Regulations

Public contracts and property management; miscellaneous amendments.....	7613
---	------

## List of CFR Parts Affected

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1969, and specifies how they are affected.

<b>5 CFR</b>		<b>14 CFR</b>		<b>21 CFR</b>	
213.....	7607	39.....	7609	121 (2 documents).....	7612
		71.....	7609		
<b>7 CFR</b>		PROPOSED RULES:		<b>41 CFR</b>	
910.....	7607	71 (2 documents).....	7616	8-2.....	7613
				8-12.....	7613
<b>9 CFR</b>		<b>16 CFR</b>		<b>45 CFR</b>	
316.....	7607	13 (4 documents).....	7609-7612	175.....	7632
317.....	7607				
328.....	7607	<b>17 CFR</b>		<b>49 CFR</b>	
<b>12 CFR</b>		231.....	7613	PROPOSED RULES:	
226.....	7607			71.....	7616
555.....	7609				



# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### Department of Commerce

Section 213.3314 is amended to show that the position of Director, Office of Congressional Relations, Economic Development Administration, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (33) is added to paragraph (q) of § 213.3314 as set out below.

#### § 213.3314 Department of Commerce.

(q) Office of the Assistant Secretary for Economic Development.

(33) Director, Office of Congressional Relations.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] JAMES C. SPRY,  
Executive Assistant to  
the Commissioners.

[F.R. Doc. 69-5680; Filed, May 12, 1969; 8:48 a.m.]

## Title 7—AGRICULTURE

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

[Lemon Reg. 372, 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 § 910.672 (Lemon Reg. 372, 34 F.R. 7283) are hereby amended to read as follows:

#### § 910.672 Lemon Regulation 372.

- (b) Order. (1) \* \* \*
- (ii) District 2: 279,000 cartons.

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

Dated: May 8, 1969.

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

[F.R. Doc. 69-5682; Filed, May 12, 1969; 8:48 a.m.]

## Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter III—Consumer and Marketing Service (Meat Inspection), Department of Agriculture

#### SUBCHAPTER A—MEAT INSPECTION REGULATIONS

#### PART 316—MARKING, BRANDING AND IDENTIFYING PRODUCTS

##### PART 317—LABELING

#### PART 328—DEFINITIONS AND STANDARDS OF IDENTITY

##### Label Statements of Ingredients

On August 10, 1968, there was published in the FEDERAL REGISTER (33 F.R. 11393) a notice of amendments of Parts 316, 317, and 328 of the Federal Meat Inspection Regulations (9 CFR Parts 316, 317, and 328) under the Federal Meat Inspection Act (21 U.S.C. Supp. III 601 et seq.) requiring the display of ingredient statements on labels for products for which standards of identity have been established, e.g., products designated "corned beef hash" and "chopped ham." The notice stated that the amendments would become effective 6 months after their publication in the FEDERAL REGISTER.

The Department has been petitioned by many of the packers affected by these amendments for a delay in their implementation. These requests explain that the requirements of the Fair Packaging and Labeling Act have taxed the capacity of the label design and printing industry and this has delayed the development and procurement of labels to comply with the amendments. Also, the Department has announced that proposed regulations concerned with labels have been drafted and will appear soon as a FEDERAL REGISTER notice. It is pointed out that the adoption of these amendments might possibly cause further design changes.

These circumstances are deemed adequate to justify a postponement in the implementation of the amendments. Therefore, the effective date of said implementation is hereby postponed to October 1, 1969, pursuant to said Federal Meat Inspection Act.

In view of the circumstances explained above, this action must be made effective immediately. Therefore, in accordance with the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that publishing a notice of proposed rule making and other public participation in connection with this action are impracticable and good cause is found for making this action effective in less than 30 days after publication in the FEDERAL REGISTER.

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

Done at Washington, D.C., on May 8, 1969.

ROY W. LENNARTSON,  
Administrator.

[F.R. Doc. 69-5681; Filed, May 12, 1969; 8:48 a.m.]

## Title 12—BANKS AND BANKING

### Chapter II—Federal Reserve System

#### SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. Z]

#### PART 226—TRUTH IN LENDING

##### Miscellaneous Interpretations

#### § 226.201 Lay-Away Plans as extensions of credit.

(a) Many vendors offer Lay-Away Plans under which they retain the merchandise for a customer until the cash price is paid in full and the customer has no contractual obligation to make payments and may, at his option, revoke a purchase made under the plan and request and receive prompt refund of any amounts paid toward the cash price of the merchandise.

(b) A purchase under such a Lay-Away Plan shall not be considered an



extension of credit subject to the provisions of Regulation Z.

(Interprets and applies 15 U.S.C. 1602, 1604)

#### § 226.402 Term of insurance coverage.

(a) Under § 226.4(a) (5) and (6) certain disclosures of insurance premium costs, if applicable, are required. The question arises as to whether such amounts of cost disclosed must include the cost of insurance for the full term of the transaction.

(b) Under § 226.4(h) the cost of insurance for the full period of insurance coverage which the creditor will require shall be disclosed if the cost of the insurance premium is required to be included in the finance charge. However, if the cost of insurance is not required to be included in the finance charge, the cost to be disclosed need only be the cost of premiums for the term of the initial policy or policies written in connection with the transaction, accompanied by a statement of the type of insurance and the term thereof.

(Interprets and applies 15 U.S.C. 1605)

#### § 226.703 Finance charge based on average daily balance in open end credit accounts.

(a) Section 226.7(b) (8) requires that periodic statements for open end accounts shall disclose, among other things, "The balance on which the finance charge was computed, and a statement of how that balance was determined." In some instances, creditors compute a finance charge on the average daily balance by application of a monthly periodic rate. In such case, this information is adequately disclosed if the statement gives the amount of the average daily balance on which the finance charge was computed, and also states how the balance is determined. In other instances, the finance charge is computed on the balance each day by application of a daily periodic rate and such charges are accumulated and debited to the account in a single amount for the billing cycle. The question arises whether the periodic statement must show for each day of the billing cycle a balance on which a finance charge was computed.

(b) If a daily periodic rate is used, the balance to which it is applicable shall be stated as follows:

(1) A balance for each day in the billing cycle; or

(2) The sum of the daily balances during the billing cycle, or

(3) The average daily balance during the billing cycle in which case the creditor shall state on the face of the periodic statement, its reverse side, or on an enclosed supplement that the average daily balance is multiplied by the number of days in the billing cycle and the periodic rate applied to the product to determine the amount of the finance charge.

In each case the annual percentage rate shall be determined and disclosed by multiplying the daily periodic rate by 365.

(Interprets and applies 15 U.S.C. 1636)

#### § 226.704 Annual percentage rate computation where transaction charges are imposed on open end credit accounts.

(a) Section 226.7(b) (6) prescribes the method by which an annual percentage rate is computed where the creditor of the open end credit account imposes finance charges with respect to specific transactions during the billing cycle.

(b) In determining the denominator of the fraction under § 226.7(b) (6), no amount will be used more than once when adding the sum of the balances to which periodic rates apply to the sum of the amounts financed to which specific transaction charges apply. In every case the full amount of transactions to which specific transaction charges apply shall be included in the denominator. Other balances or parts of balances shall be included according to the manner in which a periodic rate is applied, as illustrated in the following examples of accounts on monthly billing cycles:

1. Previous balance—none.  
A specific transaction of \$100 occurs on first day of the billing cycle.

The average daily balance is \$100.  
A specific transaction charge of 3 percent is applicable to the specific transactions.

The periodic rate is  $1\frac{1}{2}$  percent applicable to the average daily balance.

The numerator is the amount of the finance charge, which is \$4.50. The denominator is the amount of the transaction (which is \$100), plus the amount by which the balance to which the periodic rate applies exceeds the amount of specific transactions (such excess in this case is 0), totaling \$100. The annual percentage rate is the quotient (which is 4.5 percent) multiplied by 12 (the number of months in a year), i.e., 54 percent.

2. Previous balance—\$100.  
A specific transaction of \$100 occurs at midpoint of the billing cycle.

The average daily balance is \$150.  
A specific transaction charge of 3 percent is applicable to the specific transaction.

The periodic rate is  $1\frac{1}{2}$  percent applicable to the average daily balance.

The numerator is the amount of finance charge, which is \$5.25. The denominator is the amount of the transaction (which is \$100), plus the amount by which the balance to which the periodic rate applies exceeds the amounts of specific transactions (such excess in this case is \$50), totaling \$150.

As explained in example 1, the annual percentage rate is  $3.5\% \times 12 = 42\%$ .

3. If, in example 2, the periodic rate applies only to the previous balance, the numerator is \$4.50 and the denominator is \$200 (the amount of the transaction, \$100, plus the balance to which only the periodic rate is applicable, the \$100 previous balance). As explained in example 1, the annual percentage rate is  $2.25\% \times 12 = 27\%$ .

4. If, in example 2, the periodic rate applies only to an adjusted balance (previous balance less payments and credits) and the customer made a payment of \$50 at midpoint of billing cycle, the numerator is \$3.75 and the denominator is \$150 (the amount of the transaction, \$100, plus the balance to which only the periodic rate is applicable, the \$50 adjusted balance). As explained in example 1, the annual percentage rate is  $2.5\% \times 12 = 30\%$ .

5. Previous balance—\$100.  
A specific transaction (check) of \$100 occurs at the midpoint of the billing cycle.

The average daily balance is \$150.

The specific transaction charge is 25 cents per check. The periodic rate is  $1\frac{1}{2}$  percent applied to the average daily balance.

The numerator is the amount of the finance charge, which is \$2.50, and includes

the 25 cents check charge and the \$2.25 resulting from the application of the periodic rate. The denominator is the full amount of the specific transaction (which is \$100) plus the amount by which the average daily balance exceeds the amount of the specific transaction (which in this case is \$50), totaling \$150. As explained in example 1, the annual percentage rate would be  $1\frac{1}{2}\% \times 12 = 20\%$ .

(c) Regardless of such method of computation, the annual percentage rate to be disclosed shall be not less than the periodic rate multiplied by the number of periods in a year or the rate as may otherwise be determined under § 226.5(a).

(Interprets and applies 15 U.S.C. 1636)

#### § 226.802 Disclosures on mail or telephone orders.

(a) Under § 226.8(g), disclosures may be made at any time not later than the date the first payment is due under certain conditions. The question arises as to when disclosures shall be made on mail or telephone orders where the information outlined in § 226.8(g) (1) and (2) is not available to the customer or prospective customer.

(b) Under the circumstances set forth in the above question, the creditor shall make the disclosures required under Regulation Z as follows:

(1) With respect to credit sales, not later than at the time of delivery of the property or first performance of service ordered.

(2) With respect to loans, not later than at the time proceeds of the loan are disbursed.

(3) Except that if the transaction is subject to the provisions of § 226.9, the disclosures shall be made before the transaction is consummated.

(Interprets and applies 15 U.S.C. 1638)

#### § 226.803 Disclosures when discounts apply for prompt payment.

(a) Under § 226.8(o), disclosures shall be made on the billing statement whereas under § 226.8(a) disclosures shall be made before the transaction is consummated. The question arises as to which provision prevails.

(b) The provisions of § 226.8(o) prevail under the conditions set forth in that paragraph unless the transaction is also subject to the provisions of § 226.9 in which event the disclosures shall be made before the transaction is consummated.

(Interprets and applies 15 U.S.C. 1638)

#### § 226.804 Series of sales—content of agreement.

(a) Under § 226.8(h), if a credit sale is one of a series of transactions made under an agreement providing for the addition of a current sale to an existing outstanding balance and the customer has approved in writing the annual percentage rate or rates and certain other requirements are met, disclosures may be made at any time not later than the date the first payment for that sale is due.

(b) The question arises as to how the annual percentage rate or rates should



be shown in an agreement where, for example, an 18 percent annual percentage rate applies to the first \$500 of balance, a 12 percent annual percentage rate applies to all balances over \$500, and the mix of the two rates on transactions over \$500 will produce a gradually decreasing annual percentage rate as the amount of balance over \$500 increases.

(c) In addition to meeting the other requirements of § 226.8(h), if two or more annual percentage rates apply to ranges of balances, the agreement need only state each annual percentage rate and the range of balances to which it applies. However, the disclosures which must be made not later than the date the first payment is due must include the actual annual percentage rate applicable to that sale.

(Interprets and applies 15 U.S.C. 1638)

Dated at Washington, D.C., the 2d day of May 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-5687; Filed, May 12, 1969;  
8:48 a.m.]

## Chapter V—Federal Home Loan Bank Board

### SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 22,789]

## PART 555—BOARD RULINGS

### Use of Pledged Shares as Security for Real Estate Loans

MAY 6, 1969.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of revising paragraph (a) of § 555.4 of the rules and regulations for the Federal Savings and Loan System (12 CFR 555.4(a)) for the purpose of making it consistent with the provisions of § 545.6-1(a)(4) of such regulations (12 CFR 545.6-1(a)(4)), hereby revises said paragraph (a) to read as follows:

#### § 555.4 Real estate loans.

(a) *Security for; shares pledged for excess over 90 percent loaned, under § 545.6-1(a)(4).* A loan may not be made under § 545.6-1(a)(4) of this subchapter for an amount in excess of the maximum therein provided, with such excess secured by the pledge of a savings account as collateral. The maximum amount of the principal obligation of a loan made pursuant to that section is limited to (1) \$31,500 or (2) 90 percent of the value of the real estate or, if the loan is made to finance the purchase of the real estate, 90 percent of such purchase price, whichever is lower. In other words, the amount of the principal obligation of a loan under this section is determined only by a formula which is strictly related to either the purchase price or the value of the property, with a ceiling of \$31,500.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-1948 Comp., p. 1071)

By the Federal Home Loan Bank Board.

[SEAL] GRENVILLE L. MILLARD, Jr.,  
Assistant Secretary.

[F.R. Doc. 69-5685; Filed, May 12, 1969;  
8:48 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 9453; Amdt. 39-765]

## PART 39—AIRWORTHINESS DIRECTIVES

### Vickers Viscount Models 744, 745D, and 810 Series Airplanes

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive (AD), requiring replacement of the glass-cloth ducts on Vickers Viscount Models 744, 745D, and 810 Series airplanes and replacement of the right and left inboard nacelle fiber glass saddle bracket on Viscount Model 810 Series airplanes, was published in 34 F.R. 4894.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

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

VICKERS. Applies to Viscount Models 744, 745D, and 810 Series airplanes.

Compliance required within the next 1,500 hours' time in service after the effective date of this AD, unless already accomplished.

To improve the fire protection of air system ducting adjacent to cabin compressor outlets in the engine nacelles, accomplish the following:

(a) For Viscount Models 744, 745D, and 810 Series airplanes, replace glasscloth ducts on the outlet side of the cabin compressor in the right inboard, the right outboard and the left inboard engine nacelle with aluminum alloy ducts in accordance with BAC Modification Bulletin No. D3198 Issue 2 (700 Series) or PG.2070 Issue 2 (810 Series) or later ARB-approved issue or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East region.

(b) For Viscount Model 810 Series airplanes only, replace the right and left inboard nacelle fiber glass saddle brackets with stainless steel saddle brackets in accordance with BAC Modification Bulletin No. PG.2070 Issue 2 (800 Series) or later ARB-approved issue or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East region.

This amendment becomes effective June 12, 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 Washington, D.C., on May 5, 1969.

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

[F.R. Doc. 69-5666; Filed, May 12, 1969;  
8:47 a.m.]

[Airspace Docket No. 69-80-44]

## 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 Oxford, Miss., transition area.

The Oxford transition area is described in § 71.181 (34 F.R. 4637 and 6038). In the description, an extension is predicated on the 276° bearing from the Oxford RBN. Since the final approach bearing of the NDB (ADF) RWY-9 instrument approach procedure will be changed from 276° to 280°, effective May 29, 1969, it is necessary to amend the description to reflect this change.

Since this amendment is minor in nature and requires no additional airspace, notice and public procedure hereon are unnecessary, and action is taken herein to amend the description accordingly.

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 § 71.181 (34 F.R. 4637), the Oxford, Miss., transition area (34 F.R. 6038) is amended as follows: " \* \* \* 276° \* \* \* " is deleted and " \* \* \* 280° \* \* \* " is substituted therefor.

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

Issued in East Point, Ga., on May 5, 1969.

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

[F.R. Doc. 69-5673; Filed, May 12, 1969;  
8:47 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket No. 8738 a]

## PART 13—PROHIBITED TRADE PRACTICES

### All-State Industries of North Carolina, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections:* 13.15-235



Producer status of dealer or seller: § 13.15-235(m) Manufacturer; § 13.70 Fictitious or misleading guarantees; § 13.105 Individual's special selection or situation; § 13.155 Prices: § 13.155-10 Bait; § 13.155-33 Demonstration reduction; § 13.155-100 Usual as reduced, special, etc. Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1400 Dealer as manufacturer; Misrepresenting oneself and goods—Goods: § 13.1647 Guarantees; § 13.1663 Individual's special selection or situation; Misrepresenting oneself and goods—Prices: § 13.1779 Bait; § 13.1800 Demonstration reductions. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1905 Terms and conditions.

(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, All-State Industries of North Carolina, Inc., et al., Greensboro, N.C., Docket 8738, Apr. 1, 1969]

*In the Matter of All-State Industries of North Carolina, Inc., ABC Storm Window Co., Inc., All-State Industries of Tennessee, Inc., All-State Industries, Inc., and All-State Industries of Illinois, Inc., Corporations, and William B. Starr, Individually and as an Officer of said Corporations*

Order requiring five affiliated companies selling residential aluminum siding and other home improvement products to cease using "bait and switch" tactics and fictitious pricing, falsely guaranteeing and implying that it manufactures its products, and failing to disclose that its sales contracts may be negotiated to a finance company.

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

It is ordered, That respondents All-State Industries of North Carolina, Inc., ABC Storm Window Co., Inc., All-State Industries of Tennessee, Inc., All-State Industries, Inc., and All-State Industries of Illinois, Inc., corporations, and their officers, and William B. Starr, individually and as an officer of each of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the advertising, offering for sale, sale, distribution, or installation of residential aluminum siding, storm windows, storm doors, or any other products, or in connection with their business in such products, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using, in any manner, a sales plan, scheme, or device wherein false, misleading, or deceptive statements or representations are made in order to obtain leads or prospects for the sale of other merchandise or services.

2. Making representations purporting to offer merchandise for sale when the purpose of the representation is not to sell the offered merchandise but to ob-

tain leads or prospects for the sale of other merchandise at higher prices.

3. Discouraging the purchase of or disparaging any merchandise or services which are advertised or offered for sale, either before or after a contract has been signed for the purchase of such merchandise or services.

4. Representing, directly or by implication, that any merchandise or services are offered for sale when such offer is not a bona fide offer to sell such merchandise or services.

5. Representing, directly or by implication that any price for respondents' products is a special or reduced price, unless such price constitutes a significant reduction from an established selling price at which such products have been sold in substantial quantities by respondents in the recent regular course of their business; or misrepresenting, in any manner, the savings available to purchasers.

6. Representing, directly or by implication, that any offer to sell products is limited as to time, or is limited in any other manner: *Provided, however*, That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that any represented limitation as to time or other represented restriction is actually imposed and adhered to by respondents.

7. Representing, directly or by implication, that respondents manufacture any of the home improvement products which they sell, or that respondents sell their home improvement products directly from their factory; or misrepresenting, in any manner, the nature or scope of respondents' business.

8. Representing, directly or by implication, that the home of any of respondents' customers, or prospective customers, has been selected to be used or will be used as a model home, or otherwise, for advertising or sales purposes.

9. Representing, directly or by implication, that any allowance, discount, or commission is granted by respondents to purchasers in return for permitting the premises on which respondents' products are installed to be used for model homes or demonstration purposes.

10. Representing, directly or by implication, that respondents' products are unconditionally guaranteed when in fact such guarantee is not an unconditional guarantee; or misrepresenting, in any manner, the nature, terms, or conditions of any guarantee.

11. Representing, directly or by implication, that any of respondents' products are guaranteed unless the nature and extent of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

12. Representing, directly or by implication, that respondents' products are guaranteed not to fade without clearly and conspicuously disclosing the limitations applicable to such guarantee; or misrepresenting, in any manner, the durability, performance, or quality of respondents' products.

13. Failing to disclose orally prior to the time of sale, and in writing on any conditional sales contract, promissory note or other instrument of indebtedness executed by a purchaser, and with such conspicuousness and clarity as is likely to be observed and read by such purchaser, that:

Any such instrument, at respondents' option and without notice to the purchaser, may be discounted, negotiated or assigned to a finance company or other third party to whom the purchaser will thereafter be indebted and against whom the purchaser's claims or defenses may not be available.

It is further ordered, That the respondent corporations shall forthwith distribute a copy of this order to each of their operating divisions and to all present and future salesmen or other persons engaged in the sale of respondents' products or services, and shall secure from each such salesman or other person a signed statement acknowledging receipt of said order.

It is further ordered, That the allegations of subparagraphs 7 of paragraphs five and six of the complaint be dismissed.

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 of their compliance with this order.

Issued: April 1, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 69-5653; Filed, May 12, 1969; 8:46 a.m.]

[Docket No. 8679]

### PART 13—PROHIBITED TRADE PRACTICES

Consumers Products of America, Inc., et al.

Subpart—Misrepresenting oneself and goods—Business status, advantages or connections: § 13.1390 Concealed subsidiary, fictitious collection agency, etc.; § 13.1505 Operations as educational or religious; Misrepresenting oneself and goods—Goods: § 13.1625 Free goods or services; § 13.1747 Special or limited offers; Misrepresenting oneself and goods—Prices: § 13.1779 Bait. Subpart—Using misleading name—Vendor: § 13.2365 Concealed subsidiary, fictitious collection agency, etc.; § 13.2410 Individual or private business being educational, religious or research institution or organization.

(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) [Modified order to cease and desist, Consumers Products of America, Inc., et al., Philadelphia, Pa., Docket 8679, Mar. 14, 1969]



*In the Matter of Consumers Products of America, Inc., a Corporation, Eastern Guild, Inc., a Corporation, Keystone Guild, Inc., a Corporation, and Jack Weinstock, Nat Loesberg, Jack Gerstel, and Louis Tafier, Individually and as Officers of Said Corporation*

Order modifying an earlier order, 32 P.R. 13454, dated September 7, 1967, which charged a seller of encyclopedias with certain deceptive practices, pursuant to a decision of the Court of Appeals, Third Circuit, 400 F. 2d 930, dated September 12, 1968, by eliminating from paragraph 10 the provisions requiring respondent to dismiss or withhold commissions from its salesmen.

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

*It is ordered*, That respondents Consumers Products of America, Inc., a corporation, and its officers, Eastern Guild, Inc., a corporation, and its officers, Keystone Guild, Inc., a corporation, and its officers, and Jack Weinstock, Nat Loesberg, Jack Gerstel, and Louis Tafier, individually and as officers of said corporations, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of encyclopedias, books or other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using, in any manner, a sales plan, scheme or device wherein false, misleading, or deceptive statements or representations are made in order to obtain leads or prospects for the sale of merchandise or services.

2. Discouraging the purchase of, or disparaging, any products or services which are advertised or offered for sale.

3. Representing directly or by implication, that any products or services are offered for sale when such offer is not a bona fide offer to sell such products or services.

4. Representing, directly or indirectly, that said merchandise will be delivered to prospective purchasers for a 5-day free examination or for any other period of time without clearly and conspicuously revealing all of the conditions, obligations, or requirements, pertaining to said offer.

5. Representing, directly or indirectly, that any merchandise is "free" or is delivered to or may be retained by purchasers or prospective purchasers without clearly and conspicuously revealing all of the terms, conditions, or obligations necessary to the receipt and retention of said merchandise.

6. Representing, directly or indirectly, that any offer is limited as to time; *Provided, however*, That it shall be a defense in any enforcement proceeding instituted hereunder for respondents to establish that such time restriction or limitation was actually imposed and in good faith adhered to by respondents.

7. Representing, directly or indirectly, that The First National Fidelity Co.,

Metropolitan Credit Bureau, or Vogt Collection Agency or any other fictitious name, or trade names owned in whole or in part by respondents or over which respondents exercise any direction or control, are independent, bona fide financing, collection, or credit reporting agencies; or representing in any other manner that delinquent accounts have been turned over to a bona fide, separate collection agency or to a credit reporting agency for collection or for any other purpose, unless respondents in fact have turned such accounts over to an agency of the nature represented.

8. Using the trade name "Educational Foundation" in connection with respondents' enterprises or representing, in any other manner, that respondents operate any nonprofit organization engaged in educational work.

9. Misrepresenting, in any manner, the kind of offer made to sell merchandise, the terms, limitations, or conditions of any offer, or the nature or status of respondents' business or of their collection operations.

10. 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 and failing to secure from each such salesman or other person a signed statement acknowledging receipt of said order.

*It is further ordered*, That respondents 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 the order to cease and desist contained herein.

Issued: March 14, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[P.R. Doc. 69-5654; Filed, May 12, 1969;  
8:46 a.m.]

[Docket No. C-1520]

### PART 13—PROHIBITED TRADE PRACTICES

#### Duesberg-Bosson Woolen Spinning Co. and Kenneth Cytron

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: 13.1108-40 Federal Trade Commission Act. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*: 13.1185-90 Wool Products Labeling Act; § 13.1212 *Formal regulatory and statutory requirements*: 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: 13.1852-80 Wool Products 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 Stat. 1128-1130; 15 U.S.C. 45, 68) [Cease and desist order, Duesberg-Bosson Woolen Spinning Co. et al., Jefferson, Mass., Docket C-1520, Apr. 24, 1969]

*In the Matter of Duesberg-Bosson Woolen Spinning Co., a Corporation, and Kenneth Cytron, Individually and as an Officer of Said Corporation*

Consent order requiring a Jefferson, Mass., manufacturer of wool and wool blend yarns to cease misbranding and falsely invoicing its wool products.

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

*It is ordered*, That respondents Duesberg-Bosson Woolen Spinning Co., a corporation, and its officers, and Kenneth Cytron, individually and as an officer 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 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 such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein.

2. Failing to securely affix to or place on, each such product a stamp, tag, label, or other means of identification correctly 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 Duesberg-Bosson Woolen Spinning Co., a corporation, and its officers, and Kenneth Cytron, individually and as an officer 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 any textile product in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from misrepresenting the character or amount of constituent fibers contained in such textile product on invoices or shipping memoranda applicable thereto or in any other manner.

*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: April 24, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[P.R. Doc. 69-5655; Filed, May 12, 1969;  
8:46 a.m.]



[Docket No. C-1519]

**PART 13—PROHIBITED TRADE PRACTICES****Gibson Sales et al.**

Subpart—Using, selling, or supplying lottery devices: § 13.2475 *Devices for lottery selling.*

(Sec. 5, 38 Stat. 721; 15 U.S.C. 46. Interprets and applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) (Cease and desist order, Gibson Sales et al., Chicago, Ill., Docket C-1519, Apr. 24, 1969)

*In the Matter of Gibson Sales, a Partnership, and Ruth Berdick and Frank W. James, Individually and as Copartners Trading and Doing Business as Gibson Sales*

Consent order requiring a Chicago, Ill., distributor of punchboards and other lottery devices to cease selling or distributing these items in commerce.

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

*It is ordered*, That respondents Gibson Sales, a partnership, and Ruth Berdick and Frank W. James, individually or as copartners trading and doing business as Gibson Sales or under any other trade name, and their agents, representatives, and employees, directly or through any corporate or other device, do forthwith cease and desist from selling or distributing in commerce, as "commerce" is defined in the Federal Trade Commission Act, punchboards or other devices, which are designed or intended to be used in the sale or distribution of merchandise to the public by means of a game of chance, gift enterprise or lottery scheme.

*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: April 24, 1969.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 69-5656; Filed, May 12, 1969; 8:46 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 121—FOOD ADDITIVES**

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

**CLOPIDOL**

The Commissioner of Food and Drugs, having evaluated the data in a petition

filed by The Dow Chemical Co., Post Office Box 512, Midland, Mich. 48641, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use of clopidol alone or with 3-nitro-4-hydroxyphenylarsonic acid for specified conditions when administered in the feed of chickens intended for use as caged layer replacements.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic

Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended as follows:

1. Section 121.262(c) is amended by adding to table 1 a new item 1.12, as follows:

§ 121.262 3-Nitro-4-hydroxyphenylarsonic acid.  
\* \* \*

TABLE 1—3-NITRO-4-HYDROXYPHENYLARSONIC ACID IN COMPLETE CHICKEN AND TURKEY FEED

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1.11 * * *	* * *	* * *	* * *	* * *	* * *
1.12 3-Nitro-4-hydroxyphenylarsonic acid.	45.4 (0.009%)	Clopidol	113.5 (0.0125%)	For replacement chickens intended for use as caged layers; do not feed to laying chickens; do not feed to chickens over 16 weeks of age; withdraw 5 days before slaughter; as sole source of organic arsenic.	Aid in the prevention of coccidiosis caused by <i>E. tenella</i> , <i>E. necatrix</i> , <i>E. acervulina</i> , <i>E. maxima</i> , <i>E. brunetti</i> , and <i>E. mitis</i> ; growth promotion and feed efficiency; improving pigmentation.
* * *	* * *	* * *	* * *	* * *	* * *

2. Section 121.325(b) is amended by adding to the table new items 3 and 4, as follows:

**§ 121.325 Clopidol.**

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
3. Clopidol	113.5 (0.0125%)			For replacement chickens intended for use as caged layers; do not feed to laying chickens over 16 weeks of age.	Aid in the prevention of coccidiosis caused by <i>E. tenella</i> , <i>E. necatrix</i> , <i>E. acervulina</i> , <i>E. maxima</i> , <i>E. brunetti</i> , and <i>E. mitis</i> .
4. Clopidol	113.5 (0.0125%)	3-Nitro-4-hydroxyphenylarsonic acid.	45.4 (0.009%)	For replacement chickens intended for use as caged layers; do not feed to laying chickens; do not feed to chickens over 16 weeks of age; withdraw 5 days before slaughter; as sole source of organic arsenic.	Aid in the prevention of coccidiosis caused by <i>E. tenella</i> , <i>E. necatrix</i> , <i>E. acervulina</i> , <i>E. maxima</i> , <i>E. brunetti</i> , and <i>E. mitis</i> ; growth promotion and feed efficiency; improving pigmentation.

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

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

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

Dated: May 5, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-5588; Filed, May 12, 1969; 8:45 a.m.]

**PART 121—FOOD ADDITIVES**

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

Subpart D—Food Additives Permitted in Food for Human Consumption

**SULFACHLORPYRIDAZINE**

A. The Commissioner of Food and Drugs, having evaluated the data in a petition filed by CIBA Pharmaceutical Co., Three Bridges, N.J. 08887, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use



of sulfachlorpyridazine in an oral suspension for the treatment of diarrhea caused or complicated by *E. coli* (colibacillosis) in baby pigs. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to

the Commissioner (21 CFR 2.120), § 121.309(b) is amended by adding to the table a new item, as follows:

§ 121.309 Sulfachlorpyridazine.

(b) . . .

Amount	Limitations	Indications for use
Mg. per lb. body weight per day		
20-35	For swine; administer individually in an oral suspension containing 50 milligrams of sulfachlorpyridazine per milliliter in divided doses twice daily for 1 to 5 days; treated swine must not be slaughtered for food during treatment or for 4 days after the last treatment.	Treatment of diarrhea caused or complicated by <i>E. coli</i> (colibacillosis).

B. Based on an evaluation of the data before him and proceeding under the authority of the act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), delegated as cited above, the Commissioner concludes that the existing zero tolerances for residues of sulfachlorpyridazine in edible products of treated animals should be changed to 0.1 part per million (sensitivity of the method of analysis) for negligible residues of the additive. The negligible residue level is the basis upon which the "zero" tolerances were formerly established. Accordingly, § 121.1215 is revised to read as follows:

§ 121.1215 Sulfachlorpyridazine.  
A tolerance of 0.1 part per million is established for negligible residues of sulfachlorpyridazine in uncooked edible tissues of calves and swine.

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

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

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

Dated: May 5, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[P.R. Doc. 69-5589; Filed, May 12, 1969; 8:45 a.m.]

## Title 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

[Release No. 33-4970]

#### PART 231—INTERPRETATIVE RELEASES RELATING TO SECURITIES ACT OF 1933 AND GENERAL RULES AND REGULATIONS THEREUNDER

##### Expediting Registration Statements Filed Under Securities Act of 1933

The Securities and Exchange Commission in Securities Act Release No. 4934 (published on Nov. 21, 1968; 33 F.R. 17900, Dec. 3, 1968) outlined certain steps that are being taken to expedite the processing of its large backlog of unreviewed registration statements filed under the Securities Act of 1933. As a further step to reduce the amount of paper work and thereby expedite the processing of such statements, the Commission's Division of Corporation Finance has adopted the policy of sending only one copy of its letter of comments or other communications with respect to a registration statement to the issuer or its counsel, as designated on the cover page of the registration statement. If there are underwriters, provision may also be made for sending a copy of the letter of comments to the principal underwriter or its counsel. No additional copies will be sent. In view of the ready availability of office copying machines, the preparation of any additional copies needed would not appear to place any substantial burden on the persons receiving the communication.

By the Commission, May 1, 1969.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[P.R. Doc. 69-5660; Filed, May 12, 1969; 8:46 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 8—Veterans Administration MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter 8 is amended as follows:

#### PART 8-2—PROCUREMENT BY FORMAL ADVERTISING

1. In § 8-2.201, paragraph (g) is added to read as follows:

§ 8-2.201 Preparation of invitations for bids.

(g) The Notice of Requirement for Certification of Nonsegregated Facilities required by FPR 1-2.201(a)(29) will be modified in accordance with the footnote 2 under FPR 1-12.803-10 and prominently displayed in each invitation for bids covering supplies, equipment and services, including construction, estimated to cost in excess of \$10,000.

#### PART 8-12—LABOR

2. In Part 8-12, Subpart 8-12.8 is revised to read as follows:

##### Subpart 8-12.8—Equal Opportunity in Employment

Sec.	
8-12.803	Basic requirements.
8-12.803-2	Equal Opportunity clause.
8-12.805	Administration.
8-12.805-1	Duties of agencies.
8-12.805-2	Educational responsibility.
8-12.805-4	Reports and other required information.
8-12.805-5	Compliance reviews.
8-12.805-6	Complaints.
8-12.805-8	Assumption of jurisdiction by or referrals to the Director.
8-12.805-9	Sanctions and penalties.
8-12.805-10	Disputed matters related to the equal opportunity program.
8-12.805-11	Preadward notices.
8-12.807	Hearings.
8-12.807-1	General.
8-12.810	Affirmative action compliance programs.
8-12.812	Rulings and interpretations.

**AUTHORITY:** The provisions of this Subpart 8-12.8 issued under sec. 205(c), 63 Stat. 390, as amended, 40 U.S.C. 485(c); sec. 210(c), 72 Stat. 1114, 38 U.S.C. 210(c).

##### Subpart 8-12.8—Equal Opportunity in Employment

§ 8-12.803 Basic requirements.

§ 8-12.803-2 Equal Opportunity clause.

The words "race, color, religion, sex, or national origin" will be used in lieu of the words, "race, creed, color, or national origin" wherever they appear in the Equal Opportunity clause (FPR 1-12.803-2).

§ 8-12.805 Administration.

§ 8-12.805-1 Duties of agencies.

(a) The Director, Investigation and Security Service, Central Office is the



VACCO (Veterans Administration Contract Compliance Officer). In this capacity he will develop and enforce the Veterans Administration program and procedures necessary to carry out the provisions of the Executive orders and directives of the Director, Office of Federal Contract Compliance (OFCC) dealing with this program.

(b) Prior to awarding a nonexempt contract, other than those specified in paragraph (d) of this section, the contracting officer will submit to the Veterans Administration Contract Compliance Officer (09) by teletype the information specified in FPR 1-12.805-1 (d) and in addition a brief description of the services or commodities covered by the proposed contract, the dollar value of the proposed contract and state the latest date by which he must be notified so that a contract may be awarded. On receipt of this information, the VACCO will:

(1) Advise the contracting officer that the evidence available to him indicates that the apparent low bidder or offeror and his subcontractor(s), if any, can comply with the Equal Opportunity clause in the plans specified in the contract and that a contract may be awarded; or

(2) Return the teletype submission to the contracting officer stamped "Awardable"; or

(3) Furnish the contracting officer a teletype listing the deficiencies in the proposed contractor or subcontractor's equal opportunity compliance status which must be corrected prior to an award.

(c) The contracting officer, on receipt of advice from the VACCO, will advise the prospective contractor in writing that:

(1) The award is being made; or

(2) Certain deficiencies, which are listed herein, have been found in his compliance with the equal opportunity program and that a contract cannot be awarded to him until such time as he has satisfied the VACCO that he has corrected or will correct such deficiencies.

If determined by the VACCO that the deficiencies noted will be corrected by the contractor during the life of the contract, and if requested by the VACCO, the contract will be modified to so provide.

(d) Contracting officers who have been advised by the VACCO in accordance with paragraph (b) (1) of this section may, for a period of 12 months thereafter, award subsequent nonexempt contracts involving the same plants of the same prime contractor and same subcontractors without notifying the VACCO. However, the contracting officer will, in each instance where an award is made, forward to the VACCO within 10 days VA Form 09-2140, Report of Contract Award.

#### § 3-12.805-2 Educational responsibility.

The VACCO will develop informational and educational literature which he considers necessary to enable a contracting officer to properly administer a contract

subject to the equal opportunity program. This literature will be distributed through the Director, Supply Service.

#### § 3-12.805-4 Reports and other required information.

(a) *Requirements for prime contractors and subcontractors.* Contracting officers will advise each prime contractor meeting the filing requirements of FPR 1-12.805-4 with whom they have contracts to file a Standard Form 100 by the date required. When a contract is to be awarded to a contractor who meets the filing requirements of FPR 1-12.805-4, but who has indicated in his bid or offer that he has not complied with the filing requirements, the contracting officer shall advise him to complete and submit a Standard Form 100 to the address specified in the instructions within 30 days after award with a copy to the VACCO.

(b) *Requirements for bidders or prospective contractors.* Where a bidder or offeror indicates that required reports have not been filed, award will be withheld pending the receipt of a representation from the bidder or offeror that he has submitted all required compliance reports and that he will not make awards to proposed subcontractors until he has received signed statements from them that they have submitted required compliance reports, unless the circumstances in the particular case will not permit the award to be withheld. The file will be documented to show the basis upon which it is determined to make the award to the bidder or offeror without submission by him of the representation. This will not be interpreted to permit award to concerns known to be in established violation.

(c) *Noncompliance by a prospective contractor.* Where a prospective contractor indicates that he will not comply with the provisions of the clause, his bid or proposal must be rejected as nonresponsive. Reports of such instances and their consequences will be referred to the VACCO, through the Director, Supply Service, for such further action as may be indicated.

#### § 3-12.805-5 Compliance reviews.

(a) Upon receipt of a bid or offer for supplies, equipment or services, other than construction, in an amount of \$1 million or more, the contracting officer will furnish the following information, in addition to that required by FPR 1-12.805-1(d), to the VACCO through the Director, Supply Service.

(1) The name of the official signing the bid or proposal;

(2) The dollar amount of the bid or offer;

(3) The date on which the bidder's or offeror's bid or proposal will expire; and

(4) The date on which the contracting officer must receive advice from VACCO in order to award a valid and binding contract.

(b) The VACCO will comply with the requirements of FPR 1-12.805-5(d) and advise the contracting officer as to whether or not the apparent low bidder or offeror, and his known first tier sub-

contractors, can comply with the Equal Opportunity clause.

#### § 3-12.805-6 Complaints.

(a) When a complaint involving the equal opportunity program is received by a contracting officer, he will, if the complaint is oral, advise the complainant to submit his complaint in writing to the VACCO. The complainant will be advised to include in his complaint the information required by FPR 1-12.805-6 (c). Written complaints received by a contracting officer will be forwarded immediately to the VACCO through the Director, Supply Service.

(b) Any apparent breach of the Equal Opportunity clause will be reported promptly by the contracting officer to the VACCO, through the Director, Supply Service, who shall furnish the contractor an opportunity to take the corrective action necessary to place him in compliance with the provisions of the clause.

#### § 3-12.805-8 Assumption of jurisdiction by or referrals to the Director.

When the VACCO has been advised by the Director, OFCC that corrective action must be taken by a current Veterans Administration contractor, or that sanctions are to be imposed, the VACCO shall immediately notify the contracting officer, through the Director, Supply Service, of the action to be taken. The contracting officer shall advise the contractor and in turn the VACCO, through the Director, Supply Service, when the required action has been completed.

#### § 3-12.805-9 Sanctions and penalties.

(a) When in the opinion of the VACCO, consideration should be given to terminating or canceling, in whole or in part, a current contract because of violations of the Equal Opportunity clause, he will request the contracting officer to forward to the contractor the notice required by FPR 1-12.805-9(b). The VACCO shall advise the contracting officer as to the final action to be taken against the contractor.

(b) The Director, Supply Service, on the basis of information furnished to him by the VACCO, will compile, maintain on a current basis, and distribute to all Veterans Administration contracting officers a list of those contractors and subcontractors who, because of violations of the program, have been declared ineligible to receive Government contracts by the Director, OFCC.

#### § 3-12.805-10 Disputed matters related to the equal opportunity program.

All invitations for bids and requests for proposals, which will result in contracts subject to the Equal Opportunity clause, will contain the following:

##### DISPUTED MATTER—EQUAL OPPORTUNITY PROGRAM

Any dispute arising under this contract relating to matters pertaining to the equal opportunity program will be handled pursuant to the provisions of the Equal Opportunity clause of this contract (subcontract or agreement), rather than the Disputes clause contained therein.



§ 3-12.805-11 Preaward notices.

When the Veterans Administration has been requested by the Director, OFCC not to award a contract to a specific contractor, pending the conduct of a preaward survey, the VACCO shall immediately make this fact known to all contracting officers. He shall also advise the contracting officers when, as a result of a preaward survey, a contract may be awarded.

§ 3-12.807 Hearings.

§ 3-12.807-1 General.

All hearings dealing with violations of the Equal Opportunity clause will, with the approval of the Director, OFCC, be conducted by the VACCO or his designee.

§ 3-12.810 Affirmative action compliance programs.

(a) Invitations for bids and requests for proposals which will result in con-

tracts of \$50,000 or more will contain the following:

AFFIRMATIVE ACTION COMPLIANCE PROGRAM—  
EQUAL OPPORTUNITY PROGRAM

Contractors receiving a contract of \$50,000 or more, and who have 50 or more employees, are required to develop and maintain an affirmative action compliance program. (See 41 CFR 1-12.810.) Such programs require identification and analysis of, and the taking of remedial action to solve, problem areas inherent in minority group employment and an evaluation of opportunities for utilization of minority group personnel. The program for each of the contractor's establishments will be developed within 120 days from the commencement of the contract and will be available for any compliance review that may be made.

(b) The contracting officer will, within 10 days after the award of such contract, forward to the VACCO, through the Di-

rector, Supply Service, VA Form 09-2140, Report of Contract Award.

§ 3-12.812 Rulings and interpretations.

Questions concerning the application or interpretation of instructions concerning the equal opportunity program in Government contracting will be referred to the VACCO through the Director, Supply Service. If a ruling or interpretation of a higher authority is required it will be secured and the contracting officer advised.

These regulations are effective immediately.

By direction of the Administrator.

Approved: May 7, 1969.

[SEAL]

A. H. MONK,  
Associate Deputy Administrator.

[P.R. Doc. 69-5677; Filed, May 12, 1969;  
8:47 a.m.]



# Proposed Rule Making

## DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[ 14 CFR Part 71 ]

[Airspace Docket No. 69-CE-5]

### 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 Decorah, Iowa.

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 Decorah, Iowa, Municipal Airport using a city-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 Decorah, Iowa. The new procedure will become effective concurrently with the designation of the transition area. The La Crosse, Wis., Flight Service Station through the Waukon, Iowa, VOR will provide communications for IFR traffic into and out of Decorah Municipal Airport.

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:

DECORAH, IOWA

That airspace extending upward from 700 feet above the surface within a 5½-mile radius of Decorah Municipal Airport (latitude 43°16'35" N., longitude 91°44'50" W.); and within 3 miles each side of the 122° bearing from Decorah Municipal Airport, extending from the 5½-mile radius area to 8 miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within 9½ miles northeast and 4½ miles southwest of the 122° and 302° bearings from Decorah Municipal Airport, extending from 18½ miles southeast to 6 miles northwest of the airport; and within 5 miles each side of the 302° bearing from Decorah Municipal Airport, extending from the airport to 12 miles northwest 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 in Kansas City, Mo., on April 22, 1969.

JOHN A. HARGRAVE,  
Acting Director, Central Region.

[F.R. Doc. 69-5674; Filed, May 12, 1969;  
8:47 a.m.]

### [ 14 CFR Part 71 ]

[Airspace Docket No. 69-SO-42]

### TRANSITION AREA

#### Proposed Designation

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

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Memphis Area Office, Attention: Chief, Air Traffic Branch. Any data, information, 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 Mount Pleasant transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of Maury County Airport; within 9.5 miles southeast and 4.5 miles northwest of the 060° and 227° bearings from Maury County RBN (lat. 35°33'20" N., long. 87°10'57" W.), extending from the 9.5-mile radius area to 18.5 miles northeast and southwest of the RBN.

The proposed transition area is required for the protection of IFR operations in climb from 700 to 1,200 feet above the surface and in descent from 1,500 to 1,000 feet above the surface. Two prescribed instrument approach procedures to Maury County Airport, utilizing the Maury County (private) nondirectional radio beacon, are proposed in conjunction with the designation of this transition area.

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 May 5, 1969.

JAMES G. ROGERS,  
Director, Southern Region.

[F.R. Doc. 69-5675; Filed, May 12, 1969;  
8:47 a.m.]

### Office of the Secretary

#### [ 49 CFR Part 71 ]

[OST Docket No. 23; Notice 69-5]

### MOUNTAIN-PACIFIC STANDARD TIME ZONE BOUNDARY IN STATE OF OREGON

#### Proposed Relocation

The Governor of Oregon has petitioned the Department of Transportation to amend Title 49, § 71.8(a), of the Code of Federal Regulations, to modify the boundary between the mountain and Pacific time zones, as it relates to Malheur County, Oreg.

Section 71.8(a) describes the present boundary between the mountain and Pacific zones, in the State of Oregon as follows:

... thence westerly and northerly along the main channel of the Salmon River to the western boundary of Idaho; thence southerly along the western boundary of Idaho to its intersection with the boundary line between Walla and Baker Counties, Oreg.; thence west along the north line of Baker County to meridian 117° west; thence south along said meridian to the Homestead branch of the Oregon Short Line Railroad; thence southerly immediately west of and parallel to said railroad to Blakes Junction.



Oreg.; thence westerly immediately north of and parallel to the main line of said railroad to Huntington, Oreg.; thence easterly immediately south of and parallel to the said main line of railroad to the western boundary of Idaho; thence southerly along said western boundary to the main line of the Oregon Short Line Railroad between Payette, Idaho, and Ontario, Oreg.; thence southerly immediately west of and parallel to said main line of railroad to Nyssa, Oreg., crossing in said course the Oregon Eastern branch of the Oregon Short Line at Malheur Junction, Oreg.; thence southerly immediately west of and parallel to the Homedale branch of the same railroad to the west line of Idaho; thence south and east along the western and southern boundaries of Idaho to the Malad Valley branch of the Oregon Short Line Railroad near Woodruff, Idaho.

It should be noted that, under § 71.8(e), all municipalities located on the above-described line are considered to be within the mountain time zone, except Huntington, Oreg., which is considered to be within the Pacific time zone.

This line was set by a decision of the Interstate Commerce Commission on April 19, 1923 (78 I.C.C. 606). The line as so established was based primarily on lines of the Oregon Short Line (now Union Pacific) Railroad.

The Governor's petition concerns that part of the line in Malheur County, Oreg. It requests deletion of that part of the above description that reads as follows:

\*\*\* thence easterly immediately south of and parallel to the said main line of railroad to the western boundary of Idaho; thence southerly along said western boundary to the main line of the Oregon Short Line Railroad between Payette, Idaho, and Ontario, Oreg.; thence southerly immediately west of and parallel to said main line of railroad to Nyssa, Oreg., crossing in said course the Oregon Eastern branch of the Oregon Short Line at Malheur Junction, Oreg.; thence southerly immediately west of and parallel to the Homedale branch of the same railroad to the west line of Idaho; \*\*\*

and replacement with the following description:

\*\*\* thence southerly to the northeast corner of Malheur County, Oreg.; thence westerly along the northern boundary of Malheur County to the northwest corner of Malheur County; thence southerly along the western boundary of Malheur County to the Seventh Parallel South; thence easterly along the said Seventh Parallel South to the western boundary of the State of Idaho \*\*\*

The reasons stated in the petition for the change are as follows:

(1) The change would merely establish the boundary to be in such a location as it has been observed to be for such a period of time that no one can recall when or if it has ever been recognized as being elsewhere.

(2) The communities of Malheur County in the described area have long had such close contact with the communities immediately to the east that they wish to remain in the same time zone as those communities.

(3) The proposed change would not adversely affect any established interests which rely on the present boundary as is evidenced by the long practice of time zone observance.

(4) The present local practice of observing a time zone not established by law may result in confusion with regard to elections, bid openings, judicial proceedings, private contracts, insurance policies, liquor laws, and other matters which could require litigation to resolve the questions raised.

Two other matters concerning the Oregon-Idaho time zone boundary are of current concern to the Department. That part of the description, affecting Baker County, that uses the Homestead Branch and takes the boundary line to Blakes Junction and the western boundary of Idaho, is no longer valid due to the abandonment of that part of the railroad. Notice is hereby given that the Department intends to substitute a geographical description that encompasses the territory covered by the description of the abandoned railroad line. Secondly, a technical change is needed in the last part of the description to conform to the Utah-Nevada part of the boundary line set forth in § 71.8(b). Notice is hereby given that the Department intends to delete the words "thence south and east along the western and southern boundaries of Idaho to the Malad Valley branch of the Oregon Short Line Railroad near Woodruff, Idaho" and insert the following in place thereof "thence south and east along the western and southern boundaries of Idaho to the intersection of the Nevada, Utah, and Idaho boundaries". This change does not affect the territory covered by the description.

Under the time zone Act originally enacted in 1918 (15 U.S.C. 261) as amended by the Uniform Time Act of 1966 (15 U.S.C. 260 et seq.), the Secretary

of Transportation is authorized to modify the limits of time zones having regard to "the convenience of commerce and the existing junction points and division points of common carriers engaged in interstate and foreign commerce". Before taking final action to adopt, deny, or modify the proposed boundary which the petition requests, the Secretary of Transportation will consider the timely comments of all interested persons. Communications should identify the regulatory docket or notice number (see above) and be submitted to the: Docket Clerk, Office of the General Counsel, Department of Transportation, 800 Independence Avenue SW., Washington, D.C. 20590.

Communications received on or before June 30, 1969, will be considered before final action is taken on the petition. All docketed comments will be available for examination by interested persons, both before and after the closing date for comments.

In consideration of the foregoing, it is proposed to amend § 71.8(a) of Title 49 of the Code of Federal Regulations, as set forth above.

This proceeding does not concern adherence to or exemption from advanced (daylight saving) time. The Uniform Time Act of 1966 requires observance of advanced time within each established time zone from 2 a.m. on the last Sunday in April to 2 a.m. on the last Sunday in October of each year, but permits any State to exempt itself from this requirement, by law applicable to the entire State. No political subdivision of a State may prescribe a time that is inconsistent with this requirement. The Department of Transportation has no administrative authority with respect to this matter.

This proposal is issued under the authority of the Act of March 19, 1918, as amended by the Uniform Time Act of 1966 (15 U.S.C. 260-267), section 6(e) (5) of the Department of Transportation Act (49 U.S.C. 1655(e) (5)), and Appendix A to Part 5 of the regulations of the Office of the Secretary of Transportation (49 CFR Part 5).

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

R. TENNEY JOHNSON,  
Acting General Counsel.

[F.R. Doc. 69-5678; Filed, May 12, 1969; 8:47 a.m.]



# Notices

## DEPARTMENT OF COMMERCE

Business and Defense Services  
Administration

### GEORGIA INSTITUTE OF TECHNOLOGY 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 8(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. 69-00496-90-46040, Applicant: Georgia Institute of Technology, 225 North Avenue NW., Atlanta, Ga. 30332. Article: Electron microscope, Model JEM-50. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used primarily to obtain micrographs of solid particulates which have been produced and treated in various ways. It is well suited for its intended purposes, namely to produce low resolution micrographs on a routine basis. It will also serve as a tool in selecting the samples that should be studied with a high resolution electron microscope. Besides its research use, it will also serve as an educational tool to introduce students to electron microscopy by means of a simple, easily operated device. Application received by Commissioner of Customs: March 24, 1969.

Docket No. 69-00532-91-46500. Applicant: Bowling Green State University, Department of Biology, Bowling Green, Ohio 43402. Article: Ultramicrotome, Model Reichert "SIDEA OmU2". Manufacturer: C. Reichert Optische Werke A.G., Austria. Intended use of article: The article will be used to section biological materials at thicknesses often less than 100 angstroms. Serial sections of about 50-angstrom thickness will be prepared for study under the electron microscope. It will also be used for training students in the use and theory of the thermal advance ultramicrotome. Research will include studies on the fine structure of developing pollen tubes. Application received by Commissioner of Customs: April 15, 1969.

Docket No. 69-00536-33-46500. Applicant: Cleveland Clinic Foundation, 2020 East 93d Street, Cleveland, Ohio 44106. Article: Ultramicrotome, LKB 8800 Ultratome III. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to produce ultrathin sections of equal thickness from 50 angstroms to 2 microns for electron microscope examination. Tissues to be examined include: Kidney, liver, heart, thyroid, brain, skin, lymph nodes, veins, and arteries. In kidney tissue, the primary study is basement membrane, and in skin, the primary study is collagen and the relationship of normal fibrils to diseased fibrils.

Application received by Commissioner of Customs: April 14, 1969.

Docket No. 69-00542-33-46040. Applicant: Beth Israel Hospital, 330 Brookline Avenue, Boston, Mass. 02215. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used in a large number of scientific investigations which include the following:

a. Cytochemical localization of several hydrolytic enzymes in smooth muscle cells, and their alterations in response to various physiologic, pharmacologic and pathologic stimuli.

b. Cytochemical study of lysosomal enzymes in platelets during aggregation.

c. Ionic movements in the turtle bladder preparation, including the effects of enzymatic poisons.

d. Studies of experimental injury to the gastrointestinal mucosa. In experimental injury to the gastric mucosa induced by generalized stress situations or local increase in intraluminal pressure, an ischemic factor appears important.

e. Analysis of the cellular transformations involved in hyperplasia, metaplasia and neoplasia of the gastrointestinal epithelium.

f. Composition of tubular casts encountered in experimental renal failure.

g. Structure and function of various subcellular fractions of myocardial cells in normal and in experimental cardiac hypertrophy.

h. Pathways and control mechanisms of mammalian epidermal protein synthesis.

i. Effects of various humoral and cellular enzymatic agents on isolated platelet organelle fractions.

j. Effects of various antimicrobial agents on Mycoplasma.

k. Structural and functional alterations in ribosomes and related subcellular organelles in tissue and organ cultures of various mammalian neoplasms.

Application received by Commissioner of Customs: April 18, 1969.

Docket No. 69-00543-33-46070. Applicant: Wayne State University, 5050 Cass Avenue, Detroit, Mich. 48202. Article: Scanning electron microscope, Model JSM-2 and accessories. Manufacturer: Japan Electron Optics Laboratory Co., Japan. Intended use of article: The article will be used for health-related research with special attention focused on details of membrane changes basic to understanding the pathophysiology of disease. Specific problems under study are membrane features and alterations of

a. Blood platelets, the smallest formed  
b. Platelet responses to drugs and particles such as endotoxin and zymosan

c. Red blood cells of anemic subjects with hemolytic and thrombotic complications

d. Synovial lining from patients with arthritic disease

e. White blood cells and reticuloendothelial cells engaged in the processes of phagocytosis and pinocytosis

f. Bacterial surfaces and bacteria-cell interactions in response to drugs

g. Virus in tissue culture lines

Application received by Commissioner of Customs: April 18, 1969.

Docket No. 69-00544-00-41200. Applicant: University of California, Lawrence Radiation Laboratory, 7000 East Avenue, Livermore, Calif. 94550. Article: Klystron tubes, Type VC 104R (3 each). Manufacturer: Varian Associates of Canada, Ltd., Canada. Intended use of article: The articles will be used as direct replacement Klystrons for the 70 GC interferometer system, a diagnostic tool for plasma research. Application received by Commissioner of Customs: April 18, 1969.

Docket No. 69-00546-01-86300. Applicant: University of Wisconsin, 750 University Avenue, Madison, Wis. 53706. Article: Viscoelastometer, Model DDV-II with low temperature bath equipment, Model DDV-LTE. Manufacturer: Toyo Measuring Instruments Co., Ltd., Japan. Intended use of article: The article will be used for both teaching and research purposes. In the plastics laboratory, the students make films of polyvinyl acetate, polyvinyl alcohol, and polystyrene in three experiments. The subsequent examination of these films in the Viscoelastometer will provide the student a means of learning about glass transition, low temperature relaxations and the application of dynamic mechanical testing. The article will also be used for research



concerning intermolecular bonding in block copolymer elastomers. Experiments are planned on films of segmented polyester-urethanes and polyetherurethanes of various aromatic urethane composition. Application received by Commissioner of Customs: April 21, 1969.

Docket No. 69-00548-33-46040. Applicant: University of California, San Diego, La Jolla, Calif. 92037. Article: Electron microscope, Model Elmiskop 101, accessories and spare parts. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used for the following studies:

1. Study of ultrastructure and biochemistry of the nervous system.
2. Study of molecular mechanisms of steroidogenesis in the adrenal.
3. Study of changes in the membranes of alveolar lining cells.

The article will also be used in the education of medical students and postdoctoral investigators. Application received by Commissioner of Customs: April 22, 1969.

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

[F.R. Doc. 69-5640; Filed, May 12, 1969; 8:45 a.m.]

## GEORGIA INSTITUTE OF TECHNOLOGY 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. 69-00545-68-44695. Applicant: Georgia Institute of Technology, 225 North Avenue NW., Atlanta, Ga. 30332. Article: Servomet spark machine, Model SMD. Manufacturer: Metals Research Ltd., United Kingdom. Intended use of article: The article will be used for cutting fine precise cuts for scientific laboratory specimens which are required for electron microscopy and single crystal work. These small specimens must be undeformed on a submicroscopic scale so the metallurgical properties of a particular sample is not changed. Application received by Commissioner of Customs: April 21, 1969.

Docket No. 69-00549-33-46040. Applicant: University of Southern California, School of Medicine, 2025 Zonal Avenue, Los Angeles, Calif. 90033. Article: Electron microscope, Model HU-11E-1. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used full time to screen for viral particles in human and animal tumor study materials as follows:

1. Fresh human tumor tissue.
2. Animal tumors.
3. Hamster tumors that may develop after human tumor transplantation.
4. Tissue culture cells exhibiting altered foci.
5. Moloney concentrates of tumors.
6. Intracellular localization of viral specific antigens.
7. Documentation of "rescue" of defective viral genomes.
8. Antigen labeling intracellularly (localization).
9. Negative stain—high resolution.

Application received by Commissioner of Customs: April 23, 1969.

Docket No. 69-00550-00-46040. Applicant: University of Chicago, Department of Medicine, 950 East 59th Street, Chicago, Ill. 60637. Article: Specimen airlock with electromagnetic beam deflection for Elmiskop 1A electron microscope. Manufacturer: Siemens AG, West Germany. Intended use of article: The article will be used as an accessory to an existing Elmiskop 1A electron microscope used for research on heart muscle. Application received by Commissioner of Customs: April 23, 1969.

Docket No. 69-00551-01-77030. Applicant: Florida Atlantic University, Boca Raton, Fla. 33432. Article: Nuclear magnetic resonance spectrometer, Model JNM-C-60HL. Manufacturer: Japan Electron Optics Laboratory Co., Inc., Japan. Intended use of article: The article will be used for both teaching and research. Undergraduate and graduate courses include introductory and advanced organic chemistry, special topics in organic chemistry, physical chemistry, and instrumental analysis. The article will also be used for undergraduate research projects in chemistry providing professional majors with the opportunity to use nuclear magnetic resonance extensively in carrying out structure determination on unknown compounds which result from their synthetic investigations. Application received by Commissioner of Customs: April 24, 1969.

Docket No. 69-00552-00-77030. Applicant: East Tennessee State University, Johnson City, Tenn. 37601. Article: Hetero-nuclear spin decoupler, Model SD-HB for a NMR spectrometer. Manufacturer: Japan Electron Optics Laboratory Co., Inc., Japan. Intended use of article: The article will be used for both instruction and research. The instructional use will be in connection with an instrumental analysis course, with an introductory organic chemistry course and with an nmr course. The initial use of the decoupler for research will be in connection with elucidating structures of fluorine compounds for the inorganic chemists, elucidating structures of some nitrogen containing compounds by N<sup>15</sup> decoupling for an organic chemist and determining stereochemistry of deuterium containing bicyclic compounds synthesized by undergraduates and graduates by deuterium irradiation. Application received by Commissioner of Customs: April 24, 1969.

Docket No. 69-00553-33-46040. Applicant: University of Wisconsin, 750 University Avenue, Madison, Wis. 53706. Article: Electron microscope, Model EM6B (demonstrator). Manufacturer: GEC-AEI (Electronics) Ltd., United Kingdom. Intended use of article: The article will be used for both research and training. The following specific uses are planned:

1. Radioautographic techniques at the ultrastructural level to trace the localization of pesticides in the target tissue.
2. Host-parasite interactions on the sub-cellular level such as our recent studies concerned with clarifying the nature of the attachment of a protozoan in the gut of a stored-product insect.
3. Insect blood cell phagocytosis studies with ferretin, labeled pathogenic bacteria.
4. Taxonomic bacterial studies which necessitates determining the presence, location of attachment, number, etc. of flagella and pili.
5. Micromorphology of insect sensory receptor cells.
6. Ultrastructure of insect ideal cells in an effort to explain their endocrine function and photoperiodic cycles.
7. Use as a training instrument in graduate level courses in "Insect Pathology" and "Insect Transmission of Plant Diseases".

Application received by Commissioner of Customs: April 24, 1968.

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

[F.R. Doc. 69-5641; Filed, May 12, 1969; 8:45 a.m.]

## UNIVERSITY OF ILLINOIS

### 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. 69-00458-00-77040. Applicant: University of Illinois, Purchasing Division, 223 Administration Building, Urbana, Ill. 61801. Article: Field ion source, Type EF04B. Manufacturer: Atlas Mass und Analysen Technik, GMBH, West Germany. Intended use of article: The article will be used to determine two types of mass spectra without removing the ion source and breaking vacuum. Domestically manufactured similar items are not interchangeable nor compatible with the foreign items for which the foreign article is intended. 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 an accessory for a mass spectrometer which had been previously imported by the applicant. The accessory is being furnished by the manufacturer of the instrument with which it is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article or which can be adapted to the instrument 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. 69-5642; Filed, May 12, 1969; 8:45 a.m.]

## PITTSYLVANIA COUNTY SCHOOLS, VIRGINIA

### 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. 69-00473-00-61800. Applicant: Pittsylvania County Schools, Educational and Cultural Center, Chatham, Va. 24531. Article: Geocentric earth accessory for an existing Goto Planetarium. Manufacturer: Goto Manufacturing Co.,

Japan. Intended use of article: The article will be used as an accessory to an existing Goto Planetarium installed in the school last year. 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 an accessory for a planetarium which had been previously imported by the applicant. The accessory is being furnished by the manufacturer

of the apparatus with which it is intended to be used.

The Department of Commerce knows of no similar accessory being manufactured in the United States, which is interchangeable with the foreign article or can be adapted to the planetarium 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. 69-5643; Filed, May 12, 1969; 8:45 a.m.]

## Maritime Administration

### AMERICAN PRESIDENT LINES, LTD.

#### Notice of Application for Approval of Certain Cruises

Notice is hereby given that American President Lines, Ltd., has canceled certain previously approved cruises and has applied for approval pursuant to section 613 of the Merchant Marine Act, 1936, as amended, for certain additional cruises during 1969 and 1970.

Previously approved cruises which have been canceled are as follows:

Ship	Approximate cruise dates	Itinerary
President Roosevelt.....	Oct. 17, 1969-Jan. 14, 1970.....	San Francisco, Los Angeles, Acapulco, Balboa, Cristobal, Kingston, Port Everglades, Bermuda, Ponta Delgada, Lisbon, Casablanca, Dakar, Capetown, Durban, Mombassa, Port Victoria (Seychelles), Bombay, Colombo, Singapore, Hong Kong, Kobe, Yokohama, Honolulu, San Francisco.
President Cleveland.....	Dec. 20, 1969-Feb. 23, 1970.....	San Francisco, Los Angeles, Honolulu, Papeete, Pago Pago, Suva, Auckland, Sydney, Port Moresby, Ball, Singapore, Hong Kong, Manila, Guam, Honolulu, San Francisco.
President Wilson.....	Dec. 23, 1969-Jan. 4, 1970.....	San Francisco, Los Angeles, Acapulco, Los Angeles, San Francisco.
President Roosevelt.....	April 23, 1970-May 5, 1970.....	San Francisco, Los Angeles, Acapulco, Los Angeles, San Francisco.

New cruises for which approval is now being sought are as follows:

Ship	Approximate cruise dates	Itinerary
1969		
President Wilson.....	Sept. 24-Oct. 12.....	San Francisco, Los Angeles, Puerto Vallarta, Acapulco, Mazatlan, La Paz, Los Angeles, San Francisco.
Do.....	Oct. 13-Oct. 20.....	San Francisco, Los Angeles, San Diego, Ensenada, Los Angeles, San Francisco.
President Roosevelt.....	Oct. 17-Nov. 13.....	San Francisco, Los Angeles, Puerto Vallarta, Acapulco, Balboa, Mazatlan, La Paz, San Francisco.
President Wilson.....	Oct. 27-Dec. 3.....	San Francisco, Los Angeles, Nukuhiva, Moorea, Papeete, Rarotonga, Nuku Aloa, Noumea, Suva, Pago Pago, Honolulu, Kahului, Hilo, San Francisco, Los Angeles.
President Roosevelt.....	Nov. 14-Dec. 14.....	San Francisco, Los Angeles, Acapulco, Balboa, Cristobal, Curacao, Bridgetown, St. John's, Charlotte Amalie (St. Thomas), San Juan (Puerto Rico), Kingston, Cristobal, Balboa, Puerto Vallarta, Los Angeles, San Francisco.
President Wilson.....	Dec. 4-Dec. 22.....	San Francisco, Los Angeles, Puerto Vallarta, Acapulco, Mazatlan, La Paz, Los Angeles, San Francisco.
Do.....	Dec. 23-Dec. 26.....	San Francisco to sea and return to San Francisco.
President Cleveland.....	Dec. 29-Jan. 9, 1970.....	San Francisco, Los Angeles, Puerto Vallarta, Acapulco, Mazatlan, La Paz, San Francisco.
President Wilson.....	Dec. 27-Jan. 2, 1970.....	San Francisco, Los Angeles, San Diego, Ensenada, San Francisco.
1970		
Do.....	Jan. 3-Mar. 11.....	San Francisco, Los Angeles, Honolulu, Papeete, Pago Pago, Suva, Auckland, Sydney, Port Moresby, Ball, Singapore, Hong Kong, Manila, Guam, Honolulu, San Francisco.
President Cleveland.....	Jan. 10-Feb. 9.....	San Francisco, Los Angeles, Acapulco, Balboa, Cristobal, Curacao, Bridgetown, St. John's (Antigua), Charlotte Amalie, San Juan, Kingston, Cristobal, Balboa, Puerto Vallarta, Los Angeles, San Francisco.
Do.....	Mar. 27-Mar. 31.....	San Francisco to sea and return to San Francisco.
President Roosevelt.....	Mar. 24-May 28.....	San Francisco, Los Angeles, Acapulco, Balboa, Cristobal, Kingston, Pinaros, Rhodes, Haifa, Naples, Nice, Palma, Funchal, Charlotte Amalie, Cristobal, Balboa, Mazatlan, Los Angeles, San Francisco.
President Cleveland.....	Apr. 1-Apr. 16.....	San Francisco, Los Angeles, Mazatlan, Acapulco, Los Angeles, San Francisco.
President Roosevelt.....	May 29-June 2.....	San Francisco to sea and return to San Francisco.
President Cleveland.....	June 3-June 21.....	Los Angeles, San Francisco, Vancouver, Hilo, Kahului, Honolulu, Los Angeles, San Francisco.



Ship	Approximate cruise dates	Itinerary
President Wilson	June 4-June 8	San Francisco to sea and return to San Francisco.
Do	June 8-June 11	San Francisco to sea and return to San Francisco.
Do	June 12-June 17	San Francisco, Los Angeles, San Diego, Ensenada, Los Angeles, San Francisco.
Do	June 18-July 2	Los Angeles, San Francisco, Vancouver, Juneau, Skagway, Sitka, Victoria, Los Angeles, San Francisco.
Do	July 3-July 6	San Francisco to sea and return to San Francisco.
Do	July 7-Sept. 3	San Francisco, Los Angeles, Acapulco, Balboa, Cristobal, Kingston, Bermuda, Lisbon, London, Oslo, Copenhagen, Stockholm, Helsinki, Kiel Canal, Amsterdam, Le Havre, Bermuda, Kingston, Cristobal, Balboa, Puerto Vallarta, Los Angeles, San Francisco.
President Roosevelt	Aug. 22-Sept. 8	Los Angeles, San Francisco, Vancouver, Hilo, Kahului, Honolulu, San Francisco, Los Angeles.
President Wilson	Sept. 4-Sept. 8	San Francisco to sea and return to San Francisco.
Do	Sept. 9-Sept. 23	San Francisco, Los Angeles, Acapulco, Mazatlan, Los Angeles, San Francisco.
President Roosevelt	Sept. 9-Oct. 16	San Francisco, Los Angeles, Nukuhiva, Moorea, Papeete, Harotonga, Nuku Alofa, Noumea, Suva, Pago Pago, Honolulu, Kahului, Hilo, San Francisco.
Do	Oct. 17-Nov. 12	San Francisco, Los Angeles, Puerto Vallarta, Acapulco, Balboa, Mazatlan, La Paz, Los Angeles, San Francisco.
President Cleveland	Nov. 3-Jan. 8, 1971	San Francisco, Los Angeles, Honolulu, Papeete, Pago Pago, Suva, Auckland, Sydney, Port Moresby, Bali, Singapore, Hong Kong, Manila, Guam, Honolulu, San Francisco.
President Wilson	Nov. 12-Dec. 13	San Francisco, Los Angeles, Acapulco, Balboa, Cristobal, Curacao, Bridgetown, St. John's, Charlotte Amalie, San Juan, Kingston, Cristobal, Balboa, Puerto Vallarta, Los Angeles, San Francisco.
President Roosevelt	Nov. 13-Nov. 16	San Francisco to sea and return to San Francisco.
Do	Nov. 22-Dec. 22	San Francisco, Los Angeles, Acapulco, Balboa, Cristobal, Curacao, Bridgetown, St. John's, Charlotte Amalie, San Juan, Kingston, Cristobal, Balboa, Puerto Vallarta, San Francisco.
President Wilson	Dec. 14-Feb. 17, 1971	Los Angeles, San Francisco, Honolulu, Papeete, Pago Pago, Suva, Auckland, Sydney, Port Moresby, Bali, Singapore, Hong Kong, Manila, Guam, Honolulu, San Francisco, Los Angeles.
President Roosevelt	Dec. 23-Jan. 6, 1971	San Francisco, Los Angeles, Acapulco, Mazatlan, Los Angeles, San Francisco.

Any person, firm, or corporation having any interest, within the meaning of section 613 of the Merchant Marine Act, 1936, as amended, in the foregoing who desires to offer data, views, or arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington, D.C. 20235, by the close of business on May 29, 1969. In the event an opportunity to present oral argument is also desired, specific reasons for such request should be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

Dated: May 8, 1969.

By order of the Maritime Subsidy Board.

JOHN M. O'CONNELL,  
Assistant Secretary.

(P.R. Doc. 69-5686; Filed, May 12, 1969; 8:48 a.m.)

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration ADRENOCORTICOTROPIC HORMONE 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 marketed by Armour-Baldwin Labs., Division of Armour Pharmaceutical Co.,

2465 North 16th Street, Omaha, Nebr. 68103:

1. Dynamone, an injectable containing per each 10-cubic centimeter vial 100 units of corticotropin to be mixed with 50 percent glucose.

2. D-40, an injectable containing per each 4-cubic centimeter vial 40 units of corticotropin to be mixed with 5 percent glucose in sodium chloride injection.

3. Adrenomone, a repository corticotropin injection containing 40 or 80 units of adrenocorticotrophic hormone per cubic centimeter in a 16 percent gelatin.

The Academy concludes that these drugs are effective therapeutic agents for primary bovine ketosis and for stimulation of the adrenal cortex. The Food and Drug Administration concurs with the Academy's evaluation.

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

#### INDICATIONS

For stimulation of the adrenal cortex where there is a general deficiency of ACTH. As a therapeutic agent for primary bovine ketosis.

#### DOSAGE AND ADMINISTRATION

Repository corticotropin in 16 percent gelatin for intramuscular and subcutaneous injection. The product contains 40 or 80 units per cubic centimeter.

Cattle: Intramuscular or subcutaneous 200-600 units initially followed by daily or every other day with 200-300 units.

Small animals: Intramuscular or subcutaneous 1 unit per pound of body weight initially and repeat as indicated.

Corticotropin injection with glucose and/or glucose with sodium chloride injection. 100 units in a 10-cubic centimeter vial to be mixed with 50 percent glucose and 40 units

in a 4-cubic centimeter vial to be mixed with 5 percent glucose in sodium chloride injection accomplished by aseptic transfer. Product is for immediate administration preferably for intravenous use by slow drip.

Cattle: Intravenous 200 to 600 units followed by daily or every other day intramuscular or subcutaneous injection of 200 to 300 units.

Small animals: Intravenous 1 unit per pound of body weight; repeat as necessary or follow up with intramuscular or subcutaneous injection.

Prolonged use in large animals should be supplemented with 5 to 10 grams of potassium chloride in the daily diet; small animals—1 gram potassium chloride daily.

#### CONTRAINDICATIONS

Do not use in animals showing adrenal insufficiency.

#### SIDE EFFECTS

Prolonged administration of large doses of ACTH induces hyperplasia and hypertrophy of the adrenal cortex.

CAUTION: Reduce or temporarily withdraw drug when untoward reaction appears from use of ACTH.

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

This evaluation is concerned only with these drugs' effectiveness and safety to the animal to which administered. It does not take into account the safety for food use of food derived from drug-treated animals. Nothing in this announcement will constitute a bar to further proceedings with respect to questions of safety of these drugs or their metabolites as residues in food products derived from drug-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 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 applications for the subject drugs has been mailed a copy of the NAS-NRC reports. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to these 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: May 6, 1969.

J. K. KIRK,  
Associate Commissioner  
for Compliance.

[F.R. Doc. 69-5657; Filed, May 12, 1969;  
8:46 a.m.]

## FEDERAL MARITIME COMMISSION

### HELLENIC LINES, LTD., AND COMPAGNIE MALGACHE DE NAVIGATION

#### Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. C. N. Velokas, Hellenic Lines, Ltd.,  
39 Broadway, New York, N.Y. 10006.

Agreement No. 9792, between Hellenic Lines, Ltd., and Compagnie Malgache De Navigation establishes a through billing arrangement for the movement of packaged general cargo consisting principally of tea, sisal, and coffee, from ports in the Malagasy Republic to U.S. ports in the Brownsville/Key West range, inclusive, and the Jacksonville/Boston range, inclusive, with transshipment at a port in South Africa, in accordance with the terms and conditions specified in the agreement.

Dated: May 8, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 69-5679; Filed, May 12, 1969;  
8:48 a.m.]

## FEDERAL POWER COMMISSION

### UTAH

#### Vacation of Withdrawal of Lands

APRIL 15, 1969.

Application has been filed by the U.S. Forest Service for vacation of the power withdrawal under the Federal Power Act pertaining to lands of the United States which were withdrawn pursuant to the filing on November 9, 1925, of an application for license for Project No. 671 for which the Commission gave notice of land withdrawal to the General Land Office (now Bureau of Land Management) by letter dated November 19, 1925. The lands, described in accordance with GLO memorandum of June 14, 1945, which construed the withdrawal to conform to the extension survey and partial dependent resurvey in T. 4 S., R. 2 E., Salt Lake Meridian, Utah, accepted May 17, 1945, are as follows:

#### SALT LAKE MERIDIAN, UTAH

T. 4 S., R. 2 E.,  
Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ ,  
W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 8, lots 1, 2, 3, 4, 5, 6, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$   
SW $\frac{1}{4}$ ;  
Sec. 9, lots 1, 2, 3, 4, 5, 6, W $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$   
NW $\frac{1}{4}$ .  
(Approximately 801.62 acres.)

All portions of the following described tracts lying within 25 feet of the centerline of the 110-volt control line location shown on a map designated "Exhibits K & L" and entitled "Detailed Map of Alpine Project of Utah Power & Light Company, Showing Location of Dam, Power House, Lands, Centerline of Pipe and Power Lines and General Design Drawings," and filed in the office of the Federal Power Commission on November 9, 1925:

T. 4 S., R. 2 E.,  
Sec. 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 5, lot 5.  
(Acreage undeterminable from the map.)

The portion of the following described tract lying within 50 feet of the centerline of the pipeline location shown on the above described map:

T. 4 S., R. 2 E.,  
Sec. 9, NE $\frac{1}{4}$ NW $\frac{1}{4}$ .  
(Acreage undeterminable from the map.)

The lands lie within the Uinta National Forest about 15 miles south-southeast of Salt Lake City and are located along or near Dry Creek (also known as Alpine Creek), a tributary of the Jordan River which is a tributary to Great Salt Lake.

While a Commission license for Project No. 671 was issued for the project for a period effective June 1, 1927, and terminating June 30, 1970, the licensee, finding that continued operation of the project would not be economical, applied for surrender of its license. By its order of September 17, 1965, the Commission accepted surrender of the license, effective August 31, 1966.

The NE $\frac{1}{4}$ SW $\frac{1}{4}$  of sec. 8 of the subject lands is also withdrawn in Power Site

Reserve No. 378 dated July 1, 1913, made to protect the Alpine Project prior to the withdrawal under section 24 of the Federal Power Act pursuant to the application for license for the project.

The Commission finds: Inasmuch as the lands have no power value the power withdrawals pertaining to the lands serve no useful purpose and should be revoked and vacated. Accordingly, it has no objection to restoration of Power Site Reserve No. 378.

The Commission orders: The withdrawal of the lands pursuant to the application for Project No. 671 is hereby vacated in its entirety.

By the Commission.

[SEAL]

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-5646; Filed, May 12, 1969;  
8:45 a.m.]

[Docket No. RP69-34]

## CARNEGIE NATURAL GAS CO.

### Notice of Proposed Change in Rate and Charge

MAY 5, 1969.

Notice is hereby given that Carnegie Natural Gas Co. (Carnegie) on April 29, 1969, tendered for filing a proposed change in its FPC Gas Tariff, First Revised Volume No. 1, to become effective May 28, 1969. The proposed change would increase the rate from 20 cents to 25 cents per Mcf which is contained in Rate Schedule S-4, covering sales for resale of gas to United Fuel Gas Co. Rate Schedule S-4 is applicable to gas sales from production in Jackson County, W. Va.

In support of the proposed increased rate, Carnegie states it conforms to the area rates for independent producers and it submitted United Fuel's letter indicating that it is agreeable to the increase subject to the Commission's approval of the rate and effective date.

Any person desiring to be heard or to make any protest with reference to this rate filing should on or before May 19, 1969, file with the Federal Power Commission, Washington, D.C. 20426 a petition to intervene or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The rate filing is on file with the Commission and available for public inspection.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-5644; Filed, May 12, 1969;  
8:45 a.m.]



[Docket No. CP69-278]

**SOUTHERN NATURAL GAS CO.****Notice of Application**

MAY 6, 1969.

Take notice that on April 25, 1969, Southern Natural Gas Co. (Applicant), Post Office Box 2563, Birmingham, Ala. 35202, filed in Docket No. CP69-278 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities from its Main Pass-South Pass pipeline to enable it to receive gas to be purchased in Main Pass Blocks 273, 305, and 306, offshore Louisiana, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it proposes to purchase gas produced in these blocks from Signal Oil and Gas Co., a division of The Signal Companies, Inc., The Louisiana Land & Exploration Co., Amerada Petroleum Corp., and Marathon Oil Co. (hereinafter referred to collectively as Sellers) pursuant to a contract, dated April 9, 1969.

Specifically, Applicant proposes to construct and operate the following facilities:

(1) Approximately 3.2 miles of 18-inch pipeline extending in a generally south-southeasterly direction from Applicant's Platform "B" in Main Pass Block 293 to Sellers' Platform "D" in Main Pass Block 306;

(2) A receiving station on Sellers' said Platform "D", and

(3) Inlet and outlet side valves, block valves, and other related facilities to be located at a mutually satisfactory point on Applicant's pipeline onshore in South Louisiana, to enable Applicant to deliver gas to Sellers for processing for the extraction of liquefiable hydrocarbons and to accept redelivery of gas after such processing.

Applicant also requests authorization to transport gas for plant use, fuel, loss and shrinkage from Sellers' proposed delivery point to the onshore processing plant.

The application indicates the total estimated cost of the proposed project to be \$1,826,210, which cost will be financed initially by bank loans which will be repaid from cash from current operations and/or from permanent financing.

Any persons desiring to be heard or to make any protests with reference to said application should on or before June 2, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to a proceeding. Persons wishing to become parties to a proceeding or to participate as a party in

any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

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

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-5647; Filed, May 12, 1969;  
8:45 a.m.]

[Docket No. CP68-323]

**TIDAL TRANSMISSION CO.****Notice of Petition To Amend**

MAY 6, 1969.

Take notice that on April 29, 1969, Tidal Transmission Co. (Petitioner), 608 Gulf States Building, Dallas, Tex. 75201, filed in Docket No. CP68-323 a petition to amend the order issued in said docket on September 4, 1968, by requesting that its offshore pipeline system be extended approximately 16.6 miles to the High Island Area, Offshore Texas, all as more fully set forth in the petition to amend which is on file with the Commission and open to public inspection.

Specifically, Petitioner seeks to have the aforementioned order amended to authorize the construction and operation of approximately 16.6 miles of 12-inch pipeline from its existing system in the vicinity of Block 165 in the West Cameron Area, Offshore Louisiana, to Block 129 in the High Island Area, Offshore Texas, in order to connect gas reserves dedicated to Natural Gas Pipeline Company of America (Natural) by Sun Oil Co. and others.

The total estimated cost of the proposed facilities is \$1,842,000, which is to be financed initially through short-term loans and permanently through the issuance of long-term secured notes.

Further, Petitioner proposes to amend its existing Transportation Agreement dated September 23, 1968, with Natural and presently filed with the Commission as Petitioner's FPC Gas Tariff, Original Volume No. 1. The proposed amendment will reduce Petitioner's transportation rate for all volumes transported for Natural, including the additional transportation volumes resulting from the facilities proposed herein, from 4 cents

per Mcf with 2 cents per Mcf for excess volumes to 3.3 cents per Mcf and increase the contract demand from 80,250 Mcf per day to 117,750 Mcf per day. Petitioner proposes to enter a new supplemental transportation Agreement with Natural providing for such reduced rates, and also signifies its willingness to eliminate the 2 cents per Mcf charge for excess transportation volumes, if the Commission will remove the condition contained in ordering paragraph (G) of its September 4, 1968, order providing for the submission of cost supporting its transportation rate within 20 months of reaching full operations.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 2, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-5648; Filed, May 12, 1969;  
8:45 a.m.]

[Docket No. CP69-283]

**TOWN OF TISHOMINGO, MISS., AND  
ALABAMA-TENNESSEE NATURAL  
GAS CO.****Notice of Application**

MAY 5, 1969.

Take notice that on May 1, 1969, the town of Tishomingo, Miss. (Applicant) filed in Docket No. CP69-283 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Alabama-Tennessee Natural Gas Co. (Respondent) to establish physical connection of its transmission facilities with the proposed facilities of Applicant and to sell and deliver natural gas to Applicant for resale and distribution in Tishomingo and environs, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Applicant states that it proposes to construct and operate a distribution system to render the proposed service and approximately 12.94 miles of 2-inch and 3-inch pipeline to connect said distribution facilities with Respondent's transmission line. The application indicates the estimated third year peak day and annual natural gas requirements to be 427.9 Mcf and 48,086 Mcf, respectively.

Applicant states that the total estimated cost of its proposed project is



\$292,000, which cost will be financed from the sale of natural gas revenue bonds.

Any persons desiring to be heard or to make any protest with reference to said application should on or before June 2, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,  
Acting Secretary.

[F.R. Doc. 69-5649; Filed, May 12, 1969;  
8:45 a.m.]

[Docket No. CP69-282]

### TRACY CITY, TENN., AND EAST TENNESSEE NATURAL GAS CO.

#### Notice of Application

MAY 6, 1969.

Take notice that on May 1, 1969, the city of Tracy City, Tenn. 37387 (Applicant) filed in Docket No. CP69-282 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing East Tennessee Natural Gas Co. (Respondent) to establish physical connection of its transmission facilities with the facilities to be constructed by Applicant and to sell and deliver volumes of natural gas to Applicant for resale and distribution in Tracy, Tenn., and environs, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks to have the Commission order Respondent to tap its transmission line and to sell and deliver volumes of natural gas for resale and distribution in Tracy and environs. Applicant plans to construct and operate a distribution system which will utilize the Respondent's gas.

The estimated third year peak day and annual requirements of Applicant's system are 612 Mcf and 59,514 Mcf, respectively.

Applicant's distribution system is estimated to cost \$278,000, which will be financed through the sale of gas revenue bonds.

Any person desiring to be heard or to make any protest with reference to said application should on or before June 2, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered

by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

GORDON M. GRANT,  
Secretary.

[F.R. Doc. 69-5645; Filed, May 12, 1969;  
8:45 a.m.]

## FEDERAL RESERVE SYSTEM

### BANKERS TRUST NEW YORK CORP.

#### Order Approving Acquisition of Bank Stock by Bank Holding Company

In the matter of the application of Bankers Trust New York Corp., New York, N.Y., for approval of acquisition of all of the voting shares (less directors' qualifying shares) of Peoples Bank of Long Island, National Association, Patchogue, N.Y.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by Bankers Trust New York Corp., New York, N.Y., a registered bank holding company, for the Board's prior approval of the acquisition of all of the voting shares (less directors' qualifying shares) of Peoples Bank of Long Island, National Association, Patchogue, N.Y.

As required by section 3(b) of the Act, the Board notified the Comptroller of the Currency of the application and requested his views and recommendation. The Comptroller recommended approval of the application.

As discussed in the accompanying statement, the New York State Banking Board approved an application involving the same proposal in accordance with the recommendation of the New York State Superintendent of Banks, and advised this Board of its action.

Notice of receipt of the application was published in the FEDERAL REGISTER on February 27, 1969 (34 F.R. 2696), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement<sup>1</sup> of this date, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be con-

<sup>1</sup> Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of New York.

summated (a) before the 30th calendar day following the date of this order, or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of New York pursuant to delegated authority.

Dated at Washington, D.C., this 5th day of May 1969.

By order of the Board of Governors.<sup>2</sup>

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-5650; Filed, May 12, 1969;  
8:45 a.m.]

### FIRST AT ORLANDO CORP.

#### Order Approving Acquisition of Bank Shares by Bank Holding Company

In the matter of the application of First at Orlando Corp., Orlando, Fla., for approval of acquisition of at least 80 percent of the voting shares of St. Lucie County Bank, Fort Pierce, Fla.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), and § 222.3(a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by First at Orlando Corp., Orlando, Fla., a registered bank holding company, for the Board's prior approval of the acquisition of at least 80 percent of the voting shares of St. Lucie County Bank, Fort Pierce, Fla.

As required by section 3(b) of the Act, the Board notified the Florida Commissioner of Banking of receipt of the application and requested his views and recommendation. The Commissioner recommended approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on February 4, 1969 (34 F.R. 1708), providing an opportunity for interested persons to submit comments and views with respect to the proposed transaction. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Board's Statement<sup>1</sup> of this date, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Atlanta pursuant to delegated authority.

<sup>2</sup> Voting for this action: Chairman Martin and Governors Robertson, Daane, Maisel, Brimmer, and Sherrill. Absent and not voting: Governor Mitchell.

<sup>1</sup> Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Atlanta.



Dated at Washington, D.C., this 5th day of May 1969.

By order of the Board of Governors.\*

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-5651; Filed, May 12, 1969;  
8:46 a.m.]

### GIRARD TRUST BANK

#### Order Approving Merger of Banks

In the matter of the application of Girard Trust Bank for approval of merger with South Penn Square Bank.

There has come before the Board of Governors, pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), an application by Girard Trust Bank, Philadelphia, Pa., a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank with South Penn Square Bank, Philadelphia, Pa., under the charter of the latter and the title of Girard Trust Bank. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Attorney General on the competitive factors involved in the proposed merger:

It is hereby ordered, For the reasons set forth in the Board's Statement<sup>1</sup> of this date, that said application be and hereby is approved: *Provided*, That said merger shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Philadelphia pursuant to delegated authority.

Dated at Washington, D.C., this 5th day of May 1969.

By order of the Board of Governors.\*

[SEAL] ROBERT P. FORRESTAL,  
Assistant Secretary.

[F.R. Doc. 69-5652; Filed, May 12, 1969;  
8:46 a.m.]

### OFFICE OF EMERGENCY PREPAREDNESS

#### WISCONSIN

#### Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order

\* Voting for this action: Chairman Martin and Governors Robertson, Mitchell, Daane, Malsel, Brimmer, and Sherrill.

<sup>1</sup> Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Philadelphia.

\* Voting for this action: Chairman Martin and Governors Mitchell, Malsel, Brimmer, and Sherrill. Absent and not voting: Governors Robertson and Daane.

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

I have determined that the damages in those areas of the State of Wisconsin adversely affected by flooding beginning on or about March 25, 1969, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 81-875. I, therefore, declare that such a major disaster exists in Wisconsin.

I do hereby determine the following areas in the State of Wisconsin to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of May 1, 1969:

The Counties of:

Ashland,  
Buffalo,  
Crawford,  
Dunn,  
Eau Claire,  
Grant,  
Iron,  
La Crosse.

Lincoln,  
Pepin,  
Pierce,  
St. Croix,  
Trempealeau,  
Vernon,  
Wood.

Dated: May 7, 1969.

G. A. LINCOLN,  
Director,  
Office of Emergency Preparedness.

[F.R. Doc. 69-5653; Filed, May 12, 1969;  
8:46 a.m.]

### SECURITIES AND EXCHANGE COMMISSION

[811-1767]

#### CHRISTOPHER PARTNERS

#### Notice of Filing of Application for Order Declaring That Company Has Ceased To Be Investment Company

MAY 7, 1969.

Notice is hereby given that Christopher Partners ("Applicant"), 1 Chase Manhattan Plaza, New York, N.Y. 10005, a New York partnership registered as a management closed-end nondiversified investment company under the Investment Company Act of 1940 ("Act"), 15 U.S.C. section 80a-1 et seq., has filed an application pursuant to section 8(f) of the Act for an order declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant was originally organized as an investment club and registered under

the Act on November 21, 1968, because it proposed at that time to make a public offering. By reason of business considerations, Applicant has now abandoned the proposed public offering.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order which, if necessary for the protection of investors, may be made upon appropriate conditions, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than May 29, 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 the Applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F.R. Doc. 69-5651; Filed, May 12, 1969;  
8:47 a.m.]

### CONTINENTAL INVESTMENT CORP.

#### Order Suspending Trading

MAY 7, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Investment Corp. (an Arizona corporation) 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 May 7, 1969, at 11:30 a.m., e.d.t., through May 16, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[P.R. Doc. 69-5662; Filed, May 12, 1969;  
8:47 a.m.]

[File No. 24D-2825]

## GREENWOOD MANAGEMENT CORP.

### Order Temporarily Suspending Exemption, Statement of Reasons Therefor and Notice of Opportunity for Hearing

MAY 7, 1969.

I. Greenwood Management Corp. (issuer), a Utah corporation, 431 South Third East, Suite 102, Salt Lake City, Utah, with offices located at Salt Lake City, Utah, filed with the Commission on December 23, 1968, a notification on Form 1-A and an offering circular relating to an offering of 300,000 shares of common stock, at 10 cents per share for an aggregate of \$30,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof, and Regulation A promulgated thereunder. Kenneth M. Hisatake of Salt Lake City was designated as agent for the issuer in connection with the sale of the shares offered and was to receive no commission. The offering commenced February 24, 1969.

II. The Commission has reasonable cause to believe from information reported to it by the staff that:

A. The terms and conditions of Regulation A were not complied with in that:

1. The Form 1-A filed on behalf of the issuer fails to disclose Curtis Minerals as an affiliate of the issuer;

2. The Form 1-A fails to disclose sales of unregistered securities by its affiliates within 1 year prior to the filing of Form 1-A and present or proposed offerings of securities by affiliates;

3. The offering circular fails to disclose all material transactions within the past 2 years between the issuer and persons affiliated with and controlling the issuer;

4. The offering circular filed on behalf of the issuer fails to disclose that net cash proceeds of the offering were to be used, in significant part, to repay a loan incurred in the acquisition of shares of stock of an affiliate of the issuer;

5. The offering circular fails to include accurate and adequate financial statements of the issuer.

B. The offering circular contains untrue statements of material facts and omits to state material facts necessary to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to:

1. The failure to accurately and adequately disclose the assets and liabilities of the issuer;

2. The failure to disclose certain material transactions between the issuer and its promoters and affiliates;

3. The failure to disclose that a public offering of securities of an affiliated issuer was in progress at the time of the issuer's public offering pursuant to Regulation A;

4. The failure to accurately and adequately set forth the uses to which proceeds of the offering would be applied.

C. The offering was made in violation of section 17(a) of the Securities Act of 1933, as amended, by reason of the matters described above.

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), subparagraphs (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.

[P.R. Doc. 69-5663; Filed, May 12, 1969;  
8:47 a.m.]

[File No. 7-3078]

## LOEW'S THEATRES, INC.

### Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 7, 1969.

In the matter of application of the Philadelphia-Baltimore-Washington Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission

pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the warrants to purchase common stock of the following company, which security is listed and registered on one or more other national securities exchanges:

Loew's Theatres, Inc., Warrants To Purchase Common Stock, \$1 Par Value, File No. 7-3078.

Upon receipt of a request, on or before May 22, 1969, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[P.R. Doc. 69-5664; Filed, May 12, 1969;  
8:47 a.m.]

[File No. 7-3077]

## TECHNICAL OPERATIONS, INC.

### Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

MAY 7, 1969.

In the matter of application of the Philadelphia-Baltimore-Washington Stock Exchange for unlisted trading privileges in a certain security.

The above-named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchange:

Technical Operations, Inc., File No. 7-3077.

Upon receipt of a request, on or before May 22, 1969, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary,



Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBois,  
Secretary.

[P.R. Doc. 69-5665; Filed, May 12, 1969;  
8:47 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30, Amdt. 1; Los Angeles Disaster 1]

### MANAGER OF DISASTER BRANCH OFFICE, LOS ANGELES, CALIF.

#### Delegations Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Rev. 1) (33 F.R. 10677) as amended (33 F.R. 14250), authority redelegated to the Manager of the Los Angeles Disaster Branch Office (34 F.R. 7100) is amended as follows:

A. *Financial assistance.* 1. To approve or decline disaster direct and immediate participation loans up to the total SBA shares of \$30,000 per household for repairs or replacements of the home and/or not to exceed an additional \$10,000 allowable for household goods and personal items, but in no event may the money loaned exceed \$35,000 for a single disaster on home loans, and \$100,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan. To approve or decline disaster Guaranteed Loans in amounts of total loan not exceeding \$350,000.

Effective date: April 21, 1969.

ALVIN P. MEYERS,  
Regional Director,  
Los Angeles, Calif.

[P.R. Doc. 69-5659; Filed, May 12, 1969;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 829]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 8, 1969.

The following are notices of filing of applications for temporary authority under section 210(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 20894 (Sub-No. 11 TA) (Correction), filed April 21, 1969, published FEDERAL REGISTER, issue of April 30, 1969, and republished this issue. Applicant: P. CALLAHAN, INC., 5240 Comly Street, Philadelphia, Pa. 19135. Applicant's representative: Terrence L. Bowers (same address as above). NOTE: The purpose of this republication is to give the name of an additional shipper: General Electric Co., 570 Lexington Avenue, New York, N.Y. 10022, which was inadvertently omitted from previous publication.

No. MC 97009 (Sub-No. 17 TA), filed April 30, 1969. Applicant: VINCENT J. HERZOG, 200 Delaware Street, Honesdale, Pa. 18431. 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: (1) *Fireplace equipment*, from Greentown, Pa., to Binghamton, N.Y.; (2) *general commodities* (except household goods and classes A and B explosives, commodities in bulk, and those requiring special equipment), from Binghamton, N.Y., to South Canaan, Pa., for 150 days. NOTE: The above authority to be used in connection with interline service with other common carriers at Binghamton, N.Y. Supporting shippers: (1) Lockwood's General Store, South Canaan, Pa.; (2) Reichman Welding Co., Route 507 Rural Delivery, Greentown, Pa. 18426. Send protests to: District Supervisor Paul J. Kenworthy, Interstate Commerce Commission, Bureau of Operations, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 100666 (Sub-No. 137 TA) (Correction), filed April 23, 1969, published FEDERAL REGISTER, issue of May 1, 1969, and republished as corrected this issue. Applicant: MELTON TRUCK LINES, INC., Post Office Box 7666, Shreveport, La. 71107. Applicant's representative: Max Morgan, 600 Leininger Building, Oklahoma City, Okla. 73112. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Precast concrete products*, from Jacksonville, Ark., to Columbus, Ohio, for 180 days. NOTE: The purpose of

this republication is to show that traffic will originate at Jacksonville, Ark., instead of at Jackson, Ark., which was in error in previous publication. Applicant states it does not intend to tack. Supporting shipper: Arkansas Precast Corp., Post Office Box 216, North Little Rock, Ark. Send protests to: W. R. Atkins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, T-4009 Federal Building, 701 Loyola Avenue, New Orleans, La. 70113.

No. MC 107515 (Sub-No. 656 TA), filed May 2, 1969. Applicant: REFRIGERATED TRANSPORT COMPANY, INC., Post Office Box 308, Forest Park, Ga. 30050. Applicant's representative: B. L. Gundlach, Vice President (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Rocky Mount, N.C., to points in Virginia, West Virginia, Pennsylvania, Ohio, New York, Connecticut, Massachusetts, Maryland, District of Columbia, New Jersey, and Delaware, for 150 days. Supporting shipper: Hardee's Food Systems, Inc., 1233 North Church Street, Rocky Mount, N.C. 27801. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, Ga. 30309.

No. MC 114533 (Sub-No. 188 TA), filed May 2, 1969. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, Ill. 60632. Applicant's representative: Stanley Komosa (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *Audit media and other business records*; (1) between Crawfordsville, Ind., on the one hand, and, on the other, Wheaton, Ill.; and (2) between Birmingham, Mich., on the one hand, and, on the other, Middlebury, Ind.; (B) *proofs, cuts, copy, and other graphic arts material*, between Crawfordsville, Ind., on the one hand, and, on the other, Wheaton, Ill., for 180 days. Supporting shippers: (1) R. R. Donnelley & Sons Co., 2223 South Park Way, Chicago, Ill. 60616; (2) Abitibi Corp., 1400 North Woodward, Birmingham, Mich. 48011. Send protests to: District Supervisor Roger L. Buchanan, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Chicago, Ill. 60604.

No. MC 116544 (Sub-No. 105 TA), filed May 1, 1969. Applicant: WILSON BROTHERS TRUCK LINE, INC., Post Office Box 636, Carthage, Mo. 64836. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix 1 as defined by the Commission (except commodities in bulk, in tank vehicles, and hides), from Friona, Tex., to points in Florida, for 180 days. Supporting shipper: Missouri Beef Packers, Inc., Post Office Box 1178, Friona, Tex. 79035. Send



protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 118458 (Sub-No. 1 TA) (Correction), filed April 18, 1969, published *FEDERAL REGISTER*, issue of April 29, 1969, and republished as corrected this issue. Applicant: ROBERT G. FRAZIER, doing business as FRAZIER MOTOR COMPANY, 2012 Gihon Road, Parkersburg, W. Va. 26103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap materials and waste materials*, commonly dealt in by junk yard dealers; (1) from Parkersburg, W. Va., to points in Kentucky, Ohio, Pennsylvania, and Virginia; and (2) from points in Washington County, Ohio, to Parkersburg, W. Va. and points in Kentucky, Pennsylvania, and Virginia, for 180 days. Note: The purpose of this republication is to include territorial description, which was inadvertently omitted in previous publication. Applicant does not intend to tack with its existing authority in MC 118458. Supporting shipper: City Iron & Metal Co., corner of George and Jeanette Streets, Parkersburg, W. Va. 26101. Attention: Albert Corra, Manager. Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3202 Federal Office Building, Charleston, W. Va. 25301.

No. MC 123392 (Sub-No. 14 TA) (Correction), filed April 14, 1969, published *FEDERAL REGISTER*, issue of April 23, 1969, and republished as corrected this issue. Applicant: JACK B. KELLEY, doing business as JACK B. KELLEY CO., 3801 Virginia, Amarillo, Tex. 79109. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, replacement, repossessed, and abandoned motor vehicles and trailers* (excluding trailer houses and/or mobile homes), together with parts and cargo related thereto, exclusively in wrecker service; between points in Armstrong, Carson, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, and Wheeler Counties, Tex., and points in Colorado, Kansas, New Mexico, and Oklahoma, for 180 days. Note: The purpose of this republication is to include the five counties, Hemphill, Hutchinson, Lipscomb, Moore, and Ochiltree, which were inadvertently omitted in previous publication. Supporting shippers: Panhandle White Truck Service, 3810 Northeast Eighth Street, Amarillo, Tex.; Cummins Sales & Service, Inc., Post Office Box 5327, Amarillo, Tex. 79105; Forrester Truck Co., Box 546, Amarillo, Tex. 79105. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 918 Tyler Street, Amarillo, Tex. 79101.

No. MC 124174 (Sub-No. 70 TA), filed May 1, 1969. Applicant: MOMSEN TRUCKING CO., a corporation, Highways 71 and 18 North, Spencer, Iowa

51301. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Exhaust pots or mufflers, and exhaust or tail pipe, with or without fittings*, between the plantsite and storage facilities of Maremont Corp., at or near Loudon, Tenn., on the one hand and, on the other, points in the States of Colorado, North Dakota, South Dakota, Nebraska, Kansas, Minnesota, Iowa, Missouri, Wisconsin, Illinois, Michigan, Indiana, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Oklahoma, Texas, New York, and New Jersey, for 180 days. Supporting shipper: Maremont Corp., Loudon, Tenn. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 126514 (Sub-No. 11 TA), filed May 2, 1969. Applicant: HELEN H. SCHAEFFER AND EDWARD P. SCHAEFFER, a partnership, Post Office Box 392, Phoenix, Ariz. 85001. Applicant's representative: George A. Olsen, 69 Tonelle Avenue, Jersey City, N.J. 07306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Calendar mounts, pads, paper advertising materials, and calendars*, from Sidney, N.Y., to Los Angeles and San Francisco, Calif., for 180 days. Supporting shipper: Keith Clark, Inc., Union and Division Streets, Sidney, N.Y. 13838. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 128007 (Sub-No. 19 TA), filed May 1, 1969. Applicant: HOFER, INC., Post Office Box 583, 4032 Parkview Drive, Pittsburg, Kans. 66762. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate*, in bulk and/or bags, from the plantsite and/or warehouse facilities of Farmland Industries, Inc., at or near Lawrence, Kans., to points in Colorado, Iowa, South Dakota, Nebraska, Oklahoma, and Missouri, for 180 days. Supporting shipper: Farmland Industries, Inc., 3315 North Oak, Kansas City, Mo. 64116. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 906 Schweitzer Building, Wichita, Kans. 67202.

No. MC 128375 (Sub-No. 30 TA), filed May 1, 1969. Applicant: CRETE CARRIER CORPORATION, Post Office Box 249, 15th and Main, Crete, Neb. 68333. Applicant's representative: Richard A. Peterson, Post Office Box 806, Lincoln, Neb. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Wire rope and prestressed, reinforced strand cable*, from Trenton, N.J., and Palmer, Mass., and their commercial zones to Casper, Wyo.; Denver, Colo.; Pueblo, Colo.; Houston, Tex.; Tulsa, Okla.; Odessa, Tex.; Salt Lake City, Utah; and Phoenix, and their commercial zones,

under contract with CF&I Steel Corp., for 180 days. Supporting shipper: CF&I Steel Corp., Denver, Colo. Send protests to: District Supervisor Johnston, Interstate Commerce Commission, Bureau of Operations, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 133154 (Sub-No. 1 TA) (Amendment), filed April 28, 1969, published *FEDERAL REGISTER* issue, May 7, 1969, and republished as amended this issue. Applicant: DICK BELL TRUCKING, INC., 16036 Valley Boulevard, Fontana, Calif. 92335. Applicant's representative: Fred D. Preston, 5820 Wilshire Boulevard, Suite 605, Los Angeles, Calif. 90036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Mineral wool insulation including batts, batting, blankets, fill, reinforced or not reinforced*; (a) from Fontana, Calif., to points in Arizona and Nevada; and (b) from Torrance, Calif., to points in Arizona; (2) *expanded plastic articles*, from Napa, Calif., to points in Arizona and Nevada, for 180 days. Note: The purpose of this republication is to add (b) above, and, an additional shipper. Supporting shippers: American Flotation Corp., 2006 Solano Avenue, Napa, Calif. 94558; Mineral Wool Insulations, 13361 San Bernardino Avenue, Post Office Box 990, Fontana, Calif. 92335; United States Gypsum Co., 525 South Virgil Avenue, Los Angeles, Calif. 90054. Send protests to: District Supervisor Robert G. Harrison, Interstate Commerce Commission, Bureau of Operations, Room 7708, Federal Building, 300 North Los Angeles Street, Los Angeles, Calif. 90012.

No. MC 133444 (Sub-No. 1 TA), filed April 30, 1969. Applicant: JOHN E. BRUNER AND JOHN P. BRUNER, doing business as BRUNER TRANSFER, 1545 Henry Avenue, Box 907, Beloit, Wis. 53511. Applicant's representative: John L. Bruemmer, 121 West Doty Street, Madison, Wis. 53703. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Engine parts and accessories, and motors and compressors*, in emergency shipments of 10,000 pounds or less, between Beloit, Wis., on the one hand, and, on the other hand, points in Arizona, Connecticut, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, New Jersey, New York, Ohio, South Dakota, Texas, Virginia, and West Virginia under a continuing contract or contracts with Fairbanks Morse, Inc., Power Systems Division, of Beloit, Wis., for 180 days. Supporting shipper: Fairbanks Morse, Inc., Power Systems Division, Beloit, Wis. 53511. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 444 West Main Street, Room 11, Madison, Wis. 53703.

No. MC 133616 (Sub-No. 1 TA), filed May 2, 1969. Applicant: DESROSIERS CARTAGE CO., INC., 435 Norman Street, Ville St. Pierre, Montreal, Province of Quebec, Canada. Authority sought to operate as a *common carrier*, by motor



vehicle, over irregular routes, transporting: *Structural steel bridge components*, from the United States-Canadian international boundary line to Worcester, Mass., and a 100-mile radius, for 150 days. Supporting shipper: Dominion Bridge Co., Ltd., Post Office Box 280, Montreal 3, Province of Quebec, Canada. Send protests to: District Supervisor Martin P. Monaghan, Jr., Interstate Commerce Commission, Bureau of Operations, 52 State Street, Room 5, Montpelier, Vt. 05602.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-5683; Filed, May 12, 1969;  
8:48 a.m.]

[Notice 342]

### MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 8, 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-71215. By order of April 30, 1969, the Motor Carrier Board approved the transfer to Raymond DiCaprio, Jr., Pittsburgh, Pa., of the operating rights in certificate No. MC-61344 issued January 10, 1963, to Hilda Leff, doing business as Belmar Moving Co., Pittsburgh, Pa., authorizing the transportation of household goods, as defined by the Commission, between Pittsburgh, Pa., on the one hand, and, on the other, points in Ohio and West Virginia. Jerome Solomon, 704 Grant Building, Pittsburgh, Pa. 15219, attorney for applicants.

No. MC-FC-71269. By order of April 30, 1969, the Motor Carrier Board approved the transfer to A & M Transit Lines, Inc., Alliance, Ohio, of certificate No. MC-675 and MC-675 (Sub-No. 2) issued to Clyde B. Alexander, doing business as A. & M. Transit Lines, Alliance, Ohio, authorizing the transportation of: Passengers and their baggage, in a regular route operation between Akron and Alliance, Ohio, and in charter operations between points in Ohio and points in Virginia and New York, N.Y. Robert H. Stone, 302 First National Bank, Alliance, Ohio 44601, attorney for applicants.

No. MC-FC-71276. By order of April 30, 1969, the Motor Carrier Board approved the transfer to Andico, Inc., Magna, Utah, of permit No. MC-129572 (Sub-No. 1), issued January 16, 1969, to Gayle E. Anderson, Magna, Utah, authorizing the transportation of: Pipe and pipe valves and fittings, tubing, beams, bar stock, and sheet and plate metals (except oilfield and pipeline com-

modities as defined in Mercer Extension—Oil Field Commodities, 74 M.C.C. 459) and equipment, materials, and supplies used in the machining or installation of the above-described commodities between points in Utah, Idaho, Wyoming, Montana, Colorado, Arizona, New Mexico, Nevada, and California. Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111, attorney for applicants.

No. MC-FC-71305. By order of April 30, 1969, the Motor Carrier Board approved the transfer to Lloyd Thompson, Bridgewater, Iowa, of certificate No. MC-53492 issued by Ivan Thompson and Lloyd Thompson, doing business as Thompson & Son, Bridgewater, Iowa, authorizing the transportation of: Livestock, agricultural commodities, building materials, agricultural implements, machinery and parts, feeds, and farm hardware, between Fontanelle, Iowa, and Omaha, Nebr., serving intermediate and off-route points within 15 miles of Fontanelle. A. R. Fowler, 2288 University Avenue, St. Paul, Minn. 55114, practitioner for applicants.

No. MC-FC-71348. By order of April 30, 1969, the Motor Carrier Board approved the transfer to Pendleton-Heppner Freight Line, Inc., Lexington, Oreg. 97839, of certificate No. MC-28394 issued December 3, 1967, to Otto Nooy, doing business as Pendleton-Heppner Truck Line, 1327 Southwest 41st Street, Pendleton, Oreg. 97801, authorizing the transportation of: General commodities, with the usual exceptions, between specified points in Oregon.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 69-5684; Filed, May 12, 1969;  
8:48 a.m.]

### CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during May

3 CFR	Page	7 CFR—Continued	Page	9 CFR	Page
EXECUTIVE ORDER:		980.....	7570	73.....	7443
11467.....	7271	1079.....	7136	74.....	7444
		1421.....	7370	316.....	7607
5 CFR		PROPOSED RULES:		317.....	7607
213.....	7231, 7281, 7282, 7325, 7535, 7607	905.....	7168	328.....	7607
		912.....	7452		
7 CFR		966.....	7170, 7578	10 CFR	
26.....	7282	980.....	7170, 7578	8.....	7273
51.....	7498	1003.....	7171	20.....	7500
52.....	7133	1004.....	7171	150.....	7369
601.....	7569	1006.....	7455		
722.....	7231	1013.....	7173	12 CFR	
730.....	7441	1016.....	7171	226.....	7571, 7607
792.....	7369	1138.....	7248	555.....	7609
811.....	7325	8 CFR		PROPOSED RULES:	
849.....	7442	100.....	7327	545.....	7580
862.....	7326	103.....	7570		
907.....	7134	204.....	7328	13 CFR	
908.....	7135, 7442	214.....	7571	102.....	7274
909.....	7282	238.....	7328	124.....	7274
910.....	7283, 7326, 7569, 7607	242.....	7327	PROPOSED RULES:	
912.....	7284, 7443, 7569	245.....	7328	121.....	7386
932.....	7570	299.....	7327		
945.....	7499	334.....	7571		
966.....	7135				



## 14 CFR

Page

39	7221, 7371, 7500, 7501, 7609
71	7121-7124, 7221, 7274, 7275, 7371, 7372, 7501, 7572, 7609
73	7444, 7501, 7572
97	7222, 7502
298	7124

## PROPOSED RULES:

39	7249, 7286, 7579
71	7287, 7288, 7455, 7545, 7579, 7616
75	7545
103	7455
121	7175, 7333
135	7580
151	7455

## 15 CFR

200	7144
379	7573

## PROPOSED RULES:

1000	7536
------	------

## 16 CFR

13	7232, 7233, 7275-7277, 7609-7612
15	7145, 7234, 7235, 7278, 7445
240	7235

## PROPOSED RULES:

249	7581
-----	------

## 17 CFR

231	7235, 7613
240	7235, 7574

## PROPOSED RULES:

230	7175
239	7175
240	7250, 7458, 7547

## 19 CFR

1	7445
16	7328, 7445

## 20 CFR

404	7236
-----	------

## 21 CFR

8	7445-7447
120	7165, 7237, 7279
121	7165, 7237, 7372, 7447, 7612

## PROPOSED RULES:

8	7578
31	7578

## 24 CFR

200	7238, 7329
207	7238
233	7238
235	7239
1700	7239

## 26 CFR

Page

1	7145
41	7448

## 29 CFR

460	7239
PROPOSED RULES:	
1500	7333

## 30 CFR

PROPOSED RULES:	
250	7381

## 31 CFR

PROPOSED RULES:	
306	7452

## 32 CFR

201	7377
1499	7414

## 32A CFR

BDSA (Ch. VI):	
M-11A	7449
M-11A, Dir. 2	7449
OIA (Ch. X):	
OI Reg. 1	7535

## 33 CFR

110	7146
117	7146
204	7575
207	7575

## 36 CFR

7	7330
322	7575
530	7279

## 39 CFR

Ch. I	7374
127	7449

## PROPOSED RULES:

161	7285
162	7285
163	7285
166	7285
168	7285
242	7285
245	7285

## 41 CFR

1-3	7147
1-7	7148
1-16	7148
1-20	7148
1-30	7576
5A-1	7240
8-2	7613
8-3	7150
8-12	7613
23-50	7360

## 41 CFR—Continued

Page

50-201	7451
101-45	7241, 7329
101-46	7241

## 42 CFR

81	7150, 7241
PROPOSED RULES:	
81	7385

## 43 CFR

PROPOSED RULES:	
2240	7247

## 45 CFR

115	7151
119	7242
175	7632
701	7576
704	7576
705	7577
801	7246
1013	7331
1070	7375

## 46 CFR

PROPOSED RULES:	
504	7581

## 47 CFR

15	7497
73	7497

## PROPOSED RULES:

73	7546
74	7386
81	7289
83	7289

## 49 CFR

7	7156, 7331
71	7157
171	7159
172	7159
173	7159
174	7162
177	7162
178	7163, 7332
179	7165
1033	7451, 7577

## PROPOSED RULES:

71	7458, 7616
170-189	7545
174	7456
175	7456
177	7456, 7457
232	7289
1131	7177
1307	7177

## 50 CFR

280	7281
PROPOSED RULES:	
215	7247



# FEDERAL REGISTER

VOLUME 34 • NUMBER 91

Tuesday, May 13, 1969 • Washington, D.C.

PART II

Department of Health, Education,  
and Welfare

Office of Education

## COLLEGE WORK-STUDY PROGRAM





## Title 45—PUBLIC WELFARE

### Chapter I—Office of Education, Department of Health, Education, and Welfare

#### PART 175—COLLEGE WORK-STUDY PROGRAM

Chapter I of Title 45 of the Code of Federal Regulations is hereby amended by adding a new part, Part 175.

Federal financial assistance made available pursuant to the regulations set forth below is subject to the regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare, and approved by the President to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (Public Law 88-352).

Sec.	
175.1	Purpose and objectives.
175.2	Definitions.
175.3	Allotment of Federal funds to States.
175.4	Program eligibility.
175.5	Eligibility and selection of student participants.
175.6	Limitations on the number of hours of employment.
175.7	Use of funds.
175.8	Limitations on Federal share of student compensation.
175.9	Minimum wage rate.
175.10	Nature and source of institutional share of student compensation.
175.11	Maintenance of level of expenditures.
175.12	Coordination of student financial aid programs.
175.13	Institutional agreement and application for funds.
175.14	Criteria for approval of applications.
175.15	Payment and reallocation of grant funds.
175.16	Fiscal procedures, records, and reports.
175.17	Preceding provisions not exhaustive of jurisdiction of the Commissioner.

**AUTHORITY:** The provisions of this Part 175 issued under 82 Stat. 1014, 20 U.S.C. 1011, Public Law 89-329, Higher Education Act of 1965, as amended, Title IV, Part C.

#### § 175.1 Purpose and objectives.

(a) The purpose of the College Work-Study Program is to stimulate and promote the part-time employment of students, particularly those from low-income families, who are in need of the earnings from such employment in order to pursue courses of study at eligible institutions.

(b) This purpose will be promoted through the development of student employment programs designed to meet the following objectives:

(1) Encourage eligible institutions to expand their efforts to enroll needy students, particularly those from low-income families;

(2) Increase the proportion of eligible high school graduates who continue their education in eligible institutions;

(3) Provide financial aid for eligible students through combining the earnings from part-time employment with other forms of financial assistance to enable students to meet their educational expenses without the necessity of

incurring an unduly heavy burden of indebtedness; and

(4) Broaden the range of worthwhile job opportunities for qualified students in employment for the institution itself or for public or private nonprofit organizations, especially those engaged in health, education, welfare, and related public service activities.

#### § 175.2 Definitions.

(a) "Act" means Title IV, Part C of the Higher Education Act of 1965, as amended (Public Law 89-329, 79 Stat. 1219).

(b) "Administrative expenses" means those direct costs incurred by an eligible institution which are necessary for the proper and efficient administration of a Work-Study Program conducted pursuant to an institutional agreement, but only to the extent that the items of cost are attributable to that portion of such program in which students are working for public or private nonprofit organizations other than the institution itself, including such items as salaries of staff, communications, supplies and printing, and travel; but exclusive of overhead, other indirect costs, and equipment.

(c) "Area vocational school" means:

(1) A specialized high school used exclusively or principally for the provision of vocational education to persons who are available for full-time study in preparation for entering the labor market, or

(2) The department of a high school exclusively or principally used for providing vocational education in no less than five different occupational fields to persons who are available for full-time study in preparation for entering the labor market, or

(3) A technical or vocational school used exclusively or principally for the provision of vocational education to persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market, or

(4) The department or division of a junior college or community college or university which provides vocational education in no less than five different occupational fields, under the supervision of the State board, leading to immediate employment but not leading to a baccalaureate degree.

If it is available to all residents of the State or an area of the State designated and approved by the State Board, and if, in the case of a school, department, or division described in subparagraph (3) or (4) of this paragraph, it admits as regular students both persons who have completed high school and persons who have left high school. The term "State Board" as used in this definition means the State board for vocational education designated or created pursuant to section 5 of the Smith-Hughes Act (that is the Act approved Feb. 23, 1917 (39 Stat. 929, ch. 114; 20 U.S.C. 11-15, 16-28)) to secure to the State the benefits of that Act.

(d) "Commissioner" means the U.S. Commissioner of Education or his designee.

(e) "Cooperative education" means a full-time course of study in an institution, under which all students in the institution, or a major subdivision thereof, may alternate periods of full-time attendance with periods of related full-time employment, upon the completion of which course of study a degree or other certificate is normally awarded.

(f) "Eligible institution" or "institution" means an institution of higher education or an area vocational school (as herein defined), except that no institution of the United States shall be eligible to enter into an institutional agreement with the Commissioner.

(g) "Family" means parents or other individuals (except foster parents) who stand in loco parentis.

(h) "Fiscal year" means the Federal fiscal year commencing on the first day of July and ending on the 30th day of the following June.

(i) "Full-time attendance" means compliance by a full-time student with the policies and regulations regarding attendance in effect at the institution in which he is enrolled.

(j) "Full-time student" means a student who is pursuing any combination of courses, research, or special studies (whether or not for credit) which, according to the standards and practices of the institution in which the student is enrolled, is considered full-time study.

(k) "Good standing" means the eligibility of a student to continue in full-time attendance in accordance with the standards and practices of the institution in which he is enrolled.

(l) "Institution of higher education" means an educational institution in any State which meets the requirements of section 435(b) of the Act. The term "educational institution" limits the scope of this definition to establishments where teaching is conducted and which have an identity of their own.

(m) "Institutional agreement" means the written agreement between an eligible institution and the Commissioner, which provides for the conduct of a Work-Study Program and which meets the conditions of section 444 of the Act.

(n) "Low-income family" means a family whose basic needs exceed its means to satisfy them primarily because its annual income is less than the minimum amount determined, according to standards promulgated by the Commissioner from time to time, to be necessary to maintain a decent standard of living.

(o) "National of the United States" means (1) a citizen of the United States, or (2) a person who though not a citizen of the United States owes permanent allegiance to the United States. (8 U.S.C.A. 1101(a)(22)).

(p) "Part-time employment" means hourly employment of a student under the Work-Study Program in accordance with the limits established in § 175.6. Work performed as a prerequisite to a degree or a certificate will not be considered employment except for not more



than 120 days of work performed during any full-time work period of an organized cooperative education program.

(q) "Period of non-regular enrollment" means a summer vacation period or an equivalent period such as the full-time work period of an organized cooperative education program during which the student is enrolled in one or more classes.

(r) "Period of regular enrollment" means any period of time during which a particular student is normally expected by his institution to be pursuing a course of full-time studies, according to the usual standards and practices of the institution.

(s) "Private nonprofit" (as applied to any school, institution, organization or agency) means a school, institution, organization or agency, no part of whose earnings inures or lawfully may inure directly or indirectly to the benefit of any private member, shareholder, or other individual.

(t) "Public organization" includes a school, agency, organization or institution of the United States.

(u) "State" means, in addition to the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands.

#### § 175.3 Allotment of Federal funds to States.

(a) Initial allotments: From sums appropriated to carry out this part for a fiscal year, not to exceed 2 per centum shall be allotted by the Commissioner among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under this part. In addition to such sum, an amount shall be reserved to provide work-study assistance to students who reside in, but attend eligible institutions outside of, American Samoa, or the Trust Territory of the Pacific Islands. The amount so reserved shall be allotted to eligible institutions and shall be available only for the purpose of providing work-study assistance to such students. The remainder of the sums shall be allotted among the remaining States as provided in paragraph (b) of this section. For the purposes of computing this allotment, the Commissioner will use information for the most recent year for which satisfactory data are available to him.

(b) Of the sums being allotted under this paragraph:

(1) One-third shall be allotted by the Commissioner among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of persons enrolled on a full-time basis in institutions of higher education in such State bears to the total number of persons enrolled on a full-time basis in institutions of higher education in all the States;

(2) One-third shall be allotted by the Commissioner among the States so that

the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of high school graduates (as defined in section 103(d)(3) of the Higher Education Facilities Act of 1963) of such State bears to the total number of such high school graduates of all the States; and

(3) One-third shall be allotted by the Commissioner among the States so that the allotment to each State under this clause will be an amount which bears the same ratio to such one-third as the number of related children under 18 years of age living in families with annual incomes of less than \$3,000 in such State bears to the number of related children under 18 years of age living in families with annual incomes of less than \$3,000 in all the States.

(c) Reallotment: The amount of any State's allotment which has not been granted to an institution at the end of the fiscal year for which appropriated shall be reallotted by the Commissioner in such a manner as he determines will best assist in achieving the purposes of the Act. Amounts reallotted under this paragraph shall be available for making grants until the close of the fiscal year next succeeding the fiscal year for which appropriated.

#### § 175.4 Program eligibility.

(a) General. Work-Study Programs operated under an institutional agreement for the part-time employment of students may involve work for the institution itself or work for a public or private nonprofit organization in any State.

(1) Such programs:

(i) Must not result in the displacement of employed workers or impair existing contracts for services;

(ii) Must not involve the construction, operation, or maintenance of so much of any facility as is used or is to be used for sectarian instruction or as a place of religious worship.

(2) The work provided under such programs (i) must not involve any partisan or nonpartisan political activity associated with a candidate, or contending faction or group, in an election for public or party office, and (ii) must be governed by such conditions of employment, including compensation, as will be appropriate and reasonable in light of such factors as type of work performed, geographical region, proficiency of the employee, and any applicable Federal, State, or local legislation.

(b) Work for the institution itself. To be eligible for Federal financial participation, work for the institution itself (including any nonprofit entity which is under the control of the governing board of the institution) must result in an expansion or broadening of the institution's student employment programs.

(c) Work for a public or private nonprofit organization. To be eligible for Federal financial participation, work for a public or private nonprofit organization other than the institution must (1) be in the public interest (devoted to the general, national or community welfare

rather than that of a particular interest or group), and (2) be evidenced by a written agreement containing the conditions of such work between the institution and the organization. The institution is responsible for ensuring that any arrangements be with a reliable organization with professional direction and staff, and that the work performed by each student will be properly supervised, and consistent with the purposes of the Act.

(d) Work in the public interest. In no event shall work be considered to be in the public interest where (1) it is work for which the political support or affiliation of the student is a prerequisite or consideration for employment, (2) it is work to be performed for an elected official other than as part of the regular administration of Federal, State or local government or (3) it is work which is primarily for the benefit of the members of a limited membership organization (such as a credit union, fraternal order, or a cooperative), rather than the public.

#### § 175.5 Eligibility and selection of student participants.

(a) Eligibility. A student is eligible for part-time employment under the Work-Study Program only during periods in which he meets all of the following conditions:

(1) Is a national of the United States, or is in the United States for other than a temporary purpose and intends to become a permanent resident thereof, or is a permanent resident of the Trust Territory of the Pacific Islands;

(2) Is in need of the earnings from such employment in order to pursue a course of study at the institution;

(3) Is capable, in the opinion of the institution, of maintaining good standing in such course of study while employed under this program; and

(4) Has been accepted for enrollment as a full-time student at the institution or, in the case of a student already enrolled in and attending the institution, is in good standing and in full-time attendance there, either as an undergraduate, graduate or professional student.

(b) Eligibility of students attending area vocational schools. A student enrolled in an area vocational school is eligible for employment under the College Work-Study Program only if he meets the following conditions in addition to the provisions described in paragraph (a) of this section:

(1) Has a certificate of graduation from a school providing secondary education or the recognized equivalent of such a certificate, and

(2) Is pursuing a program of education or training which requires at least 6 months to complete and is designed to prepare the student for gainful employment in a recognized occupation.

(c) Determination of need. In determining whether, and to what extent, a student is in need of the earnings from employment, the institution shall, at least annually, (1) determine what income, assets, and other resources (including other forms of aid) are available to the student for the time period



under consideration; (2) calculate according to standards published from time to time by the Commissioner what portion of the income, assets, and resources of the student's family may reasonably be expected to be made available to the student; and (3) determine the cost reasonably necessary for the student's attendance at the institution, including any special needs and obligations which directly affect the student's financial ability to attend the institution on a full-time basis. A student shall be considered to be in need to the extent that such costs of attendance exceed the sum of the amounts determined to be available to the student and the amounts, if any, which may reasonably be expected to be made available to him by his family.

(d) *Selection of students.* In the selection of students for employment under the Work-Study Program, an institution shall give preference to students from low-income families.

(e) *Availability of student employment.* Each institution shall make employment under the Work-Study Program, or equivalent employment offered or arranged for by the institution, reasonably available (to the extent of available funds) to all eligible students in the institution in need thereof.

(f) *Record of approval or disapproval.* Each institution shall maintain records which reflect the approval or disapproval of all or part of each student's application for employment under the program and which identify the institutional officer who made each such determination.

#### § 175.6 Limitations on the number of hours of employment.

(a) During periods of regular enrollment, when classes in which a student is enrolled are in session, he shall be limited to working no more than an average of 15 hours per week under the program, averaged over the semester or other time period on the basis of which the institution in which he is enrolled awards academic credits. Work performed during any week when the student is on vacation shall not exceed 40 hours and shall not be counted as contributing toward the average of 15 hours per week established in the preceding sentence.

(b) During periods of nonregular enrollment, when classes in which a student is enrolled are in session he may be employed under the program for as many as 40 hours per week or such lesser number of hours per week as the institution may determine in accordance with its own standards and practices and considering (1) the extent of the student's financial need and (2) the harm or potential harm of a particular combination of hours of work and hours of study on a given student's health or academic progress.

(c) During periods not covered under paragraphs (a) and (b) of this section, a student may work up to 40 hours per week under the program.

#### § 175.7 Use of funds.

(a) Federal funds made available on the basis of an approved application

submitted pursuant to this part may be used only (1) to pay the Federal share of compensation to eligible students employed in eligible Work-Study Programs, and (2) to meet administrative expenses, as defined in § 175.2(b). The amount for such administrative expenses may not exceed 5 percent of that portion of the Federal payments used for compensation of students in work for public or private nonprofit organizations other than the institution itself.

(b) Interest, if any, earned on Federal funds shall be remitted to the Commissioner in accordance with instructions issued by him.

#### § 175.8 Limitations on Federal share of student compensation.

(a) The Federal share of the compensation of students employed in any Work-Study Program under an institutional agreement shall not exceed 80 percent of such compensation for part-time employment, except that in unusual cases a Federal share in excess of 80 percent may be approved by the Commissioner, but only and to the extent that he determines, pursuant to such objective criteria as may be established in regulations, that a Federal share in excess of 80 percent is required to achieve the purposes of this part.

(b) The Federal share of compensation for part-time employment shall be calculated on the basis of the hourly rate paid the student for actual time on the job but such calculation shall not include any compensation paid which is in excess of such maximum hourly wage rate as may from time to time be set by the Commissioner, or any costs of the employer's contribution to Social Security, workmen's compensation, retirement, or any other welfare or insurance programs which may be paid by the employer on account of a student employed under the Work-Study Program.

#### § 175.9 Minimum wage rate.

The minimum rate of compensation for a student employed under the Work-Study Program shall be

(a) \$1.15 an hour for work performed through January 31, 1969;

(b) \$1.30 an hour for work performed from February 1, 1969, through January 31, 1970;

(c) \$1.45 an hour for work performed from February 1, 1970, through January 31, 1971; and

(d) \$1.60 an hour for work performed thereafter;

(e) Or such higher minimum wage as may be required under any applicable Federal, State, or local legislation; except that the Commissioner may approve a lower rate of compensation in cases (1) where a lower minimum wage for such employees has been established by the Secretary of Labor, under the provisions of the Fair Labor Standards Act, or (2) where exceptional circumstances warrant a lower rate and where the approval of a lower rate is not precluded by law and is consistent with and promotive of the purposes of this part.

#### § 175.10 Nature and source of institutional share of student compensation.

(a) An institution may use any source available to it to pay its share of the compensation paid to students employed under the Work-Study Program.

(b) No institution shall solicit or permit any public or private nonprofit organization with which it has an arrangement pursuant to § 175.4(c) to solicit from a student or any other person any fee, commission, or compensation of any kind, or the granting of a gift or gratuity of any kind, as a consideration or a prerequisite for the employment of any particular student under the program.

#### § 175.11 Maintenance of level of expenditures.

In each fiscal year during which the institutional agreement remains in effect, the institution shall expend (from sources other than payments of Federal grants under this part) for the employment of its students (whether or not in employment eligible for assistance under this part) an amount that is not less than the institution's average annual expenditures for such employment during the three fiscal years preceding the fiscal year for which the institutional agreement is in effect.

#### § 175.12 Coordination of student financial aid programs.

In order to carry out the purpose of the Work-Study Program, the institution shall provide for the coordination of this program with other programs of student financial aid, including the National Defense Student Loan and Educational Opportunity Grants Programs where the institution also participates in such programs. Responsibility for the general conduct of the operation of the Work-Study Program shall be assigned to an institutional official who has other student financial aid responsibility.

#### § 175.13 Institutional agreement and application for funds.

(a) Applications for Federal funds under this part shall be approved only if there is in effect an institutional agreement. Such agreement shall be executed by an official of the institution who is legally authorized to commit the institution.

(b) Applications for Federal funds must be submitted to the Commissioner by an authorized official of the institution in such form and at such time as the Commissioner may prescribe.

#### § 175.14 Criteria for approval of institutional applications.

In order to achieve equitable distribution of assistance as required by section 446 of the Act, institutional applications for the allocation of funds under this program shall be reviewed and approved, in whole or in part, on the basis of, but not limited to, the following criteria:

(a) Whether the institution employs under the program a large proportion of students from low-income families in relation to the total number of needy students employed under the program;



(b) Whether provision has been made for effective administration of the program, including effective coordination with institutional and other Federal programs of student financial aid;

(c) Whether public and private non-profit organizations, especially those engaged in health, education, welfare, and related public service activities have been included;

(d) Whether the institution has demonstrated a strong commitment to enroll students from low-income families, as evidenced by (1) specialized recruitment and admission, such as that provided through the programs of Talent Search or Upward Bound, (2) remedial instruction, (3) specialized counseling, and (4) any other relevant factors;

(e) The anticipated number of students to be employed under this program as compared to the institution's anticipated enrollment;

(f) The anticipated average compensation of Work-Study students in relation to the institution's average educational costs;

(g) The institution's utilization of Work-Study Program funds, if any, allocated in previous years; and

(h) The institution's total request for Federal student financial aid funds (including Educational Opportunity Grants and National Defense Student Loans) in relation to the average cost of education at the institution and the institution's anticipated enrollment.

**§ 175.15 Payment and reallocation of grant funds.**

(a) *Payment of funds.* Funds will be made available in advance on the basis of substantiated need and periodic fiscal reports submitted by the institution.

(b) *Reallocation of unused Federal funds.* Any funds which are available to an institution but not used, or which the institution agrees will not be used, by the end of the period for which such funds were made available shall, in the discretion of the Commissioner, either remain

available for use by the institution during a subsequent grant period or be made available for use by other eligible institutions.

(c) *No waiver.* Neither approval of any application nor any payment of funds to an institution shall be deemed to waive the right or duty of the Commissioner to withhold funds by reason of failure of the institution to observe, before or after such administrative action, any Federal requirement.

**§ 175.16 Fiscal procedures, records, and reports.**

(a) *Fiscal procedures.* (1) The institution shall administer the Work-Study Program in such a manner as to provide for an adequate system of internal controls. Wherever practical, the various administrative responsibilities shall be divided so as to prevent the handling of all aspects of the program by a single individual.

(2) If a fiscal agent is utilized by the institution, its function must be limited solely to the performance of ministerial acts. The responsibilities of the institution to make determinations relative to the eligibility of students for employment under the program cannot be delegated.

(3) Payments to students shall be made at least once a month. The institution is responsible for ensuring that students are paid the full amount of wages earned under the program, whether the work is for the institution itself or for a public or private non-profit organization.

(b) *Records.* The institution shall maintain, on a current basis, adequate records which reflect all transactions with respect to the program, and shall establish and maintain such general ledger control accounts and related subsidiary accounts as are prescribed by the Commissioner. Such records shall:

(1) Meet at least the minimum standards prescribed by the Commissioner as set forth in the most recent official Col-

lege Work-Study Manual and other official guidelines that may be issued from time to time;

(2) Be maintained in such a manner as to separately identify all program transactions from other institutional funds and activities; and

(3) Be maintained in such a manner as to be readily auditable. All records pertaining to activity during a given fiscal year, including applications of students for employment under the Work-Study Program during that fiscal year, shall be retained for a period of 5 years following the end of the fiscal year, or until audited by a representative of the Commissioner, whichever is earlier. Records involved in any claim or expenditure questioned by the Commissioner, or on audit, shall be retained until necessary adjustments have been reviewed and approved by the Commissioner.

(c) *Reports.* Institutions shall submit such reports and information as the Commissioner may reasonably require in connection with the administration of the Work-Study Program and shall comply with such procedures as he may find necessary to ensure the correctness and verification of such reports.

**§ 175.17 Preceding provisions not exhaustive of jurisdiction of the Commissioner.**

No provision of this part now or hereafter promulgated shall be deemed exhaustive of the jurisdiction of the Commissioner under the Act. The provisions of this part may be modified or further regulations may be issued hereafter as circumstances may warrant.

Dated: April 10, 1969.

PETER P. MUIRHEAD,  
U.S. Commissioner of Education.

Approved: May 7, 1969.

ROBERT H. FINCH,  
Secretary of Health,  
Education, and Welfare.

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