

FEDERAL REGISTER

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Pages 14161-14194

Agencies in this issue—

The President
Agricultural Research Service
Civil Service Commission
Consumer and Marketing Service
Customs Bureau
Emergency Preparedness Office
Federal Aviation Administration
Federal Communications Commission
Federal Home Loan Bank Board
Federal Power Commission
Federal Reserve System
Federal Trade Commission
Fish and Wildlife Service
Food and Drug Administration
Hazardous Materials Regulations Board
Interagency Textile Administrative Committee
Interior Department
Internal Revenue Service
Interstate Commerce Commission
Maritime Administration
National Park Service
Patent Office
Post Office Department
Securities and Exchange Commission
Small Business Administration
Wage and Hour Division

Detailed list of Contents appears inside.



Announcing First 10-Year Cumulation
TABLES OF LAWS AFFECTED
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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.

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Title 3—THE PRESIDENT

Proclamation 3926

GENERAL PULASKI'S MEMORIAL DAY, 1969

By the President of the United States of America

A Proclamation

One hundred and ninety years ago, a young Polish patriot in exile gave his life in the cause of American freedom and independence.

Count Casimir Pulaski came to America and joined the Continental Army. He fought with great valor and was promoted by the Congress to the rank of brigadier general in recognition of his military leadership at the Battle of Brandywine. He raised and commanded a cavalry unit which won fame as the Pulaski Legion.

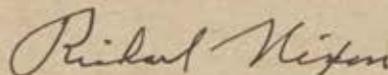
On October 11, 1779, General Pulaski died of wounds received two days earlier while leading a cavalry charge in the Battle of Savannah.

It is fitting that on the anniversary of his death we pay grateful tribute to this gallant Pole, and to the millions of his countrymen in America who have contributed to this nation's growth and to the defense of its freedoms.

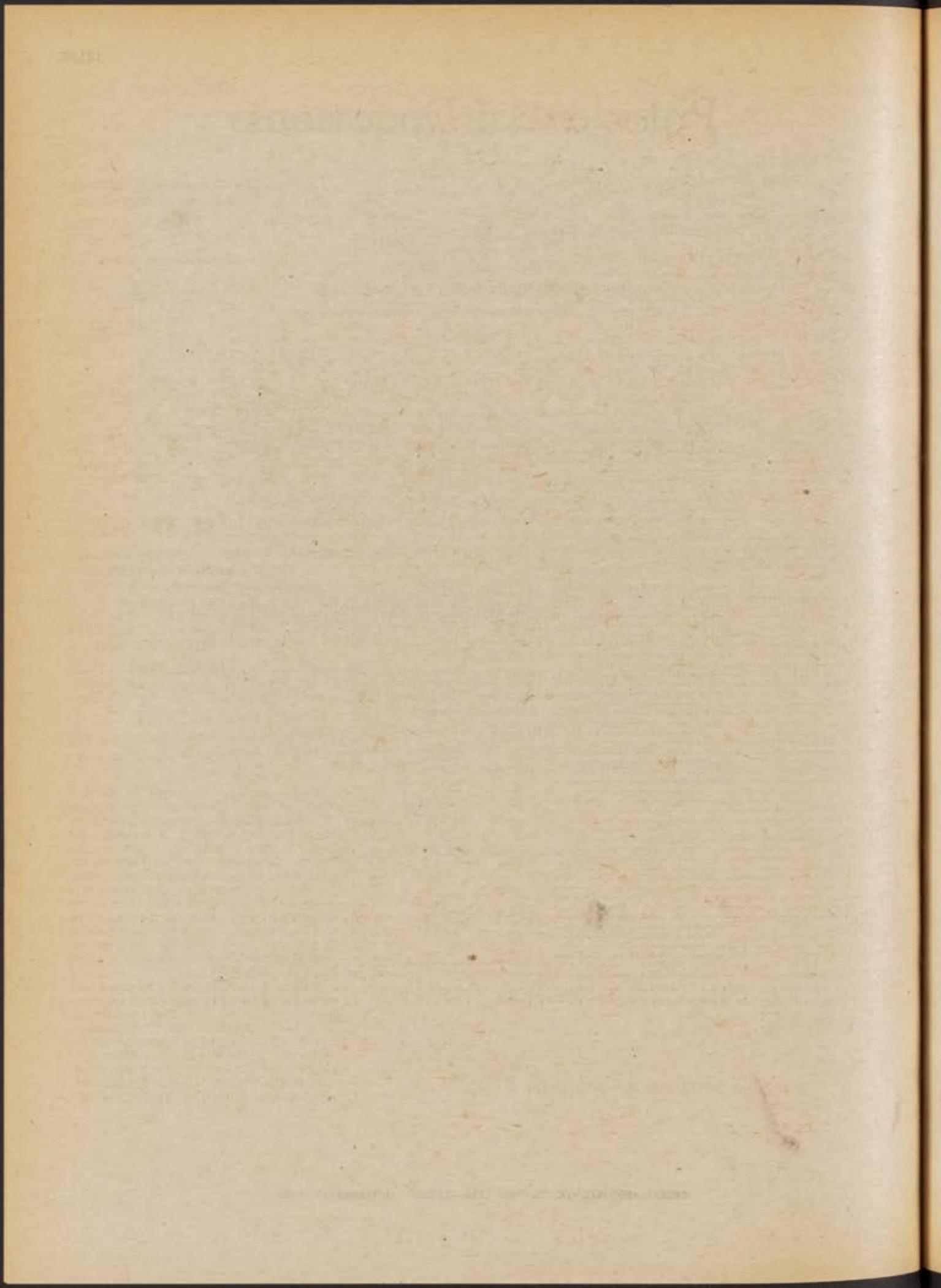
NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate Saturday, October 11, 1969, as General Pulaski's Memorial Day; and I direct the appropriate Government officials to display the flag of the United States on all Government buildings on that day.

I also invite the people of the United States to observe the day with appropriate ceremonies in honor of the memory of General Pulaski and his dedication to the defense of liberty.

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



[F.R. Doc. 69-10817; Filed, Sept. 8, 1969; 11:05 a.m.]



Rules and Regulations

Title 7—AGRICULTURE

Chapter II—Consumer and Marketing Service (Consumer Food Programs),
Department of Agriculture

PART 215—SPECIAL MILK PROGRAM FOR CHILDREN

Appendix—Third Apportionment of Special Milk Program Funds Pursuant to
Child Nutrition Act of 1966, Fiscal Year 1969

Pursuant to section 3 of the Child Nutrition Act of 1966, Public Law 89-642, 80 Stat. 885-6, milk assistance funds available for the fiscal year ending June 30, 1969, are reapportioned among the States as follows, in order to effect a further apportionment of funds.

State	Total apportionment	State agency	Withheld for private schools
Alabama	\$1,898,290	\$1,836,164	\$62,116
Alaska	28,738	28,738	
Arizona	414,228	366,297	48,001
Arkansas	1,112,876	1,053,799	59,167
California	8,981,525	8,981,525	
Colorado	943,912	850,020	84,892
Connecticut	1,763,718	1,763,718	
Delaware	363,510	311,627	51,883
Del. St. Dist. Agency	20,431	20,431	
District of Columbia	615,204	615,204	
Florida	1,967,019	1,796,895	170,124
Georgia	1,683,164	1,643,544	39,620
Hawaii	157,471	110,962	46,509
Idaho	187,934	162,081	25,853
Illinois	6,654,536	6,654,536	
Indiana	2,950,898	2,950,898	
Iowa	1,807,986	1,698,969	109,017
Kansas	1,096,900	1,096,900	
Kentucky	2,000,226	2,000,226	
Louisiana	704,505	704,505	
Maine	506,334	422,950	83,384
Maryland	2,386,259	2,047,391	338,868
Md. Bud. and Proe.	55,029	55,029	
Massachusetts	3,517,690	3,517,690	
Michigan	5,075,700	4,115,929	959,771
Minnesota	2,098,091	2,380,719	317,372
Mississippi	1,392,880	1,392,880	
Missouri	2,388,046	2,336,984	51,062
Montana	294,021	169,980	124,041
Nebraska	629,354	524,679	104,675
Nevada	149,887	125,080	24,807
New Hampshire	530,528	455,675	74,853
New Jersey	3,790,717	3,226,797	563,920
New Mexico	727,901	428,854	299,047
New York	8,792,800	8,792,800	
N.Y. Off. Gen. Serv.	457,066	457,066	
North Carolina	3,543,469	3,543,469	
North Dakota	357,094	315,419	41,675
Ohio	6,455,416	5,625,382	830,034
Ohio Dept. Pub. Wel.	197,534	197,534	
Oklahoma	1,117,523	1,117,523	
Oregon	614,197	593,391	20,806
Pennsylvania	5,057,830	4,399,892	657,938
Rhode Island	507,979	507,979	
South Carolina	641,078	533,911	107,167
South Dakota	362,042	362,042	
Tennessee	1,927,919	1,845,549	82,370
Texas	4,121,093	3,824,435	296,658
Utah	341,398	326,851	14,547
Vermont	266,054	233,643	32,411
Virginia	1,984,338	1,811,558	172,780
Washington	1,445,223	1,396,823	48,400
West Virginia	667,866	631,214	36,652
Wisconsin	3,683,969	2,907,283	776,686
Wyoming	119,002	119,002	
Total	102,048,078	95,141,272	6,906,806

(Sec. 2, 3, 6, 8-16, 80 Stat. 885-890; 42 U.S.C. 1771, 1772, 1775, 1777-1785)

Dated: September 2, 1969.

HOWARD P. DAVIS,
Deputy Administrator,
Consumer Food Programs.

[F.R. Doc. 69-10651; Filed, Sept. 8, 1969; 8:45 a.m.]

Chapter III—Agricultural Research
Service, Department of Agriculture

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Imported Fire Ant

REGULATED AREAS

Correction

In F.R. Doc. 69-10298, appearing at page 13729 of the issue for Thursday, August 28, 1969, the following corrections should be made:

1. On page 13730, under Citrus County, Fla., the second line is corrected to read "that portion of T. 21 S., R. 19 E., lying within".

2. The first italic heading and balance of the line in the third column on page 13730 is corrected to read: "Hardee County, That portion of the county".

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Adminis-
tration, Department of Health, Edu-
cation, and Welfare

SUBCHAPTER A—GENERAL

PART 3—STATEMENTS OF GENERAL
POLICY OR INTERPRETATION

PART 131—INTERPRETATIVE STATE-
MENTS RE WARNINGS ON DRUGS
AND DEVICES FOR OVER-THE-
COUNTER SALE

Labeling of Articles Intended for Lay
Use in the Repairing and/or Refit-
ting of Dentures

In the FEDERAL REGISTER of April 4, 1968 (33 F.R. 5365), the Commissioner of Food and Drugs proposed a statement of policy and warning statement that would require a warning in the labeling of over-the-counter denture liners, repair kits, pads, and cushions limiting their use to emergency and temporary purposes. Thirty days were allowed for comments on the proposal. Subsequently, the time for comments was extended to July 3 and then to August 8, 1968, by notices published May 11, and July 11, 1968 (33 F.R. 7087, 9960).

Fifteen comments were received and some suggested that the warning for reliners, pads, and cushions be different from that for repair kits. The Commissioner concurs and the suggestion is incorporated. Also, the Commissioner concludes that the labeling for these products should include full information permitting the laymen to understand the

limitations of usefulness involved and the importance of adhering to the warnings.

Accordingly, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502 (a), (f), (j), 701(a), 52 Stat. 1050-51, 1055; 21 U.S.C. 352 (a), (f), (j), 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), Parts 3 and 131 are amended as follows:

1. The following new section is added to Part 3:

§ 3.56 Labeling of articles intended for lay use in the repairing and/or refitting of dentures.

(a) The American Dental Association and leading dental authorities have advised the Food and Drug Administration of their concern regarding the safety of denture reliners, repair kits, pads, cushions, and other articles marketed and labeled for lay use in the repairing, refitting, or cushioning of ill-fitting, broken, or irritating dentures. It is the opinion of dental authorities and the Food and Drug Administration that to properly repair and properly refit dentures a person must have professional knowledge and specialized technical skill. Layman cannot be expected to maintain the original vertical dimension of occlusion and the centric relation essential in the proper repairing or refitting of dentures. The continued wearing of improperly repaired or refitted dentures may cause acceleration of bone resorption, soft tissue hyperplasia, and other irreparable damage to the oral cavity. Such articles designed for lay use should be limited to emergency or temporary situations pending the services of a licensed dentist.

(b) The Food and Drug Administration therefore regards such articles as unsafe and misbranded under the Federal Food, Drug, and Cosmetic Act, unless the labeling:

(1) (i) Limits directions for use for denture repair kits to emergency repairing pending unavoidable delay in obtaining professional reconstruction of the denture;

(ii) Limits directions for use for denture reliners, pads, and cushions to temporary refitting pending unavoidable delay in obtaining professional reconstruction of the denture;

(2) Contains in a conspicuous manner the word "emergency" preceding and modifying each indication-for-use statement for denture repair kits and the word "temporary" preceding and modifying each indication-for-use statement for reliners, pads, and cushions; and

(3) Includes a conspicuous warning statement to the effect:

(i) For denture repair kits: "*Warning—For emergency repairs only.* Long-term use of home-repaired dentures may cause faster bone loss, continuing irritation, sores, and tumors. This kit for emergency use only. See Dentist Without Delay."

(ii) For denture reliners, pads, and cushions: "*Warning—For temporary use only.* Long-term use of this product may

lead to faster bone loss, continuing irritation, sores, and tumors. For Use Only Until a Dentist Can Be Seen."

(c) Adequate directions for use require full information of the temporary and emergency use recommended in order for the layman to understand the limitations of usefulness, the reasons therefor, and the importance of adhering to the warnings. Accordingly, the labeling should contain substantially the following information:

(1) For denture repair kits: Special training and tools are needed to repair dentures to fit properly. Home-repaired dentures may cause irritation to the gums and discomfort and tiredness while eating. Long-term use may lead to more troubles, even permanent changes in bones, teeth, and gums, which may make it impossible to wear dentures in the future. For these reasons, dentures repaired with this kit should be used only in an emergency until a dentist can be seen. Dentures that don't fit properly cause irritation and injury to the gums and faster bone loss, which is permanent. Dentures that don't fit properly cause gum changes that may require surgery for correction. Continuing irritation and injury may lead to cancer in the mouth. You must see your dentist as soon as possible.

(2) For denture reliners, pads, and cushions: Use of these preparations or devices may temporarily decrease the discomfort; however, their use will not make the denture fit properly. Special training and tools are needed to repair a denture to fit properly. Dentures that do not fit properly cause irritation and injury to the gums and faster bone loss, which is permanent and may require a completely new denture. Changes in the gums caused by dentures that do not fit properly may require surgery for correction. Continuing irritation and injury may lead to cancer in the mouth. You must see your dentist as soon as possible.

(3) If the denture relining or repairing material forms a permanent bond with the denture, a warning statement to the following effect should be included: "This reliner becomes fixed to the denture and a completely new denture may be required because of its use."

(d) Labeling claims exaggerating the usefulness or the safety of the material or failing to disclose all facts relevant to the claims of usefulness will be regarded as false and misleading under sections 201(n) and 502(a) of the Federal Food, Drug, and Cosmetic Act.

(e) Regulatory action may be initiated with respect to any article found within the jurisdiction of the act contrary to the provisions of this policy statement after 90 days following the date of publication of this section in the FEDERAL REGISTER

2. By alphabetically inserting in §§ 131.15 and 131.25 new warning statements, as follows:

§ 131.15 Drugs for human use; recommended warning and caution statements.

DENTURE RELINERS, PADS, AND CUSHIONS

Warning—For temporary use only. Long-term use of this product may lead to faster bone loss, continuing irritation, sores, and tumors. For Use Only Until a Dentist Can Be Seen.

DENTURE REPAIR KITS

Warning—For emergency repairs only. Long-term use of home-repaired dentures may cause faster bone loss, continuing irritation, sores, and tumors. This kit for emergency use only. See Dentist Without Delay.

§ 131.25 Devices; recommended warning and caution statements.

DENTURE RELINERS, PADS, AND CUSHIONS

Warning—For temporary use only. Long-term use of this product may lead to faster bone loss, continuing irritation, sores, and tumors. For Use Only Until a Dentist Can Be Seen.

DENTURE REPAIR KITS

Warning—For emergency repairs only. Long-term use of home-repaired dentures may cause faster bone loss, continuing irritation, sores, and tumors. This kit for emergency use only. See Dentist Without Delay.

(Secs. 502 (a), (f), (j), 701(a), 52 Stat. 1050-51, 1055; 21 U.S.C. 352 (a), (f), (j), 371(a))

Dated: August 22, 1969.

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

[F.R. Doc. 69-10683; Filed, Sept. 8, 1969; 8:45 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

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

PART 121—FOOD ADDITIVES

Fluometuron

A. A petition (9F0764) was filed with the Food and Drug Administration by the CIBA Agrochemical Co., Post Office Box 1105, Vero Beach, Fla. 32960, proposing the establishment of a tolerance of 0.1 part per million for negligible residues of the herbicide fluometuron (1,1-dimethyl-3-(α,α,α -trifluoro-*m*-tolyl)urea) in or on the raw agricultural commodity sugarcane.

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

Based on consideration given the data submitted in the petition and other relevant material, the Commissioner of Food and Drugs concludes that:

1. Tolerances are unnecessary regarding meat, milk, poultry, or eggs since the

proposed usage is not reasonably expected to result in residues of the herbicide in these commodities from feeding livestock byproducts of the treated sugarcane (bagasse and molasses) or from treated cottonseed (the tolerance re cottonseed was established Nov. 9, 1967; 32 F.R. 15578). These uses are classified in the category specified in § 120.6(a)(3).

2. The tolerance established by this order will protect the public health.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and under authority delegated to the Commissioner (21 CFR 2.120), § 120.229 is revised to read as follows:

§ 120.229 Fluometuron; tolerances for residues.

Tolerances are established for negligible residues of the herbicide fluometuron (1,1-dimethyl-3-(α,α,α -trifluoro-*m*-tolyl)urea) in or on the raw agricultural commodities cottonseed and sugarcane at 0.1 part per million.

B. A related food additive petition (FAP 9H2407) was filed with the Food and Drug Administration by the aforementioned petitioner proposing the establishment of a food additive tolerance of 0.2 part per million for residues of the herbicide in or on sugarcane bagasse resulting from the application of the herbicide to the growing raw agricultural commodity sugarcane. Having evaluated the data in the petition and other relevant material, the Commissioner concludes that the tolerance is safe and should be established. Therefore, pursuant to the provisions of the act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated as cited above, Part 121 is amended by adding the following new section to Subpart C:

§ 121.331 Fluometuron.

A tolerance of 0.2 part per million is established for residues of the herbicide fluometuron (1,1-dimethyl-3-(α,α,α -trifluoro-*m*-tolyl)urea) in or on sugarcane bagasse resulting from application of the herbicide to the raw agricultural commodity sugarcane.

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.

(Secs. 408(d)(2), 409(c)(1), 68 Stat. 512, 72 Stat. 1786; 21 U.S.C. 346a(d)(2), 348(c)(1))

Dated: August 29, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-10684; Filed, Sept. 8, 1969; 8:45 a.m.]

PART 121—FOOD ADDITIVES

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

STYRENE-METHYL METHACRYLATE COPOLYMERS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 9B2389) filed by The Richardson Co., 2700 Lake Street, Melrose Park, Ill. 60160, and other relevant material, concludes that the food additive regulations should be amended to provide for the safe use of styrene-methyl methacrylate copolymers as components of plastic articles intended for food-contact use. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 121 is amended by adding to Subpart F the following new section:

§ 121.2611 Styrene-methyl methacrylate copolymers.

Styrene-methyl methacrylate copolymers identified in this section may be safely used as components of plastic articles intended for use in contact with food, subject to the provisions of this section.

(a) For the purpose of this section, styrene-methyl methacrylate copolymers consist of basic copolymers produced by the copolymerization of styrene and methyl methacrylate such that the finished basic copolymers contain more than 50 weight percent of polymer units derived from styrene.

(b) The finished plastic food-contact article, when extracted with the solvent or solvents characterizing the type of food and under the conditions of time and temperature characterizing the conditions of intended use as determined from tables 1 and 2 of § 121.2526(c), yields extractives not to exceed the following when tested by the methods prescribed in § 121.2591(c):

(1) Total nonvolatile extractives not to exceed 0.3 milligram per square inch of surface tested.

(2) Potassium permanganate oxidizable distilled water and 8 and 50 percent alcohol extractives not to exceed an absorbance of 0.15.

(3) Ultraviolet-absorbing distilled water and 8 and 50 percent alcohol extractives not to exceed an absorbance of 0.30.

(4) Ultraviolet-absorbing *n*-heptane extractives not to exceed an absorbance of 0.40.

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: August 29, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-10685; Filed, Sept. 8, 1969; 8:45 a.m.]

SUBCHAPTER D—HAZARDOUS SUBSTANCES

PART 191—HAZARDOUS SUBSTANCES: DEFINITIONS AND PROCEDURAL AND INTERPRETATIVE REGULATIONS

Toy Rocket Propellant Devices; Exemption From Classification as Banned Hazardous Substance

Fifteen comments, all in support, were received in response to the notice published in the FEDERAL REGISTER of July 10, 1969 (34 F.R. 11423), proposing that certain toy rocket propellant devices be exempted for reasons given from classification as "banned hazardous substances," as defined by section 2(q)(1)(A) of the Federal Hazardous Substances Act. The Commissioner of Food and Drugs concludes that the exemption is consistent with the purpose of the act and that the amendment should be adopted as proposed.

Therefore, pursuant to the provisions of the act (sec. 2(q)(1)(B)(i), 74 Stat. 374, 80 Stat. 1304; 15 U.S.C. 1261) and under authority delegated to the Commissioner (21 CFR 2.120), two new subparagraphs are added to § 191.65(a) as follows:

§ 191.65 Exemptions from classification as banned hazardous substances.

(a) * * *

(8) Model rocket propellant devices designed for use in light-weight, recoverable, and reflyable model rockets, provided such devices:

(i) Are designed to be ignited by electrical means.

(ii) Contain no more than 62.5 grams (2.2 ounces) of propellant material and produce less than 80 newton-seconds (17.92 pound seconds) of total impulse with thrust duration not less than 0.050 second.

(iii) Are constructed such that all the chemical ingredients are preloaded into a cylindrical paper or similarly constructed nonmetallic tube that will not fragment into sharp, hard pieces.

(iv) Are designed so that they will not burst under normal conditions of use, are incapable of spontaneous ignition, and do not contain any type of explosive or pyrotechnic warhead other than a small parachute or recovery-system activation charge.

(v) Separate delay train and/or recovery system activation devices intended for use with premanufactured model rocket engines wherein all of the chemical ingredients are preloaded so the user does not handle any chemical ingredient and are so designed that the main casing or container does not rupture during operation.

A delayed effective date is unnecessary for this promulgation since this order establishes an exemption as contemplated by the Federal Hazardous Substances Act under certain conditions.

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

(Sec. 2(q)(1)(B)(i), 74 Stat. 374, 80 Stat. 1304; 15 U.S.C. 1261)

Dated: August 29, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-10686; Filed, Sept. 8, 1969;
8:48 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 2—PUBLIC USE AND RECREATION

Preservation of Public Property, Natural Features, Curiosities, and Resources

Pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), it is proposed to amend the general regulations of § 2.20 of Title 36 of the Code of Federal Regulations, as set forth below.

The purpose of these amendments is to prohibit possession of mineral or metal detection devices in natural and historical areas and to further prohibit the possession and use of such devices in recreational areas.

It is the policy of the Department of the Interior, whenever practicable, to

afford the public an opportunity to participate in the rule-making process. However, due to the pressing need to prevent the removal of publicly owned artifacts from park service areas, it is deemed contrary to the public interest to provide a period for public comment prior to installation of the above amendments, or to provide a notice period after publication before the amendments take effect. Therefore, these amendments shall take effect upon the date of publication in the FEDERAL REGISTER.

Section 2.20 is amended as follows:

§ 2.20 Preservation of public property, natural features curiosities, and resources.

(a) * * *

(3) The possession or use of any mineral or metal detecting device is prohibited: *Provided*, That possession of such a device within a motor vehicle is permitted if the device is broken down or packed in such a way as to prevent its use while in the park areas: *Provided further*, That the provisions of this section shall not apply to (i) fathometers, radar equipment and electronic equipment used primarily for the navigation and safe operation of boats and aircraft, and (ii) mineral or metal detecting devices used in pursuit of authorized mining activities.

(b) * * *

(6) The possession or use of any mineral or metal detecting device is prohibited: *Provided*, That possession of such a device within a motor vehicle is permitted if the device is broken down or packed in such a way as to prevent its use while in the park areas: *Provided further*, That the provisions of this section shall not apply to (i) fathometers, radar equipment and electronic equipment used primarily for the navigation and safe operation of boats and aircraft, and (ii) mineral or metal detecting devices used in pursuit of authorized mining activities.

(5 U.S.C. 553; 39 Stat. 535; 16 U.S.C. 3)

Dated: August 29, 1969.

HARTHON L. BILL,
Acting Director,
National Park Service.

[F.R. Doc. 69-10694; Filed, Sept. 8, 1969;
8:46 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

MISCELLANEOUS AMENDMENTS TO CHAPTER

The regulations of the Post Office Department are amended as follows:

PART 123—ADDRESSES

Sections 123.8 (a) and (b) are revised in part to convert servicemen's serial numbers to social security numbers as requested by the Departments of the Army and Air Force.

§ 123.8 Military mail.

(a) *Overseas military mail*—(1) *Army and Air Force.* Show grade, full name, including first name and middle name or initial, service number (same as Social Security account number), organization, APO number and the post office through which the mail is to be routed. Examples:

Pvt. Willard J. Doe, 300-52-6111,
Company F,
167th Infantry Regt.,
APO New York 09801.

A/c Howard J. Doe, 248-60-5033,
50 Fld Maint Sq.,
CMR Box 861,
APO New York 09109.

A/c Harold F. Doe 249-06-5432,
2d Bomb Squadron,
APO New York 09125.

(3) *Dependents residing with military personnel.* Mail addressed to dependents residing in overseas areas will be addressed in care of the sponsor. Example:

Miss Mary J. Doe,
c/o Sgt. Howard A. Doe 345-67-8900,
Company A, 1st Bn., 16th Inf.,
APO New York 09036.

(b) *Military mail within United States*—(1) *Army and Air Force.* Show grade, full name, including first name and middle name or initial, service number (same as Social Security account number), organization, military installation, and the ZIP Code. Example:

Pvt. Willard J. Doe, 300-52-6111,
Co. B, 1st Bn. 12th Infantry,
Fort Lewis, Wash. 98433.

A/c Harold F. Doe, 249-06-5432,
1 Strat Aeroesp Div.,
Vandenberg A.F.B., Calif. 93437.

(3) *Dependents residing with military personnel.* (i) Mail addressed to dependents for delivery through the sponsors' military unit should be addressed in care of the sponsor. Example:

Master Robert Brown,
c/o Sgt. Michael Brown, 081-32-6959,
Company A, 6th Bn., 10th Inf.,
Fort Gordon, Ga. 30905.

Note: The corresponding Postal Manual sections are 123.811, 123.813, 123.821, and 123.823.

PART 126—SECOND-CLASS BULK MAILINGS

I. Sections 126.3(c) (3) and (4) are amended to update instructions regarding mailing of packages either for direct dispatch to a given unit through a postal center or for distribution to destination by the postal center. Also, paragraph (d) of § 126.3 is amended. The affected portions of § 126.3 read as follows:

§ 126.3 Mailing.

(c) *Copies for military post offices overseas.* * * *

(3) *Direct sacks.* When there are a sufficient number of packages and bundles for one unit, APO, or Navy or Marine

Corps address to fill approximately one-half of a sack, a direct sack must be made. Direct sacks will not be opened at postal concentration centers. The sack should be labeled in the following form:

(Show appropriate postal concentration center.)

(Show military address.)

PCC New York NY 110
ORD P APO 09360
The Recorder New York NY

(4) *Mixed sacks.* When the quantity is insufficient for a direct sack and there are enough bundles or packages for dispatch through one postal concentration center to fill approximately one-half of a sack, make up a sack for that center and label in the following form:

(Show appropriate postal concentration center.)

(Show FPO when applicable.)

PCC San Francisco CA 962
Ord P APO Mail
The Recorder New York NY

(d) *Delivery by transportation facilities*—(1) *Delivery by mobile unit clerks.* Mobile unit clerks, when authorized by the postmaster, may receive packages of second-class publications directly from publishers or news agents and deliver them as directed, provided the packages are presented and called for at the mail car and are not received from or intended for delivery in any post office.

(2) *Delivery by baggagemen.* Star route carriers and baggagemen on trains to which no mobile unit clerk is assigned when authorized by an appropriate Regional Director may receive packages of second-class publications directly from publishers and news agents. The star route carrier and baggageman will deliver the packages of outside matter at the place shown on the address. When in their custody, the packages will be considered as mail.

(3) *Delivery to agents.* Packages marked to be delivered outside the mail will be so delivered only when addressed to news agents or agents of publishers.

(4) *Preparation.* Bundles or packages intended for delivery outside the mail must be adequately wrapped with heavy paper and tied with twine heavy enough to stand up under the regular handling and dispatch of these packages. The wrapper of the bundles must be conspicuously marked "U.S. Mail for Outside Delivery at Publisher's Risk."

II. Section 126.4(b) is revised to delete two of the label samples; and paragraph (c) is amended for clarification.

Accordingly, in § 126.4 *Newspaper treatment*, make the following change: Amend paragraphs (b) and (c) to read as follows:

§ 126.4 Newspaper treatment.

(b) *Preparation for mailing.* Newspapers must be made up in sacks plainly labeled "Newspapers" or "News." Sacks will be made in accordance with § 126.3 (b). Label in the following manner:

CINCINNATI OH 452
News
The Register Columbus OH
PCC SAN FRANCISCO CA 962
New APO 96360
The Recorder New York NY

(c) *Dispatching.* Newspapers will be dispatched in pouches with first-class mail when the quantity is not sufficient to make up separate sacks and when first-class mail is not airlifted. Newspapers for dispatch to railway post office, highway post offices, terminals, sectional centers, or first-class offices will not be mixed in sacks with any class of mail other than first class. Sacks labeled "Newspapers" will be dispatched with other preferential mail in surface transportation.

NOTE: The corresponding Postal Manual sections are 126.333, 126.341 through 126.346, and 126.442.

PART 132—SECOND CLASS

Section 132.3(c)(5) is amended by including the conditions for exceptional dispatch of second-class publications formerly stated in old § 126.3(d) (1) and (2).

§ 132.3 Application for second-class privileges.

(c) *Applications for publications that have second-class privileges.* * * *

(5) An application to delivery copies of a second-class publication at the publishers' expense and risk from the post office of original entry or an additional entry post office to other post offices or elsewhere may be filed by the publisher at the office of original or additional entry where the postage is paid on the copies which will be transported. A form is not provided for this kind of application. The postmasters at the office of original or additional second-class entry will approve or disapprove applications on the basis of whether such exceptional dispatch will improve service. They will notify other post offices concerned and the Regional Director of approved arrangements and include a list showing how the sacks or outside bundles are to be labeled and the approximate number of copies. Only after notification by the postmaster at the entry office where the postage is paid shall copies be accepted at another office directly from the publisher. At least once each 6 months the accepting postmaster shall verify the number of copies received directly from the publisher. Any significant increase noted at time of verification or at any other time shall be reported to the entry office where the postage is paid.

NOTE: The corresponding Postal Manual section is 132.33e.

(5 U.S.C. 301, 39 U.S.C. 501, 4052, 4058, 4351-4370)

DAVID A. NELSON,
General Counsel.

[F.R. Doc. 69-10697; Filed, Sept. 8, 1969; 8:46 a.m.]

PART 127—MAIL ADDRESSED TO MILITARY POST OFFICES OVERSEAS

PART 156—RURAL SERVICE

Miscellaneous Amendments

The regulations of the Post Office Department are amended as follows:

I. Section 127.1(f)(3) (34 P.R. 88), is amended to require the sender to present an export license from Office of Munitions Control, Department of State, when mailing admissible firearms to overseas military post offices.

§ 127.1 Preparation and handling.

(f) *General prohibitions.* * * *

(3) Firearms not specifically prohibited by Footnote F of § 127.2 are subject to the provisions of §§ 125.5 and 125.9 of this chapter. Sender must present an export license from Office of Munitions Control, Department of State, Washington, D.C. 20520. See Part 253 of this chapter.

NOTE: The corresponding Postal Manual section is 127.163.

§ 127.2 [Amended]

II. In § 127.2 *Conditions prescribed by the Defense Department applicable to mail addressed to certain military post offices overseas*, make the following changes in the tabular data:

1. Delete the following Military post office numbers and their accompanying data:

09049.. A-B*-C	96666.. A-B
96624.. A-F	96667.. A-B
96660.. A	96668.. A-B
96661.. A-B	96670.. A
96662.. A-B	96672.. A
96664.. A-B	96678.. A

2. Insert in proper numerical sequence the following Military post office numbers and their accompanying data.

09351.. B-C-D	96494.. A-F
09360.. B-C-D	96620.. A-F
09513.. A-C-D	96647.. A-F

3. Opposite Military post office number 09879, delete all footnote references except the reference to I.

4. Delete footnote A, and insert in lieu thereof footnote F opposite the following Military post office numbers:

96650	96652	96656
96651	96654	96658

NOTE: The corresponding Postal Manual sections are 127.163 and 127.2.

III. Section 156.5(a)(3)(v) is amended to correct a reference.

§ 156.5 Rural boxes.

(a) *Specifications.* * * *

(3) *Approval requirements.* * * *

(v) A copy of the instructions required by section S-12 of the standards.

NOTE: The corresponding Postal Manual section is 156.513e. (5 U.S.C. 301, 39 U.S.C. 501, 505, 708, 712, 6005, 6009)

DAVID A. NELSON,
General Counsel.

[F.R. Doc. 69-10708; Filed, Sept. 8, 1969; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte 241]

PART 1033—CAR SERVICE

Investigation of Adequacy of Railroad Freight Car Ownership, Car Utilization, Distribution, Rules, and Practices

SEPTEMBER 4, 1969.

This proceeding was initiated by order of the Commission dated December 20, 1963, and published on page 119 of the January 4, 1964, issue of the FEDERAL REGISTER. The proceeding was broadened by a notice of proposed rule making entered July 29, 1964, and published on page 11653 of the August 14, 1964, issue of the FEDERAL REGISTER.

On August 21, 1969, the Commission, Division 3, entered a report in this proceeding and ordered all Class I railroads and named Class II railroads, and terminal and switching companies to mandatorily observe Rules 1, 2, 7, 15, 16, 17, and 18, of the Code of Car Service Rules—Freight promulgated by the Association of American Railroads. To give public notice of the required observance of these rules, the Commission ordered their publication in the FEDERAL REGISTER. The texts of these rules are set forth below and are codified as §§ 1033.0 to 1033.18 of Title 49 of the Code of Federal Regulations.

The order of the Commission is effective October 3, 1969.

[SEAL] ANDREW ANTHONY, JR.,
Acting Secretary.

Part 1033 of Title 49 of the Code of Federal Regulations is revised to read as follows:

Sec.	
1033.0	General.
1033.1	Foreign empty cars at junction [Rule 1].
1033.2	Foreign empty cars [Rule 2].
1033.7	Interchange of cars [Rule 7].
1033.15	Requests for cars [Rule 15].
1033.16	Cars for shippers' exclusive use. [Rule 16].
1033.17	Loaded cars [Rule 17].
1033.18	Placing and removal of cars [Rule 18].

AUTHORITY: The provisions of Part 1033 are issued under secs. 1, 12, 15, 17, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, 17.

NOTE: For service ordered issued under this part but not carried in the Code of Federal Regulations, see List of Sections Affected.

§ 1033.0 General.

(a) The car service rules prescribed by §§ 1033.1-1033.18 shall be observed by all Class I railroads (as defined in § 1240.1 of this chapter) and by those Class II railroads, and terminal and switching companies subject to the report and order of the Commission in Docket Ex Parte No. 241, Investigation of Adequacy of Freight Car Ownership, 335 ICC 264, decided August 21, 1969.

(b) The following definitions shall apply:

(1) *Foreign car.* A car on a road to which it does not belong.

(2) *Home road.* The road which owns a car.

§ 1033.1 Foreign empty cars at junction [Rule 1].

Foreign cars, empty at a junction with the home road, must be:

(a) Loaded at that junction to or via home rails, or,

(b) Delivered empty at that junction to home road, except in instances where Rule 6 has been invoked, or unless otherwise agreed by roads involved.

§ 1033.2 Foreign empty cars [Rule 2].

Foreign empty cars other than those covered in Rule 1 shall be:

(a) Loaded to or via owner's rails.

(b) Loaded to a destination closer to owner's rails than is the loading station or delivered empty to a short line or switch loading road for such loading. (Car Selection Chart is designed to aid in so selecting cars for loading.)

(c) Delivered empty to the home road at any junction subject to Rule 6.

(d) Delivered empty to the road from which originally received under load, at the junction where received, except that when handled in road haul service, cars of direct connection ownership may not be delivered empty to a road which does not have a direct connection with the car owner.

(e) Return empty to the delivering road when handled only in switching service.

NOTE: Box cars covered by Car Service Division Special Car Order No. 90¹ should be handled as provided therein.

NOTES TO CAR SERVICE RULES 1 AND 2

(a) (1) "Junction" as used in these rules means stations where roads interchange cars at a common point or within switching limits over their own lines, or an intermediate line or lines, or a car ferry or float within such limits. Road so interchanging cars shall be considered direct connections.

(2) This information should be published in "The Official Railway Equipment Register",² and when the interchange is other than over their own rails, the channel through which the interchange is effected must be shown.

(b) Inequities resulting from these rules should be resolved by negotiations between the roads involved, and exception to the rules is permitted following such resolution and concurrence by the Car Service Division.

The following is Rule 6 which is to be followed in conjunction with Rules 1 and 2. It is not prescribed for mandatory observance and is printed for information only:

If a movement of traffic requires return of empty cars to home road via the junction at which cars were delivered in interchange under load, the home road may demand return of empty cars at such junction, except that cars offered a home road for repairs,

¹ Available from the Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.

² Available from the Railway Equipment and Publication Co., 424 West 33d Street, New York, N.Y. 10001.

in accordance with the Interchange Rules of the Mechanical Division, must be accepted by owners at any junction point.

NOTE: Notice of an intent on the part of any road to invoke the provisions of this rule should be issued by the designated transportation officer to the designated transportation officer of the road to which the notice is addressed, such notice to specify the type of cars and particular junction points involved.

Such notice may not limit acceptance to the individual cars previously delivered, but may require the return of an equivalent number of home cars of the type specified, at junction point where delivered loaded.

INTERPRETATIONS

The words "Movement of Traffic" in this rule mean the movement regularly through any junction points of any kind of traffic in (or on) the same class of car.

Car Service Rule 6 gives to a railroad which may deliver regularly, to a connection through any junction, traffic of any kind in (or on) its cars of the same class, the right to require connection participating in the handling of traffic from the junction point, to use that point of interchange for the return of the class of empty cars engaged in the service, instead of returning them at some other junction less favorable to the receiving (owning) railroad. (Apr. 25, 1923.)

§ 1033.7 Interchange of cars [Rule 7].

(a) (1) Cars shall be considered as having been delivered to a connecting railroad when placed upon the track agreed upon and designated as the interchange track for such deliveries, accompanied or preceded by necessary data for forwarding and to insure delivery, and accepted by the car inspector of the receiving road.

(2) Notwithstanding subparagraph (1) of this paragraph, the receiving road shall be responsible for the cars, contents and per diem after receipt of the proper data for forwarding and to insure delivery. This responsibility shall continue as respects cars rejected by the car inspector of the receiving road until such cars have been returned to the delivery road. The effect of this paragraph may be altered by special arrangements made between the roads concerned.

NOTE: The character of the necessary data will be determined by each receiving road in accordance with the conditions of its service.

(b) (1) Each railroad, with due regard for efficient and economical railroad operating practices or conditions beyond the carriers' control, will interchange within 24 hours after arrival or release at interchange station, all cars which it properly may interchange in accordance with the provisions of paragraph (a) of this section, subject to the following exceptions subparagraphs (2) to (4) of this paragraph:

(2) Cars covered by an embargo.

(3) Cars covered by written or telegraphic notice given by the intended receiving line stating that it is unable to receive.

(4) Cars which cannot be placed physically upon the designated interchange track.

(c) When interchange required by paragraph (b) (1) of this section cannot be accomplished, the provisions of Per Diem Rule 15 will apply.

INTERPRETATIONS

QUESTION: After a car has been accepted by the inspector of the receiving road, is the delivering road relieved from responsibility for damage to car and contents?

ANSWER: Yes. (June 20, 1924.)

QUESTION: Where a car has been accepted by the inspector of the receiving road, but is not accompanied or preceded by proper data for forwarding and to insure delivery; is the receiving road relieved from responsibility for damage to the car and contents?

ANSWER: No; but the rule gives the right to receiving road to refuse to accept in interchange cars which are not accompanied or preceded by proper data for forwarding and to insure delivery, and when such cars are not accepted in interchange they are still in the possession of the delivering road. (June 20, 1924.)

When a loaded freight car containing a shipment destined to a nonagency station (a station at which there is no freight agent), billed collect or insufficiently prepaid, is offered in interchange, it shall be accepted from the connecting carrier and forwarded to destination. (Jan. 25, 1926.)

NOTE: Rules of the A.A.R. Accounting Division make provision for the Adjustment of freight charges between the originating and the delivering carrier.

The following is *Per Diem Rule 15*. It is not prescribed for mandatory observance and is printed for information only. Other *Per Diem Rules* referred to in *Per Diem Rule 15* are published in the *Official Railway Equipment Register* available from the *Railway Equipment and Publication Co.*, 424 West 33d Street, New York, N.Y. 10001.

(a) A road failing to receive promptly from a connection car on which it has laid no embargo, shall be responsible to the connection for the per diem on cars so held for delivery, including the home cars of such connection.

A road failing to receive promptly from a connection empty cars at home on its road, moving home under *Car Service Rules*, shall be responsible to the connection for double the per diem on such cars held for delivery after the first day for which reclaim is made.

(b) If such failure to receive shall continue for more than 3 days, the delinquent line shall thereafter in addition be responsible for the per diem on all cars wherever in transit which are thus held back for delivery.

(c) It shall be the duty of the connection intending to reclaim to notify the delinquent line daily, prior to midnight, through the designated representative at the point where cars are offered, of the total number of cars so held for it, and within 48 hours from midnight of the day cars are offered furnish the initials and numbers of the cars.

(d) The reclaim accruing under this rule on a car handled in terminal switching service can only be made for the detention in excess of the reclaim allowable under *Per Diem Rule 5*.

(e) When the hour at which the receiving road clears the interchange track is so late that the delivering road cannot place on interchange track before midnight, cars which it is holding for delivery, the receiving road shall be responsible for the *Per Diem* on such cars for the following day, subject to local agreement as to time required to make delivery.

(f) This rule shall apply in connection with the loaded cars interchanged between a common carrier by water and a common carrier by railroad except where in conflict

with applicable tariffs and divisional agreements.

(g) This rule shall apply in connection with empty cars interchanged between a common carrier by water and a common carrier by railroad.

INTERPRETATIONS

15(a) **QUESTION:** In case a car held for a certain road is not delivered to that road, can reclaim be made against such road? **ANSWER:** No.

15(b) **QUESTION:** Is it necessary to furnish initials and numbers of cars held which have previously been reported by initials and numbers? **ANSWER:** No.

15(c) **QUESTION:** When a road cannot accept cars from a connection, is it necessary for the connection to notify the delinquent line before midnight each day of the total number of cars held for which reclaim is to be made? **ANSWER:** Yes.

15(d) **QUESTION:** When a road has invoked the provisions of *Car Service Rule 6*, and cars are offered to that road at another junction point, is the holding road entitled to reclaim under *Per Diem Rule 16*? **ANSWER:** No.

§ 1033.15 Requests for cars [Rule 15].

(a) Carriers shall record all requests for cars for loading, which shall include the following information if available:

- (1) Date and time.
- (2) Name of party.
- (3) Name of person receiving request.
- (4) Kind of and size of cars wanted.
- (5) Number of cars wanted.
- (6) Date wanted (see Note 1 below).
- (7) Commodity to be loaded.
- (8) Destination and route.

NOTE: If order covers more than one date it must state number of cars wanted separately for each day.

(b) Request for cars shall be accepted only by the road on which the car is to be loaded.

(c) On cars originating in switching service, the road performing the switching service shall, if cars of suitable ownership under these rules are immediately available, furnish cars for loading for road-haul via another carrier. If such cars are not immediately available, the switching carriers shall immediately order suitable cars for the designated road-haul carrier in the manner required by paragraph (a) of this section. Cars ordered by switching carriers from road-haul carriers for return loading in road-haul service will be furnished by road-haul carriers in the same manner and to the same extent as cars ordered by industries directly served by it.

(d) Switching carriers are obligated to furnish or arrange for cars required for loading to destinations within the same switching limits.

§ 1033.16 Cars for shippers' exclusive use [Rule 16].

(a) When, after the effective date of these rules, specific cars covered by *CSD 145* and *435* series are assigned to a shipper for his exclusive use, such assignment shall be made subject to the following conditions:

- (1) Shipper must request in writing of originating road-haul carrier(s) assignment at least ten (10) days before their intended use of a specific number of cars. If originating carrier(s) agrees to

such assignment but desires other road-haul carriers to participate in assignment, it will advise shipper accordingly and will make request on such other carriers.

(2) Pools of assigned cars including cars of ownership other than the originating road-haul carriers may be expanded only upon the acceptance by the originating road-haul carriers.

(3) When cars are assigned in accordance with this rule, they shall remain and be treated as assigned cars until the shipper or owning railroad notifies the other and the originating road-haul carrier(s) in writing at least ten (10) days in advance that such assignment is modified or canceled.

(b) Assigned cars shall not be held empty en route to loading point, except as follows:

(1) Upon written instructions of assignee.

(2) When assignee cannot immediately accept on arrival at loading point and cars cannot reasonably be held on other tracks at loading points.

(3) For necessary repairs (not cleaning).

(c) The present and future assignment by a carrier of specific cars for the exclusive use of a shipper at a particular point shall be reported by such carrier to the *Operating-Transportation Division* of the *Association of American Railroads* by car initial, number, car type code, and specific assignment. Each carrier assigning such cars shall advise the *Operating-Transportation Division* of the *Association of American Railroads* of any change in assignment not later than the last working day of the month in which change occurred. The *Operating-Transportation Division* of the *Association of American Railroads* will maintain a current record of cars assigned, and distribute such information to car owners assigning cars to a specific shipper at each location, as well as to the roads originating traffic from such assignments, including originating switching line serving the shipper involved. The foregoing provisions of this paragraph shall not apply when all cars assigned to the exclusive use of a shipper at a particular point are system cars of a single road-haul carrier serving the shipper at such point.

(d) Assigned cars are exempt from *Car Service Rules 1* and *2* at initial loading stations.

§ 1033.17 Loaded cars [Rule 17].

Loaded cars will not be held at any point between origin and destination, with due regard for efficient railroad operating practices, except as follows:

(a) To perform any service specifically authorized by applicable tariffs.

(b) To make necessary repairs to cars, including adjustment of lading.

(c) To obtain necessary authority for movement of car, or to obtain authority for transfer or rearrangement of lading, when loaded to dimensions or weights in excess of those published in *Railway Line Clearances*.

¹ Available from the Association of American Railroads, 1920 L Street NW., Washington, D.C. 20036.

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Arrowwood National Wildlife Refuge, N. Dak.

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Public hunting of sharp-tailed grouse and Hungarian partridge on the Arrowwood National Wildlife Refuge, N. Dak., is permitted only on the area designated by signs as open to hunting. This open area, comprising 15,900 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations covering the hunting of sharp-tailed grouse and Hungarian partridge subject to the following conditions:

(1) Hunting is permitted from sunrise to sunset on November 17, 1969, through December 14, 1969.

(2) All hunters must exhibit their hunting license, game and vehicle contents to Federal and State officers upon request.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 14, 1969.

ARNOLD D. KRUSE,
Refuge Manager, Arrowwood
National Wildlife Refuge,
Edmunds, N. Dak.

AUGUST 28, 1969.

[F.R. Doc. 69-10692; Filed, Sept. 8, 1969; 8:46 a.m.]

PART 32—HUNTING

Rice Lake National Wildlife Refuge, Minn.

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

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

MINNESOTA

RICE LAKE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Rice Lake National Wildlife Refuge is per-

mitted from sunrise to sunset November 8, through November 12, 1969, and with bow and arrow only from sunrise November 29, 1969, to sunset December 21, 1969, inclusive, only on the area designated by signs as open to hunting. This open area comprising 13,000 acres, is delineated on a map available at refuge headquarters, McGregor, Minn., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations governing the hunting of deer.

CARL E. POSPICAL,
Refuge Manager, Rice Lake Na-
tional Wildlife Refuge, Mc-
Gregor, Minn.

SEPTEMBER 2, 1969.

[F.R. Doc. 69-10705; Filed, Sept. 8, 1969; 8:47 a.m.]

PART 32—HUNTING

Arrowwood and Chase Lake National Wildlife Refuge, N. Dak.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

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

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Arrowwood National Wildlife Refuge, N. Dak., is permitted only on the area designated by signs as open to hunting. This open area, comprising 10,930 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following conditions:

(1) Hunting is permitted from 12 noon to sunset on November 7, 1969, and from sunrise to sunset November 8, 1969, through November 16, 1969.

(2) All hunters must exhibit their hunting license, deer tag, game, and vehicle contents to Federal and State officers upon request.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 16, 1969.

CHASE LAKE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Chase Lake National Refuge, N. Dak., is permitted only on the area designated by

(d) When consignee is unable to accept immediately upon arrival and car cannot reasonably be held at destination.

(e) Cars loaded in violation of an embargo.

(f) When normal route of movement is blocked because of accident, high water, damage to track, or other disability of this railroad.

§ 1033.18 Placing and removal of cars [Rule 18].

(a) Each railroad will undertake to:

(1) *Placing of cars.* Use reasonable diligence to place loaded cars promptly following arrival at destination.

(2) *Removal of cars.* (i) Carriers shall use reasonable diligence to promptly remove empty cars from point of unloading or interchange tracks of industrial plants following unloading or release by consignee or shipper, unless such empty cars are ordered or appropriated by the shipper with approval of carrier for reloading.

(ii) Carriers shall use reasonable diligence to:

(a) Promptly remove outbound loaded freight cars from point of loading or interchange tracks of industrial plants following acceptance by carrier of shipping instructions; and

(b) Thereafter promptly forward such cars in line-haul service.

(iii) Cars subject to subdivisions (i) and (ii) of this subparagraph which are not in fact made accessible to the carrier because of the actions of the consignee or consignor, shall be deemed not to have been released until such cars are in fact made accessible to the carrier.

(b) Each railroad will, with due regard for efficient railroad operating practices, hold no more cars for prospective loading at any time for any industry which it serves, than those needed to protect current requirements.

[F.R. Doc. 69-10713; Filed, Sept. 8, 1969; 8:48 a.m.]

[Ex Parte No. MC-37 (Sub-No. 13)]

PART 1048—COMMERCIAL ZONES

Rio Grande Border Municipalities; Commercial Zones and Terminal Areas; Extension of Effective Date

SEPTEMBER 2, 1969.

By order dated September 2, 1969, the effective date of the order of the Commission of May 7, 1969, published on page 9870 of the June 26, 1969, issue of the FEDERAL REGISTER amending § 1048.101 of Chapter X of Title 49 of the Code of Federal Regulations is extended to October 8, 1969.

[SEAL] ANDREW ANTHONY, JR.,
Acting Secretary.

[F.R. Doc. 69-10714; Filed, Sept. 8, 1969; 8:48 a.m.]

signs as open to hunting. This open area, comprising 4,600 acres, is delineated on a map available at the Refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minn. 55408. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following conditions:

(1) Hunting is permitted from 12 noon

to sunset on November 7, 1969, and from sunrise to sunset November 8, 1969, through November 16, 1969.

(2) All hunters must exhibit their hunting license, deer tag, game, and vehicle contents to Federal and State officers upon request.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title

50, Code of Federal Regulations, Part 32, and are effective through November 17, 1969.

ARNOLD D. KRUSE,
*Refuge Manager, Arrowwood
National Wildlife Refuge,
Edmunds, N. Dak.*

AUGUST 28, 1969.

[F.R. Doc. 69-10691; Filed, Sept. 8, 1969;
8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF COMMERCE

Patent Office

[37 CFR Part 1]

RULES OF PRACTICE IN PATENT CASES

Preexamination

Notice of proposed rule making regarding an amendment of Part 1, Title 37, Code of Federal Regulations by adding thereto a new center heading reading "Preexamination" and a new § 1.98 relating to the submission of a patentability brief, was published in the FEDERAL REGISTER of July 31, 1969 (34 F.R. 12532). As a result of further deliberations, the Patent Office has decided under the authority contained in section 6 of the Act of July 19, 1952 (66 Stat. 793; 35 U.S.C. 6), to revise the original proposal in the manner set forth below. This revised proposal would expedite the prosecution of applications and strengthen the presumption of validity of issued patents.

Parties who desire to present their views, objections, recommendations, or suggestions in connection with this revised proposal are invited to do so by letter addressed to the Commissioner of Patents, Washington, D.C. 20231, on or before October 23, 1969. Oral comments may be presented at a hearing to be held on Thursday, October 23, 1969, at 9 a.m. d.s.t., in Room 34-3D50, Building 34, 2011 Jefferson Davis Highway, Arlington, Va. All persons wishing to be heard orally are requested to notify the Commissioner of Patents of their intended appearance.

PREEXAMINATION

§ 1.98 Patentability brief.

(a) At the time of filing an application, or at such time as may be specified in an official notice, the applicant shall submit a patentability brief. The brief shall identify a reasonable number of patents and publications that were believed to be prior art and were specifically considered most pertinent in connection with the invention claimed in the application. The brief shall further include an explanation as to why the claims in such application are deemed patentable over the identified patents and publications. Copies of the identified patents and publications, other than patents of the United States, shall be submitted with the brief. The patentability brief shall not be construed as a representation that a search has been made or that no better art exists than that identified as having been specifically considered.

(b) If no prior art was specifically considered in connection with the invention claimed in the application, the brief shall include an express statement to that effect with an explanation as to why the claims are deemed patentable.

(c) Neither matters of judgment in identifying patents, publications, or any other prior art, whether or not required by this section, nor inadvertent failure to comply with the provisions of this section shall constitute grounds for refusing to issue a patent.

WILLIAM E. SCHUYLER, Jr.,
Commissioner of Patents.

Approved: September 5, 1969.

MYRON TRIBUS,
Assistant Secretary for
Science and Technology.

Dated: September 5, 1969.

[F.R. Doc. 69-10756; Filed, Sept. 8, 1969;
8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 69-EA-96]

FEDERAL AIRWAY

Proposed Revocation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would revoke VOR Federal airway No. 476.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW.,

Washington, D.C. 20590. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

V-476 is presently designated from Washington, D.C., via Baltimore, Md., to Millville, N.J. A review of IPR peak-day traffic for fiscal years 1967 and 1968 disclosed that there were no aircraft movements on V-476 between Washington and Baltimore, and only one between Baltimore and Millville. V-476 is not a preferred route between the Washington/Baltimore and New York terminals. Its use is limited because it penetrates the Aberdeen, Md., Restricted Area R-4001. Also, the segment between Washington and Baltimore coincides with V-157. The segment between Baltimore and Millville can be served by V-44, V-268, and V-16.

In view of the foregoing, the FAA proposes the revocation of V-476.

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

Issued in Washington, D.C., on September 3, 1969.

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

[F.R. Doc. 69-10676; Filed, Sept. 8, 1969;
8:45 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 245]

GUIDES FOR WATCH INDUSTRY; DISCLOSURE OF FOREIGN ORIGIN OF WATCH MOVEMENTS

Extension of Time for Filing Written Comments

The Commission has extended from September 8, 1969, to November 10, 1969, the closing date for the submission of written views on its proposed revision of Guide 10 (§ 245.10), disclosure of foreign origin of watch movements, movement parts, and related matters, of the Guides for the watch industry. A notice of the proceedings for the revision of this Guide was published in the FEDERAL REGISTER issued August 7, 1969, 34 F.R. 12836.

Approved: September 4, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-10746; Filed, Sept. 8, 1969;
8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

TEMPERED SHEET GLASS FROM JAPAN

Antidumping Proceeding Notice

AUGUST 29, 1969.

On June 20, 1969, information was received in proper form pursuant to §§ 53.26 and 53.27, Customs Regulations (19 CFR 53.26, 53.27), indicating a possibility that tempered sheet glass from Japan is being, or likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a) et seq.).

The information was submitted by Lincoln and Stewart, Washington, D.C. There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 53.29 of the Customs Regulations (19 CFR 53.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows: The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 53.30 of the Customs Regulations (19 CFR 53.30).

[SEAL] EDWIN F. RAINS,
Acting Commissioner of Customs.

[F.R. Doc. 69-10710; Filed, Sept. 8, 1969;
8:47 a.m.]

STEEL BARS, REINFORCING BARS, AND SHAPES FROM AUSTRALIA

Withholding of Appraisement Notice

AUGUST 29, 1969.

Information was received on May 3, 1968, that steel bars, reinforcing bars, and shapes manufactured by The Broken Hill Proprietary Co., Ltd., Melbourne, Australia, were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of September 24, 1968, on page 14379. The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to or likelihood of injury to or pre-

vention of establishment of an industry in the United States.

Pursuant to section 201(b) of the Act (19 U.S.C. 160(b)) notice is hereby given that there are reasonable grounds to believe or suspect that the purchase price (section 203 of the Act; 19 U.S.C. 162) of such steel bars, reinforcing bars, and shapes manufactured by The Broken Hill Proprietary Co., Ltd., Melbourne, Australia, is less, or likely to be less, than the foreign market value (section 205 of the Act; 19 U.S.C. 164).

Statement of reasons. The information currently before the Bureau tends to indicate that the probable basis of comparison will be between purchase price and home market price.

Preliminary analysis suggests that purchase price will probably be calculated by deducting ocean freight, insurance, and inland freight in the exporting country from the c.i.f. price to the United States.

It appears that home market price will probably be based on the price list price in the country of exportation. Probable adjustments to be made to this price will be inland freight and a trade discount. With respect to reinforcing bars, an adjustment for difference in quality between the product sold in the home market and that sold to the United States appears on the basis of present evidence to be warranted.

Using the above criteria, there are reasonable grounds to believe or suspect that purchase price will be lower than home market price.

Customs officers are being directed to withhold appraisement of steel bars, reinforcing bars, and shapes manufactured by The Broken Hill Proprietary Co., Ltd., Melbourne, Australia, in accordance with § 53.48, Customs Regulations (19 CFR 53.48).

In accordance with §§ 53.32(b) and 53.37, Customs Regulations (19 CFR 53.32(b), 53.37), interested parties may present written views or arguments, or requests in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any such written views or arguments, or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 14 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice, which is published pursuant to § 53.34(b), Customs Regulations, shall become effective upon publication in the FEDERAL REGISTER. It shall cease to be effective at the expiration of 6 months from the date of such publication, unless previously revoked.

[SEAL] MYLES J. AMBROSE,
Commissioner of Customs.

[F.R. Doc. 69-10711; Filed, Sept. 8, 1969;
8:47 a.m.]

Internal Revenue Service

JAMES LARRY DRAKE

Notice of Granting of Relief

Notice is hereby given that James Larry Drake, 501 Skipwith Place, Charlotte, N.C., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 7, 1957, in the Superior Court of Mecklenburg County, N.C., of an offense punishable by imprisonment for a term exceeding 1 year, as defined in 18 U.S.C. 921(a)(20). Unless relief is granted, it will be unlawful for James Larry Drake, because of such conviction to ship, transport, or receive in interstate or foreign commerce any firearm or ammunition, and he would be prevented under chapter 44, title 18, United States Code, from obtaining a license under that chapter as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (82 Stat. 236; 18 U.S.C., Appendix) it would be unlawful for Mr. Drake to receive, possess, or transport in commerce or affecting commerce a firearm. Notice is hereby further given that I have considered James Larry Drake's application and have found:

(1) The conviction was made upon a charge which did not involve the use of a firearm or other weapon or a violation of chapter 44, title 18, United States Code, or of the National Firearms Act; and

(2) It has been established to my satisfaction that the circumstances regarding the conviction and the applicant's record and reputation are such that the applicant will not be likely to act in a manner dangerous to public safety, and that the granting of the requested relief to James Larry Drake from disabilities incurred by reason of his conviction would not be contrary to the public interest.

It is ordered. Pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code, and delegated to me by the regulations in Title 26, Part 178, Code of Federal Regulations, that James Larry Drake be, and he hereby is granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of the conviction hereinabove described.

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

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

[F.R. Doc. 69-10712; Filed, Sept. 8, 1969;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[Docket No. G-442]

ROBERT L. KALB

Notice of Loan Application

Robert L. Kalb, Star Route, Box 6, Brownsville, Tex. 78520, has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a used 65.9-foot registered length wood vessel to engage in the fishery for shrimp, snappers, and groupers.

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

C. E. PETERSON,
Chief,

Division of Financial Assistance.

[F.R. Doc. 69-10706; Filed, Sept. 8, 1969;
8:47 a.m.]

Office of the Secretary

JEFFERSON NATIONAL EXPANSION
MEMORIAL NATIONAL HISTORIC
SITE, MO.

Order Redesignating Boundaries

Whereas, the Secretary of the Interior on December 20, 1935, advised the President that certain described lands at or near the site of Old St. Louis, Mo., possessed exceptional value as commemorating and illustrating the history of the United States and comprised a historic site within the meaning of the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.); and

Whereas, the President of the United States by Executive Order No. 7253 of December 21, 1935, allocated funds to the Department of the Interior to be expended for acquiring the described property and for developing and preserving it for the purposes of the aforesaid act; and

Whereas, the Congress through enactment of the Act of May 17, 1954 (68 Stat. 98; 16 U.S.C. 450jj), and amendments thereto, authorized construction upon the Jefferson National Expansion Memorial National Historic Site of an appropriate national memorial to those persons who made possible the terri-

torial expansion of the United States; and

Whereas, lands and interests in lands have been acquired for the purposes of this national historic site for an aggregate of 90.96 acres; and

Whereas, the exterior lines of the properties so acquired at a number of points and locations are not consistent with the perimeter of the site as described by the Secretary of the Interior in his letter to the President of December 20, 1935; and

Whereas, it is in the public interest to correctly describe and delineate the boundaries of the said site:

Now, therefore, I, Walter J. Hickel, Secretary of the Interior, by virtue of and pursuant to the authority vested in me under the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461 et seq.), do hereby redesignate the following as the boundaries of the Jefferson National Expansion Memorial National Historic Site:

Beginning at the intersection of the centerline of Third Street (38.50 feet wide) with the western prolongation of the southern face of Eads Bridge;

Thence S. 8°39' W., 336 feet, more or less, along the centerline of Third Street to its intersection with the eastward prolongation of the centerline of Vine Street (32.08 feet wide);

Thence S. 71°58'45" E., 9.21 feet along said centerline of Vine Street;

Thence continuing along said centerline of Third Street S. 16°59' W., 290.51 feet to its intersection with the eastward prolongation of the centerline of Locust Street (32.08 feet wide);

Thence S. 17°05'45" W. along said centerline of Third Street a distance of 870.98 feet, passing Olive and Pine Streets, to its intersection with the eastward prolongation of the centerline of Chestnut Street (60 feet wide);

Thence N. 72°09'15" W. along said centerline of Chestnut Street a distance of 377.60 feet to its intersection with the centerline of Fourth Street (80 feet wide);

Thence N. 17°54'15" E. along the centerline of Fourth Street, a distance of 0.13 foot;

Thence N. 72°16'45" W. along the centerline of Chestnut Street, a distance of 350.08 feet, to its intersection with the centerline of Broadway (80 feet wide);

Thence S. 17°53'45" W. along the centerline of Broadway, a distance of 293 feet, to its intersection with the centerline of Market Street (60 feet wide);

Thence S. 72°10' E. along the centerline of Market Street, a distance of 350.03 feet, to the centerline of Fourth Street;

Thence S. 17°54'15" W. along the centerline of Fourth Street, a distance of 4.24 feet;

Thence S. 72°21' E. along the centerline of Market Street (48.08 feet wide), a distance of 382.03 feet, to its intersection with the centerline of Third Street;

Thence S. 17°23'30" W. along the centerline of Third Street, a distance of 1,202.86 feet passing Walnut and Elm Streets and Clark Avenue, to its intersection with the eastward extension of the centerline of Spruce Street (32.08 feet wide);

Thence S. 17°42'30" W. along the centerline of Third Street, a distance of 268.15 feet, to its intersection with the eastward extension of the centerline of Valentine Street (32.08 feet wide);

Thence N. 68°30'15" W. along said centerline of Valentine Street, a distance of 0.43 foot;

Thence S. 18°24'30" W. along the centerline of Third Street, a distance of 261.77 feet, to its intersection with the centerline of Poplar Street (32.08 feet wide);

Thence S. 66°57'15" E. along said centerline of Poplar Street, a distance of 379.95 feet, to a railroad spike on the northward extension of the east line of Second Street;

Thence S. 19°13' W. along said east line of Second Street, a distance of 0.45 foot, to a railroad spike;

Thence S. 67° E. along the centerline of Poplar Street, a distance of 608.75 feet to a point on the wharf, passing First and Commercial Streets, and passing the west line of the wharf at a distance of 599.71 feet;

Thence northwardly on said wharf six calls as follows:

N. 19°33'20" E., 392.247 feet to a point of curvature; thence on a curve to the left having a radius of 15,511.941 feet for an arc distance of 400.236 feet; thence N. 18°04'38" E., 2,224.094 feet to a point of curvature; thence on a curve to the left having a radius of 1,668.794 feet, for an arc distance of 177.490 feet; thence N. 11°59'00" E., 546.880 feet; thence N. 7°47'59" E., to the south face of Eads Bridge;

Thence westerly along the south face of Eads Bridge, and around the tower extending therefrom, to the point of beginning.

Except "The Old Cathedral" located in City Block 59 and described as follows: Beginning at a point where the centerline of Third Street intersects the centerline of Market Street extended eastward; thence S. 17°23'30" W. 348.28 feet along said centerline of Third Street to its intersection with the centerline of Walnut Street to the east (50 feet wide); thence S. 72°15'45" E. along said centerline of Walnut Street, a distance of 101.21 feet, to its intersection with the southward extension of the centerline of a 10-foot wide alley, which point is the True point of beginning of the tract herein described; thence N. 17°46'15" E. along the centerline of the abovementioned alley, a distance of 196.66 feet, to the centerline of a 25-foot wide alley; thence S. 72°29'30" E. along the centerline of said alley 144.58 feet to the centerline of a 10-foot wide alley; thence S. 17°46'15" W. along the centerline of said alley, a distance of 197.24 feet to its intersection with the centerline of Walnut Street; thence N. 72°15'45" W. along said centerline of Walnut Street, a distance of 144.58 feet, to the True point of beginning.

The tract described, without the excepted area, contains 90.96 acres of which 5.5 acres are held under a perpetual easement.

The aforesaid boundaries are depicted on a drawing of the Jefferson National Expansion Memorial National Historic Site bearing the No. NHS/JNEM-7100, and dated April 30, 1965 (revised Dec. 6, 1966), which drawing is on file and available for public inspection in the Offices of the National Park Service, Washington, D.C., and in the Office of the Superintendent Jefferson National Expansion Memorial National Historic Site, 11 North Fourth Street, St. Louis, Mo. 63102.

In witness whereof I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed at the City of Washington this 29th day of August 1969.

Dated: August 29, 1969.

[SEAL] WALTER J. HICKEL,
Secretary of the Interior.

[F.R. Doc. 69-10693; Filed, Sept. 8, 1969;
8:46 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Report No. 99]

LIST OF FREE WORLD AND POLISH
FLAG VESSELS ARRIVING IN CUBA
SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through August 25, 1969, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Total, all flags (170 ships).....	1,230,064
Cypriot (47 ships).....	342,010
Aegle Hope (previous trips to Cuba as the Huntsmore—British).....	5,678
Akmeon (tanker).....	11,105
Aida.....	7,292
Alice (previous trips to Cuba—Greek).....	7,189
Alma.....	6,585
*Alpa.....	9,159
Amfitha (previous trip to Cuba as the Antonia—Greek).....	5,171
Angeliki.....	8,482
Anka.....	7,314
Apollonian.....	7,229
Areti (previous trips to Cuba—Lebanese).....	7,176
Arion.....	3,570
*Armar.....	5,089
*Azalea.....	9,506
*Camelia.....	8,711
Claire (previous trips to Cuba—Lebanese).....	5,411
Coolady.....	2,867
Degedo.....	9,000
Dolphin.....	3,550
Dorine Papalios (previous trips to Cuba as the Formentor—British).....	8,424
E. D. Papalios.....	9,431
*Felicie.....	7,096
Free Trader (previous trips to Cuba—Lebanese).....	7,061
Huntsfield (previous trips to Cuba—British).....	9,483
**Ilena (previous trips to Cuba—Lebanese).....	5,925
Irena (previous trips to Cuba—Greek).....	7,232
Johnny.....	9,689
Katerina (previous trips to Cuba—Lebanese).....	9,357
Koumistra (previous trips to Cuba as the Nicolaos Franglitas and the Nicolaos F.—Greek).....	7,199
Marika (previous trip to Cuba—Lebanese).....	7,290
Mery (previous trips to Cuba—Greek).....	7,258
**Mouse (trips to Cuba—Lebanese).....	9,307
Newforest (previous trips to Cuba—British).....	7,189
Newgate (previous trips to Cuba—British).....	6,743

See footnotes at end of document.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Cypriot—Continued	
**Newlane (trips to Cuba—British).....	7,043
Newmoor (previous trips to Cuba—British).....	7,168
**Noelle (trips to Cuba—Lebanese).....	7,251
Olga (previous trips to Cuba—Lebanese and Greek).....	7,265
Protoklitos.....	6,154
Suerte.....	7,267
Sunrise (previous trips to Cuba as the Anatoli—Greek).....	7,216
*Tegean.....	7,240
Thios Costas (previous trips to Cuba—Somali).....	7,258
Tina (previous trips to Cuba—Greek).....	7,362
Toula (previous trips to Cuba—Lebanese).....	6,426
Vassiliki (previous trips to Cuba—Lebanese).....	7,192
Venturer.....	9,000
British (45 ships).....	368,504
Antarctica.....	8,785
Arctic Ocean.....	8,791
Athelcrown (tanker).....	11,149
Athelaird (tanker).....	11,150
Athelmonarch (tanker).....	11,182
Aviafaith.....	7,868
Baxtergate.....	8,813
Changpaishan.....	8,929
Cheung Chau.....	8,566
Chiang Klang.....	10,481
East Sea.....	9,679
Eastfortune.....	8,789
Eastglory.....	8,995
Portune Enterprise.....	7,696
Hemisphere.....	8,718
Ho Fung.....	7,121
Huntsland.....	9,353
Huntsville.....	9,486
Hwang Ho.....	9,457
**Jeb Lee (trip to Cuba as the Garthdale—British).....	7,542
Jollity.....	8,819
**Kelso (trip to Cuba as the Ardgem—British).....	6,981
Kinross.....	5,388
Magister.....	2,239
**Mendow Court (trip to Cuba as the Ardrossmore—British).....	5,820
Nancy Dee.....	6,597
Nebula.....	8,907
Newglade.....	7,368
Newheath.....	7,643
Oceanramp.....	6,185
Oceantravel.....	10,419
Peony.....	9,037
Red Sea (previous trip to Cuba as the Grosvenor Mariner—British).....	7,026
**Rosetta Maud (trips to Cuba as the Ardtara—British).....	5,795
Ruthy Ann.....	7,361
Sea Amber.....	10,421
Sea Captain.....	7,385
Sea Coral.....	10,421
Sea Empress.....	9,841
Seasage.....	4,330
**Shun Wah (trip to Cuba as the Vercharmian—British).....	7,265
**Tetrarch (trips to Cuba as the Ardrown—British).....	7,300
Venice.....	8,611
Vermont.....	7,381
Yunglutaton.....	5,414
Polish (21 ships).....	150,590
Baltyk.....	6,984
Blalystok.....	7,173
Bytom.....	5,967
Chopin.....	9,231
Chorzow.....	7,237
Energetyk.....	10,876

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Polish—Continued	
Grodziec.....	3,379
Huta Florian.....	7,258
Huta Labedy.....	7,221
Huta Ostrowiec.....	7,179
Huta Zgoda.....	6,840
Hutnik.....	10,847
Kopalnia Bobrek.....	7,221
Kopalnia Czladz.....	7,252
Kopalnia Miechowice.....	7,223
Kopalnia Slemianowice.....	7,105
Kopalnia Wujek.....	7,033
Narwik.....	7,065
Piast.....	3,184
Rejowiec.....	3,401
Transportowiec.....	10,854
Greek (11 ships).....	78,060
**Aegle Luck—(tanker) (trip to Cuba as the Captain Papalios—Cypriot).....	11,676
**Allartos (trip to Cuba as the Loradore—British).....	8,078
Andromachi (previous trips to Cuba as the Penelope—Greek).....	6,712
**Anna Maria (trips to Cuba as the Helka—British).....	2,111
Eftyhia.....	9,844
**Gold Land (trip to Cuba as the Amfred—Swedish).....	2,838
**Ipahan (trips to Cuba—Maltese).....	7,169
Yugoslavi (8 ships).....	64,379
Agrum.....	2,449
Bar.....	8,776
Cetinje.....	8,229
Kolasin.....	7,217
Piva.....	7,519
Plod.....	3,657
Subicevac.....	9,033
Tara.....	7,499
French (6 ships).....	19,316
**Atlanta (trip to Cuba as the Enee—French).....	1,232
Circe.....	2,874
Foulaya.....	3,739
Mungo.....	4,820
Nelee.....	2,874
Penja.....	3,777
Lebanese (6 ships).....	41,204
Antonis.....	6,259
Astir.....	5,324
Giannis.....	5,270
Marichristina.....	7,124
Tony.....	7,176
Yanxilas.....	10,051
Italian (5 ships).....	45,780
*Alderamine (tanker).....	12,505
Elia (tanker).....	11,021
San Francesco.....	9,284
Santa Lucia.....	9,278
Somalia.....	3,692
Somali (5 ships).....	30,448
Aragon.....	7,248
Aria.....	5,059
**Atlas (trip to Cuba—Finnish).....	3,916
Erato (previous trips to Cuba as the Eretria—Greek).....	7,199
Stevo (previous trips to Cuba—Lebanese).....	7,066
Moroccan (4 ships).....	32,746
Atlas.....	10,392
Marrakech.....	3,214
Mauritanie.....	10,392

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
Moroccan—Continued	
Toubkal	8,748
**Lambros M. Fatsis (trips to Cuba as the La Hortensia—British)	9,486
**Paralos (trip to Cuba as the Agios Therapon—Greek)	7,205
Redestos	5,911
Sophia	7,030
Panamanian (4 ships)	29,738
**Ampuria (trips to Cuba as the Roula Maria—Greek)	10,608
**Avranchoise (trips to Cuba as the Avranches—French)	7,199
**Renown Trader (trips to Cuba as the Suva Breeze—British)	4,996
**Robertina (trips to Cuba as the Anacreon—Greek)	6,935
Maltese (2 ships)	12,624
Socilya (previous trips to Cuba—British)	7,291
Timios Stavros (previous trips to Cuba—British and Greek)	5,333
Netherlands (2 ships)	1,615
Meike	500
Tempo	1,115
Finnish (1 ship)	6,823
Ragni Paullin	6,823
Guinean (1 ship)	852
**Drame Oumar (trip to Cuba as the Neve—French)	852
Japanese (1 ship)	8,627
Chokyu Maru	8,627
Pakistani (1 ship)	8,708
**Maulabaksh (trip to Cuba as the Phoenician Dawn and East Breeze—British)	8,708

Sec. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuban trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessel under their control will thenceforth be employed in the Cuban trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuban trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

FLAG OF REGISTRY AND NAME OF SHIP	Gross tonnage
a. Since last report:	
British (1 ship)	9,622
Southgate	9,662
b. Previous reports:	
Flag of registry (total)	124
British	44
Cypriot	3
Danish	1
Finnish	4
French	1
German (West)	1
Greek	30
Israeli	1
Italian	13
Japanese	1
Kuwaiti	1
Lebanese	9
Liberian	1
Norwegian	5
Somali	1
Spanish	6
Swedish	1
Yugoslav	1

Sec. 3. The following number of vessels have been removed from this list, since they have been broken up, sunk, or wrecked.

Flag of Registry	1963	1964	1965	1966	1967	1968	Jan.-Mar.	Apr.	May	June	July	Aug.	Total
British	133	180	126	101	78	62	12	6	1	7			276
Lebanese	64	91	58	25	16	16	1	1	1				212
Greek	99	27	23	27	29	7							208
Cypriot	1	17	27	42	68	18	8	11	6	6	4		199
Italian	10	20	24	11	11	10	2	2	2	1	1		75
Yugoslav	12	11	15	10	14	9	1	1	1	1			52
French	8	9	9	10	10	4	2						43
Finnish	1	4	5	11	12	8	2						25
Spanish	9	17											24
Norwegian	14	10											22
Moroccan	9	13	1										22
Maltese	2	6	1	4	8			1					30
Somali					2	11	2	3		1	1		6
Netherlands		4	2										6
Swedish	3	3											3
Kuwaiti		2	1										3
Israeli			2										2
Japanese	1					1							2
Danish	1												1
German (West)	1												1
Haitian	1		1										1
Monaco				1									1
Subtotal	370	394	290	224	218	204	40	21	17	16	8	4	1,506
Polish	18	16	12	10	11	7							74
Grand total	388	410	302	234	229	211	40	21	17	16	8	4	1,580

NOTE: Trip totals in section 4 exceed ship totals in secs. 1 and 2 because some of the ships made more than 1 trip to Cuba. Monthly totals subject to revision as additional data becomes available.

* Added to Rept. No. 98, appearing in the FEDERAL REGISTER issue of August 2, 1969.
 ** Ships appearing on the list which have made no trips to Cuba under the present registry.

Dated: August 29, 1969.
 By order of the Maritime Administrator.

JOHN M. O'CONNELL,
 Assistant Secretary.

[F.R. Doc. 69-10737; Filed, Sept. 8, 1969; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 4850]

CERTAIN SULFONAMIDE-DECONGESTANT NASAL PREPARATIONS (SULFISOXAZOLE AND PHENYLEPHRINE; SULFATHIAZOLE AND EPHEDRINE; SULFATHIAZOLE AND HYDROXYAMPHETAMINE; SULFATHIAZOLE AND METHAMPHETAMINE; SULFATHIAZOLE AND PHENYLEPHRINE; SULFATHIAZOLE, SULFADIAZINE AND di-METHAMPHETAMINE; SULFATHIAZOLE AND TUAMINOHEPTANE)

Drugs for Human 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 combination sulfonamide-decongestant drugs for nasal instillation:

1. Gantrisin Nasal Solution containing sulfisoxazole diolamine 40 mg. per milliliter and phenylephrine hydrochloride 2.5 mg. per milliliter; Roche Laboratories, Division of Hoffman-La Roche, Inc., 340 Kingsland Street, Nutley, N.J. 07110 (NDA 8-603).
2. Gluco-Fedrin with Sulfathiazole containing sulfathiazole 50 mg. per milliliter and ephedrine lactate 10 mg. per milliliter; Parke, Davis and Co., Joseph Campau Avenue at the River, Detroit, Mich. 48232 (NDA 5-329).
3. Paredrine Sulfathiazole Suspension containing sulfathiazole 50 mg. per milliliter and hydroxyamphetamine hydrobromide 10 mg. per milliliter; Smith, Kline and French Laboratories, 1500 Spring Garden Street, Philadelphia, Pa. 19101 (NDA 4-850).
4. Sulfedex Nasal Solution containing sulfathiazole sodium 25 mg. per milliliter and methamphetamine hydrochloride 1.25 mg. per milliliter; Abbott Laboratories, 14th and Sheridan Road, North Chicago, Ill. 60064 (NDA 5-178).
5. Thizodrin Solution containing sulfathiazole sodium 25 mg. per milliliter and methamphetamine hydrochloride 1.25 mg. per milliliter; Eli Lilly and Co., Post Office Box 618, Indianapolis, Ind. 46206 (NDA 5-179).
6. Neo-Synephrine Sulfathiazolate Nose Drops containing phenylephrine sulfathiazolate 6 mg. per milliliter; Winthrop Laboratories, Division Sterling Drug Inc., 90 Park Avenue, New York, N.Y. 10016 (NDA 5-225).
7. Rhinazine containing sulfathiazole sodium 1 mg. per milliliter, sodium sulfadiazine 10 mg. per milliliter and di-methamphetamine hydrochloride 1 mg. per milliliter; Lederle Laboratories, Division American Cyanamid Co., West

Middletown Road, Pearl River, N.Y. 10965 (NDA 5-588).

8. Sulfathiazole with Tuamine Sulfate Suspension containing sulfathiazole 50 mg. per milliliter and tuaminoheptane sulfate 10 mg. per milliliter; Eli Lilly and Co. (NDA 5-365).

The Academy has indicated that although the sympathomimetic agents in these drugs may be effective topical vasoconstrictors when applied in the proper strength, the sulfonamide components not only do not contribute to the effectiveness of the preparation but add a potential risk of sensitization or precipitation of allergic reactions.

The Food and Drug Administration concludes that there is a lack of substantial evidence that such drugs will have the effects they purport or are represented, expressly or by implication, to have under the conditions of use prescribed, recommended, or suggested in the labeling. Specifically, substantial evidence is lacking to show (1) that the drugs are effective in the local treatment of intranasal bacterial infection and resultant postnasal drip and (2) that the sulfonamide component makes any contribution to the claimed effect for decongestion of nasal and pharyngeal mucosa in the treatment of rhinitis and sinusitis.

Accordingly, the Commissioner of Food and Drugs intends to initiate proceedings to withdraw approval of the new drug applications for these and similar drugs.

Prior to initiating such action, however, the Commissioner invites the holders of new drug applications for these drugs and any interested person who may be adversely affected by their removal from the market to submit any pertinent data bearing on the proposal within 30 days after publication of this notice in the FEDERAL REGISTER. The only material which will be considered acceptable for review must be well-organized and consist of adequate and well-controlled studies bearing on both the safety and efficacy of the products, and not previously submitted.

This announcement of the proposed action and implementation of the NAS-NRC reports for these drugs is made to give notice to persons who might be adversely affected by their removal from the market. Promulgation of an order withdrawing approval of the new drug applications will cause any such drug on the market to be a new drug for which an approved new drug application is not in effect and will make it subject to regulatory action.

A copy of the NAS-NRC report has been furnished to each firm referred to above, and any interested person may obtain a copy on request from the office named below.

Communications forwarded in response to this announcement should be identified with the reference number DESI 4850, and be directed to the attention of the following appropriate office and addressed to the Food and Drug Administration, 200 C Street SW., Washington, D.C. 20204:

Request for NAS-NRC report: Press Relations Office (CE-300).

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (MD-16), Bureau of Medicine.

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 the authority delegated to the Commissioner (21 CFR 2.120).

Dated: August 29, 1969.

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

[F.R. Doc. 69-10687; Filed, Sept. 8, 1969; 8:45 a.m.]

[DESI 6535]

URETHAN

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences—National Research Council, Drug Efficacy Study Group, on the following drug:

Urethan Tablets, 5 grains; marketed by Eli Lilly and Co., Box 618, Indianapolis, Ind. 46206 (NDA 6-535).

The drug is regarded as a new drug. (21 U.S.C. 321(p)) Supplemental new drug applications are required to revise the labeling and to update previously approved applications for this drug. A new drug application is required from any person marketing such drug without approval.

The Food and Drug Administration is prepared to approve new drug applications and supplements to previously approved new drug applications under conditions described in this announcement.

A. Effectiveness classification. The Food and Drug Administration concludes that urethan is effective for chronic granulocytic leukemia, and that the drug is possibly effective as an adjunct in the therapy of multiple myeloma.

B. Form of drug. Urethan preparations are in enteric-coated tablet form suitable for oral administration and contain per dosage unit an amount appropriate for administration in the dosage range described in the labeling conditions in this announcement.

C. Labeling conditions. 1. The label bears the statement "Caution: Federal law prohibits dispensing without prescription."

2. The drug is labeled to comply with all the requirements of the Act and regulations and those parts of its labeling indicated below are substantially as follows: (Optional additional information, applicable to the drug, may be proposed under other appropriate paragraph headings and should follow the information set forth below.)

DESCRIPTION

(Descriptive information to be included by the manufacturer or distributor should be confined to an appropriate description of the physical and chemical properties of the drug and the formulation.)

ACTIONS

It has been known for many years that urethan and other carbamic esters suppress plant growth. Mitosis is blocked, and the regular formulation of monstrous nuclei results. These observations led to the trial of urethan in malignant growths and thus to the discovery that it induced remissions in patients having leukemia. Although the exact mode of action is unknown, urethan in some way interferes with cell division.

INDICATION

Chronic granulocytic leukemia. Because other agents superior to urethan are available, it is not a drug of choice.

WARNING

Usage in pregnancy. Urethan may cause fetal death and/or congenital anomalies. Use in women who are pregnant requires that the expected benefits outweigh the risks.

Continuance of therapy when the white count reaches 20,000 in an attempt to further reduce the white count or size of spleen may cause fatal agranulocytosis.

PRECAUTIONS

Rapidly increasing anemia or leukopenia necessitates discontinuance of the drug.

ADVERSE REACTIONS

Hematologic: Leukopenia, thrombocytopenia, and bone marrow depression.

Gastrointestinal: Nausea, vomiting, anorexia, diarrhea, and hepatic necrosis.

Renal: Nephritis.

CNS: Drowsiness, nausea, vomiting.

DOSAGE AND ADMINISTRATION

The oral dose usually recommended in the treatment of chronic granulocytic leukemia is 1 gram three times daily, although smaller doses may produce the desired therapeutic effect. Dosage is determined by the tolerance of the patient and by the rate in fall of the white blood cell count. Optimum dosage may range from 1 to 6 grams daily. The drug should be discontinued when the white count is reduced to 20,000 per cubic millimeter but may be resumed when indicated by the clinical condition of the patient and the white blood cell count.

D. Claims permitted during extended period for obtaining substantial evidence. The claim for which the drug is described in paragraph A as possibly effective (not included in the labeling conditions in paragraph C) may continue to be used for 6 months following the date of this publication to allow additional time within which holders of previously approved applications or persons marketing the drug without approval may obtain and submit to the Food and Drug Administration data to provide substantial evidence of effectiveness.

E. Previously approved applications. 1. Each holder of a "deemed approved" new drug application (i.e., an application which became effective on the basis of safety prior to Oct. 10, 1962) for such drug is requested to bring the application up to date by submitting supplements containing:

a. Revised labeling, as needed to conform to the labeling conditions described herein for the drug.

b. Adequate data to assure the biologic availability of the drug in the formulation which is marketed. If such data are already included in the application, specific reference thereto may be made.

c. Updating information as needed to make the application current in regard to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of the new drug application form FD-356H to the extent described in the proposal for abbreviated new drug applications, § 130.4(f), published in the FEDERAL REGISTER February 27, 1969. (One supplement may contain all the information described in this paragraph.)

2. Such supplements should be submitted within the following time periods after the date of publication of this notice in the FEDERAL REGISTER:

a. 60 days for revised labeling. The supplement should be submitted under the provisions of § 130.9 (d) and (e) of the new drug regulations (21 CFR 130.9) which permit certain changes to be put into effect at the earliest possible time.

b. 180 days for biologic availability data.

c. 60 days for updating information.

3. Marketing of the drug may continue until the supplemental applications submitted in accord with the preceding paragraphs 1 and 2 are acted upon, provided that within 60 days after the date of this publication, the labeling of the preparation shipped within the jurisdiction of the Act is in accord with the labeling conditions described in this announcement. (It may continue to include the indication referenced in paragraph D for the period stated therein.)

F. New applications. 1. Any other person who distributes or intends to distribute such drug which is intended for the conditions of use for which it has been shown to be effective, as described under A, should submit an abbreviated new drug application meeting the conditions specified in the proposed regulation, § 130.4(f) (1), (2), and (3), published in the FEDERAL REGISTER of February 27, 1969. Such applications should include proposed labeling which is in accord with the labeling conditions described herein and adequate data to assure the biologic availability of the drug in the formulation which is marketed or proposed for marketing.

2. Distribution of any such preparation currently on the market without an approved new drug application may be continued provided that:

a. Within 60 days from the date of publication of this announcement in the FEDERAL REGISTER, the labeling of such preparation shipped within the jurisdiction of the Act is in accord with the labeling conditions described herein. (It may continue to include the indications referenced in paragraph D for the period stated therein.)

b. The manufacturer, packer, or distributor of such drug submits, within 180 days from the date of this publication, a new drug application to the Food and Drug Administration.

c. The applicant submits additional information that may be required for the approval of the application within a rea-

sonable time as specified in a written communication from the Food and Drug Administration.

d. The application has not been ruled incomplete or unapprovable.

G. Exemption from periodic reporting. The periodic reporting requirements of §§ 130.35(e) and 130.13(b)(4) are waived in regard to applications approved for this drug solely for the indication for which the drug is regarded as effective as described herein.

H. Unapproved use or form of drug. 1. If the article is labeled or advertised for use in any condition other than those provided for in this announcement, it may be regarded as an unapproved new drug subject to regulatory proceedings until such recommended use is approved in a new drug application, or is otherwise in accord with this announcement.

2. If the article is proposed for marketing in another form or for a use other than the use provided for in this announcement, appropriate additional information as described in § 130.4 or § 130.9 of the regulations (21 CFR 130.4, 130.9) may be required including results of animal and clinical tests intended to show whether the drug is safe and effective.

Representatives of the Administration are willing to meet with any interested person who desires to have a conference concerning proposed changes in the labeling set forth in this notice. A request for such meeting should be made to the Office of Marketed Drugs (MD-300), at the address given below, within 30 days after the publication of this notice in the FEDERAL REGISTER.

A copy of the NAS-NRC report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the appropriate office named below.

Communications forwarded in response to this announcement should be identified with the reference number, DESI 6535, and be directed to the attention of the following appropriate office and addressed to the Food and Drug Administration, 200 C Street, SW., Washington, D.C. 20204:

Request for NAS-NRC report: Press Relations Office (CE-300).

Supplements (identify with new drug application number): Office of Marketed Drugs (MD-300), Bureau of Medicine.

Original abbreviated new drug applications: Office of Marketed Drugs (MD-300), Bureau of Medicine.

All other communications regarding this announcement: Special Assistant for Drug Efficacy Study Implementation (MD-16), Bureau of Medicine.

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 the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: August 29, 1969.

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

[F.R. Doc. 69-10688; Filed, Sept. 8, 1969; 8:45 a.m.]

AMDAL CO.

Notice of Filing of Petition for Food Additive Spectinomycin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (38-661V) has been filed by Amdal Co., Agricultural Div., Abbott Laboratories, North Chicago, Ill. 60064, proposing that § 121.329 *Spectinomycin* (21 CFR 121.329) be amended to provide for the safe use of spectinomycin in drinking water of chickens to increase weight gain and feed efficiency.

Dated: August 29, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-10689; Filed, Sept. 8, 1969;
8:45 a.m.]

3,5-DICHLORO-N-(1,1-DIMETHYL-2-PROPYNYL)BENZAMIDE

Notice of Establishment of Temporary Tolerance for Pesticide Chemical

Notice is given that at the request of the Rohm & Haas Co., Independence Mall West, Philadelphia, Pa. 19105, temporary tolerances are established for residues of the herbicide 3,5-dichloro-N-(1,1-dimethyl-2-propynyl) benzamide and its metabolites calculated as 3,5-dichloro-N-(1,1-dimethyl-2-propynyl) benzamide in or on alfalfa, clover, lespedeza, trefoil, and vetch at 3 parts per million; in or on lettuce at 1 part per million; in kidney and liver at 0.2 part per million (negligible residue); and in milk at 0.01 part per million (negligible residue).

The Commissioner of Food and Drugs has determined that these temporary tolerances will protect the public health.

A condition under which these temporary tolerances are established is that the herbicide will be used in accordance with the temporary permit issued by the U.S. Department of Agriculture. Distribution will be under the Rohm & Haas Co. name.

These temporary tolerances expire August 29, 1970.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (section 408(j), 68 Stat. 516; 21 U.S.C. 346a(j)) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: August 29, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-10690; Filed, Sept. 8, 1969;
8:46 a.m.]

DEPARTMENT OF TRANSPORTATION

Hazardous Materials Regulations Board

ISSUANCE OF SPECIAL PERMITS

SEPTEMBER 4, 1969.

Pursuant to Docket No. HM-1, rule-making procedures of the Hazardous Materials Regulations Board, issued May 22, 1968 (33 F.R. 8277) 49 CFR 170, following is a list of new DOT Special Permits upon which Board action was completed during August 1969:

Special permit No.	Issued to—Subject	Mode or modes of transportation
AA209.....	ASM Enterprises, Inc., for the use of a vehicle having twin U-60 type cargo tanks, in liquefied petroleum gas service.	Highway.
5078.....	Shippers upon specific registration with this Board, for the shipment of nitrogen trioxide in DOT-106A800X tanks.	Highway and rail.
6008.....	Shippers upon specific registration with this Board, for the shipment of large quantities of radioactive materials in an interim DOT Specification 20WC protective jacket with steel covering, having an inside DOT-45 or equivalent containment vessel.	Water, passenger-carrying and cargo only aircraft, highway, and rail.
6044.....	Space Data Corp., for the shipment of nitric oxide in specially designed, small, equipment-type pressure vessels.	Highway and rail.
6046.....	Lep Transport, Inc., for one shipment of large quantities of uranium-plutonium oxide scrap in United Kingdom approved packagings Designs 0013M and 0493B.	Cargo-only aircraft and highway.
6047.....	Lincoln Welding Supply Co., for the shipment of oxygen, nitrogen, argon, hydrogen, helium, neon, krypton, xenon, compressed air, or mixtures thereof in DOT-3A and 3AA cylinders having a 10-year hydrostatic retest period.	Highway and rail.
6048.....	FMC Corp., for the shipment of napalm in the BLU-74/B fire bomb, overpacked in a Federal Specification PPP-B-601 Overseas Style A box.	Highway.
6049.....	Shippers upon specific registration with this Board, for the shipment of fissile radioactive materials in the S5W Core R3 Assembly shipping containers, Models 425A and 426B.	Water, highway, and rail.
6050.....	Shippers upon specific registration with this Board, for the shipment of Type B quantities of nonfissile radioactive materials in special form, in the AECL Junior J-rod Shipping Container Model No. F-144.	Highway and rail.
6051.....	Shippers upon specific registration with this Board, for the shipment of fissile radioactive materials in the Atomic International Model No. AX-20087 shipping container.	Highway.
6053.....	National Welding Products, Inc., for the shipment of oxygen or nitrogen in DOT-3A and 3AA cylinders having a 10-year hydrostatic retest period.	Highway and rail.
6054.....	Koeller Air Products, Inc., for the shipment of oxygen, nitrogen, argon, hydrogen, helium, compressed air, or mixtures thereof in DOT-3A and 3AA cylinders having a 10-year hydrostatic retest period.	Do.
6055.....	Roberts Oxygen Co., Inc., for the shipment of oxygen, nitrogen, argon, hydrogen, helium, compressed air, or mixtures thereof in DOT-3A and 3AA cylinders having a 10-year hydrostatic retest period.	Do.
6056.....	Magnolia Cylinder Co., for the shipment of oxygen, nitrogen, argon, hydrogen, helium, compressed air, or mixtures thereof in DOT-3A and 3AA cylinders having a 10-year hydrostatic retest period.	Do.
6057.....	Rochester Welding Supply Corp., for the shipment of oxygen in DOT-3A and 3AA cylinders having a 10-year hydrostatic retest period.	Do.
6058.....	Shippers upon specific registration with this Board, for the shipment of fissile and large quantities of radioactive material in the Nuclear Engineering Company Model No. B3-1 shipping container.	Highway.
6059.....	Blu-Blaze Gas Corp., for the shipment of oxygen, nitrogen, argon, helium, hydrogen, compressed air, or mixtures thereof in DOT-3A and 3AA cylinders having a 10-year hydrostatic retest period.	Highway and rail.
6060.....	Dow Badische Co., for the shipment of propylene in DOT-112A340W tank car tanks having safety relief valves set at 280.5 p.s.i.g.	Rail.
6061.....	Kentucky Air Products, Inc., for the shipment of oxygen, nitrogen, argon, compressed air, or mixtures thereof in DOT-3A and 3AA cylinders having a 10-year hydrostatic retest period.	Highway and rail.
6062.....	Air Products and Chemicals, Inc., for the shipment of liquefied carbon monoxide in a specially designed and insulated cargo tank.	Highway.
6066.....	Transit-Tank International, Inc., for the shipment of acetone, butyl acetate, alcohol, n.o.s., methyl ethyl ketone, methyl isobutyl ketone, and Union Carbide Co.'s Solvent 10, in specially designed tank-type portable containers.	Water and highway.

WILLIAM C. JENNINGS,
Chairman,
Hazardous Materials Regulations Board.

[F.R. Doc. 69-10709; Filed, Sept. 8, 1969; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

NORTH AMERICAN CORP.

Approval of Application for Transfer of Control of Licensed Small Business Investment Company

On January 7, 1969, a notice of application for transfer of control was published in the FEDERAL REGISTER (34 F.R. 229) stating that an application had been filed with the Small Business Administration (SBA) pursuant to § 107.701 of the regulations governing small business investment companies (13 CFR Part 107; 33 F.R. 326) for transfer of control of North American Corp., 51 East 42d Street, New York, N.Y. 10017, License No. 02/02-0019, a Federal Licensee under the Small Business Investment Act of 1958, as amended.

Interested persons were given until January 17, 1969, to send their written comments to SBA. No comments were received.

Having considered the application and all other pertinent information and facts with regard thereto, SBA hereby approves the application for transfer of control of North American Corp.

Dated: August 29, 1969.

A. H. SINGER,
Associate Administrator
for Investment.

[F.R. Doc. 69-10699; Filed, Sept. 8, 1969;
8:46 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF DEFENSE

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Director for ROTC Programs, Office of the Assistant Secretary of Defense (Manpower and Reserve Affairs).

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

[F.R. Doc. 69-10716; Filed, Sept. 8, 1969;
8:48 a.m.]

DEPARTMENT OF LABOR

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Labor to fill by noncareer executive assignment in the excepted

service the position of Special Assistant to the Assistant Secretary for Labor-Management Relations.

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

[F.R. Doc. 69-10717; Filed, Sept. 8, 1969;
8:48 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of Economic Opportunity to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Director.

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

[F.R. Doc. 69-10718; Filed, Sept. 8, 1969;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Dockets Nos. 18526, 18527; FCC 69R-360]

CLICK BROADCASTING CO. AND R-J CO.

Memorandum Opinion and Order Enlarging Issues

In re applications of Robert E. Thomas and Ferris A. Maloof, doing business as Click Broadcasting Co., Blue Ridge, Ga., Docket No. 18526, File No. BP-17409; Robert P. Joseph and Jacqueline A. Joseph, doing business as R-J Co., Clarkesville, Ga., Docket No. 18527, File No. BP-17691; for construction permits.

1. This proceeding involves the applications of Robert E. Thomas and Ferris A. Maloof, doing business as Click Broadcasting Co. (Click) and Robert P. Joseph and Jacqueline A. Joseph, doing business as R-J Co. (R-J), seeking authority to construct new Class II standard broadcast stations to operate on the frequency 1500 kHz, daytime only, in Blue Ridge and Clarkesville, Ga., respectively. By memorandum opinion and order, 17 FCC 2d 375, 16 RR 2d 1, released April 28, 1969, these mutually exclusive applications were designated for hearing under issues including, inter alia, section 307(b) issue. A Suburban issue was subsequently specified in regard to the Click proposal by the Review Board. See FCC 69R-322, 16 RR 2d 929, released July 30, 1969. Presently before the Board is a petition to enlarge issues, filed May 16, 1969, by Click and Habersham Broadcasting Co., Inc.

(Habersham),¹ requesting the addition of section 307(b) suburban community and Suburban programing issues against R-J.²

Suburban community issue. 2. In support of their request for a suburban community issue, petitioners first note that R-J proposes a nondirectionalized operation on a Class II channel with an effective radiated power of 5 kilowatts (500 w.-CH); that R-J's proposed 5 mv/m contour, as depicted in the engineering portion of the application, encompasses the entire city limits of Cornelia, Ga.; and that, as indicated by the 1960 U.S. Census reports, the applicant's specified community of Clarkesville has a population of 1,352 persons while Cornelia, some 8 miles distant, has a population of 2,936 persons. Petitioners argue that Commission precedent³ warrants the addition of a suburban community issue, contending that the power of 5 kilowatts requested by R-J is 20 times greater than that required to cover Clarkesville and its immediate environs and that, in light of Clarkesville's modest size "a serious question [is raised] as to whether there will be sufficient advertising revenues in that community without reliance on the revenues of the larger communities to support R-J's proposed station."⁴

3. Both the Broadcast Bureau and R-J oppose the request for a suburban community issue. Each argues that petitioners have failed to make an adequate threshold showing which would warrant

¹Habersham, the licensee of broadcast Stations WCON-AM and WCON-FM, at Cornelia, Ga., was made a party to the proceeding by the Commission in its designation order.

²The following related pleadings are also before the Review Board: (a) opposition to petition to enlarge issues, filed May 29, 1969, by R-J; (b) Broadcast Bureau's comments, filed May 29, 1969; and (c) reply, filed June 18, 1969, by the petitioners.

³The Commission's Policy Statement on Section 307(b) Considerations for Standard Broadcast Facilities Involving Suburban Communities, 2 FCC 2d 190, 6 RR 2d 1901 (1965), reconsideration denied 2 FCC 2d 866, 6 RR 2d 1908 (1966), provides that when a standard broadcast applicant's proposed 5 mv/m contour would penetrate the geographical boundaries of a community with a population of 50,000 persons and having at least twice the population of the applicant's specified community, a rebuttable presumption arises that the applicant realistically proposes to serve that larger community. Where the communities in question do not satisfy the criteria enunciated by the Commission, an issue may still be specified provided an adequate threshold showing is made that the proposal would realistically serve primarily a community other than the one specified. See e.g., Outer Banks Radio Co., 15 FCC 2d 994, 15 RR 2d 471 (1969); Babcom, Inc., 12 FCC 2d 306, 12 RR 2d 998 (1968); and V.W.B., Incorporated, 8 FCC 2d 744, 10 RR 2d 563, reconsideration denied 10 FCC 2d 534, 11 RR 2d 653 (1967), upon which petitioners rely.

⁴Petitioners also note the fact that R-J's proposal will provide a 2 mv/m service to Toccoa, Ga., a community of 7,303 persons, and that Exhibit IV or R-J's application indicates that applicant's intention to serve both Cornelia and Toccoa.

addition of the requested issue, and both attempt to distinguish the precedent cited by petitioners in support of the requested enlargement. The Bureau points out that the petitioners have not alleged the existence of a city-suburb relationship between Cornelia and Clarkesville or that Clarkesville is dependent, economically or otherwise, on Cornelia. In addition, the Bureau notes the further facts that Clarkesville is the second largest city in Habersham County and that the population ratio between the two cities—Cornelia is only twice as large as Clarkesville—is not as great as those that existed in other cases where an issue was specified. It is the Bureau's ultimate position that the mere recitation of population statistics, except in the rarest of circumstances, cannot raise a presumption that revenues do not exist in a community to support a broadcast facility and that, even though R-J has requested more power than seems to be absolutely necessary, the Commission has not added a suburban community issue solely on the basis of an applicant's request for excessive power.

4. R-J, also arguing that the precedent relied on by the petitioners is factually distinguishable, contends that the instant situation involves not a small town and a large central community, but rather a small town located near a somewhat larger, small town.⁶ In light of the information submitted in connection with Habersham's petition to deny its application, as well as the more current data proffered with its pleading, R-J contends that Clarkesville, the second largest community in, and the seat of, Habersham County (population 18,116 persons), is a separate, viable community with a political, civic, and economic life of its own and is neither dominated by nor dependent upon Cornelia, the county's largest community, or some unnamed community. More specifically, R-J asserts that its specified community, which underwent a 22 percent increase in population from 1950 to 1960, has its own municipal structure (mayor, police, and fire departments, water and sewage systems), religious groupings (five denominations hold services in the community), retail establishments, including furniture, department, drug, grocery, and hardware stores, bank and lending agency, and weekly newspaper. The health and educational needs of the community, according to R-J, are met by county organizations which maintain a health center and three elementary schools and one high school in Clarkesville, which is also the location of the North Georgia Area Technical-Vocational School. R-J notes further that the Clarkesville Area Development Corp. has been established both to aid industry in

⁶R-J points out that in the V.W.B., Babcom and Outer Banks cases, cited in note 3, supra, the population of the larger community ranged from 13,000 to 40,500 persons and was approximately 10 to 25 times greater than that of the specified station location.

plantsite acquisitions and to construct and lease plant buildings; that under option to the municipality is a 67-acre tract, located within the city limits, which is being developed for industrial sites; and that, as of March 1965, there were five diversified industrial establishments (each employing at least 25 persons) which provide occupations for 1,448 persons.⁷ In addition, R-J claims that there are seven smaller industrial enterprises located within the community and that total manufacturing employment in the Clarkesville area in 1964 amounted to 1,735 persons which was approximately one-half the county's total and which represented nearly a 20 percent increase over similar employment in 1962. R-J also argues that its programming proposal is tailored to meet the needs and interests of its specified station location which has identifiable program needs as evidenced both by Habersham's representation that its station (WCON) presents programs of special interest to Clarkesville residents from which community it derives nearly 25 percent of its advertising revenues and by the applicant's survey efforts which were concentrated on ascertaining the community needs of Clarkesville.⁸ Finally, R-J alleges that the power it proposes is not excessive since a relatively wide service area is necessary in light of the sparsely populated nature of the northeast Georgia area.⁹

5. In reply, petitioners allege that the data supplied by R-J with its opposition pleading, when considered as a whole, establish that the business economy of Clarkesville is dependent upon, and integrated into, the economy of Cornelia, the "hub" of Habersham County. In support of this assertion, petitioners submit a verified letter from Mr. Tom Arrandale, president of the Clarkesville bank, who reiterates the allegation. Arrandale also notes that Clarkesville receives electrical power and natural gas from public utilities located in Cornelia; that the same telephone exchange is utilized by these two communities; that recreational and amusement facilities are more centered around Cornelia; and that numerous Clarkesville residents are employed in Cornelia. According to Arrandale, all air, trucking, and railroad transportation facilities are located in Cornelia wherein the local Clarkesville newspaper is

⁷In comparison, R-J avers, Cornelia had eight such establishments wherein 1,543 persons were employed. The average number of persons employed in these Clarkesville concerns exceeds by nearly 100 persons, the average of similar Cornelia industrial establishments.

⁸All of the 10 individuals, specifically identified in the R-J application as having been contacted with respect to the applicant's proposed programming, are residents of Clarkesville. See note 12, infra.

⁹Both R-J and the Bureau reject the relevance of R-J's proposed 2 mv/m service to the city of Joccoa, Ga., to the consideration of a request for a suburban community issue. R-J also notes that a 2 mv/m signal would be provided to only about half of Joccoa and, then, only during noncritical hours.

printed.¹⁰ Petitioners also furnish a letter from Mr. Frank Hemphill, the treasurer of the Clarkesville Chamber of Commerce, who fosters a county-wide organization and offers the opinion that the Cornelia organization, "the only real active Chamber in the County", should lead such a movement.

6. While the presumption advanced by the Commission in its Suburban Community Policy Statement, supra, is not raised here because of the population of Cornelia (2,936), the Commission, in the Statement, indicated that a request to enlarge issues will receive favorable consideration if the petitioner makes a threshold showing that a proposal will realistically serve primarily a community other than the specified community. Although the Commission specified a suburban community issue in V.W.B., Incorporated, supra, it noted its reluctance to designate such an issue on a mere showing that an applicant will place a strong signal over a somewhat larger community. The Commission reasoned that to do so would disrupt its processes and would enable existing stations to delay the establishment of a competitive service. With reference to the instant proceeding, the Review Board is of the opinion that the threshold showing proffered by the petitioners is insufficient to raise a substantial question as to whether R-J is realistically proposing to serve Cornelia or some community other than Clarkesville. Insofar as the relationship between these communities is relevant to our conclusion, we note that petitioners have not alleged that Clarkesville is a suburb of Cornelia, an allegation which would be most difficult to sustain in view of the relative sizes of the communities and the geographical separation between them. While we recognize that the absence of a city-suburb relationship is not necessarily fatal to petitioners' request (see Outer Banks Radio Co., supra), the absence of such a relationship assumes added significance in light of R-J's extensive showing which tends to establish Clarkesville's separate and distinct existence and which is more than sufficient to overcome petitioner's inadequately supported claim of dependence. As noted by R-J, there is apparently no dearth of industrial development in Clarkesville—over 1,400 persons are employed in various pursuits in major industrial establishments. The community is the second largest in Habersham County and the

¹⁰Petitioners identify Clarkesville's local newspaper as the Tri-County Advertiser. However, we note that Habersham, in its petition to deny the R-J application, represented in 1967 that this newspaper was published in Clarkesville. Similarly, the statistical material submitted with R-J's opposition pleading—"Economic Data on Clarkesville (Habersham County), Ga.," prepared in Mar. 1965, by the Industrial Development Division of the Georgia Institute of Technology—reveals that no commercial airfield is located in Cornelia and that that community is the situs of only one of the five truck terminals serving Habersham County.

county seat, and it has experienced over a 20 percent increase in population between 1950 and 1960. Despite some sharing of public utility services by the two communities, Clarkesville has its own municipal structure, religious groups, retail establishments, bank, school facilities, health center and weekly newspaper. Such indicia, in addition to the relatively minor disparity in population between the communities, scarcely establish a significant dependence of Clarkesville upon the somewhat larger community of Cornelia.

7. While R-J does propose a power of 5 kilowatts and admittedly seeks to attract advertising support from its entire service area including Cornelia, it does not necessarily follow that the needs and interests of the specified station location will be disregarded or subordinated to those of Cornelia or some other community.¹⁸ See *K & M Broadcasters, Inc.*, 18 FCC 2d 514, 16 RR 2d 824 (1969). We note, in this regard, that the protesting station, itself, is a 1-kilowatt operation which is licensed to a community of only 2,936 persons. R-J's contention that it intends to serve primarily its specified community is supported by its initial program survey efforts which were directed to the ascertainment of the needs and interests of Clarkesville; that such needs and interests do, in fact, exist is supported by the fact that the Cornelia station currently programs for the Clarkesville community and derives significant revenues from the community as a result. See note 6 of the designation order. Another important factor in our consideration of the instant request is, as the Bureau correctly notes, the absence of any allegation (or supporting engineering showing) by the petitioners that R-J is incapable of filing an application for Cornelia although it is clear, as the Bureau suggests, that the applicant would not be in the advantageous position of a first local outlet if it had originally filed for Cornelia. In effect then, peti-

tioner's showing is grounded primarily on the fact that the R-J proposal will place a strong signal over a somewhat larger community. When we consider such additional factors as the insignificant disparity in population between the communities,¹⁹ the absence of a demonstrated dependence by Clarkesville upon Cornelia and the applicant's asserted intent to serve primarily the smaller community as evidenced by its program survey efforts, we are unable to conclude that a substantial question exists as to whether R-J will realistically serve Cornelia or some community other than its specified community, and since the considerations noted above are sufficient to distinguish this proceeding from past precedent, the requested issue will not be added here.

Suburban issue. 8. In support of their request for a Suburban programming issue, petitioners allege that the showing which R-J submitted in March of 1967, in response to Part I of section IV-A of its application, has not been updated; that only 10 individuals were reported as having been contacted by the applicant's principals; that the persons contacted were all residents of Clarkesville in spite of the fact that the applicant proposes to serve some 27 communities; and that the persons contacted have not been shown to be community leaders or to constitute a representative cross section of the general population. Petitioners further contend that R-J's proposed programming bears little resemblance to the specific needs suggested by the persons interviewed with the possible exception of religious programming. Viewing the applicant's survey efforts as inadequate and restrictive, the Broadcast Bureau recommends that the requested Suburban issue be added to this proceeding.

9. In opposition, R-J contends that its initial survey efforts produced both meaningful demographic information about the community and specific community and area needs; that certain of the persons interviewed, albeit Clarkesville residents, held positions of area-wide responsibility and were able to advise the applicant of the needs and interests of the surrounding communities and area;²⁰ and that the quality of the interviews conducted by the applicant is more significant than their quantity. Attached to R-J's pleading is an affidavit of its principals wherein they aver that subsequent to the filing of their application, they periodically visited Clarkesville and had informal conversations therein with approximate-

ly 90 persons. Eight individuals are specifically identified and their conversations with the affiants are described in the affidavit.²¹ As a final indication of its efforts to stay continually attuned to the needs and interests of Clarkesville, R-J notes its subscription to the local weekly newspaper which, it claims, is thoroughly read by its principals.

10. Petitioners, in reply, contend that R-J's interviews with the eight persons identified in the affidavit are meaningless since community needs were either not dealt with or received only general mention; that R-J has not sought to amend its application to reflect the showing contained in the affidavit; and that the only survey material which the Review Board should consider is that set forth in the R-J application. With respect to the latter material, petitioners allege that some of the 10 persons initially interviewed by R-J either no longer reside in Clarkesville or no longer occupy the position they held at the time of the interview. Specifically, petitioners maintain that changes have occurred both in the offices of Clarkesville's mayor and fire chief and in the position of superintendent of the county schools; and that the former mayor and school superintendent, in addition to a Clarkesville minister interviewed by R-J, no longer are residents of Clarkesville.

11. It is clear that R-J, in attempting to ascertain the needs and interests of the area proposed to be served by the Clarkesville station, largely restricted its efforts to Clarkesville residents.²² Although its principals do not reside within the proposed service area, R-J submits in its application that the 10 Clarkesville residents initially surveyed "are representative of the attitudes and opinions of the residents of the area". This opinion, proffered by an applicant whose principals' familiarity with the area has not been demonstrated, cannot be accorded substantial weight. Notwithstanding the sparsely populated nature of the area to be served, we cannot assume that an identity of interests exists throughout R-J's proposed service

¹⁸ Petitioners' allegation that coverage of Clarkesville and its environs can adequately be provided with an effective radiated power of 250 watts is not supported by an engineering showing. Compare *Radio Collinsville, Incorporated*, 14 FCC 2d 1058, 1059, 14 RR 2d 559, 561 (1969). Even if such was demonstrated, it would not necessarily mean that the power proposed by R-J is excessive especially in light of the sparsely populated nature of the area to be served. While R-J's normally protected contour penetrates seven other counties, in addition to Habersham County which, in 1961, had 76 percent of its acreage in commercial forest land, the Commission regarded the service area as "very sparsely populated" (see note 7 of the designation order) and even recognized the need for the proposed station to seek revenues from the Clarkesville-Cornelia area as does the existing Cornelia station. As the Bureau and R-J properly note, the fact that R-J's proposal will render a 2 mv/m signal to Toccoa is irrelevant to our consideration of the request for a suburban community issue, since any suggestion that R-J would realistically serve that community is almost totally lacking in supporting factual allegations.

¹⁹ The Board notes in passing that Clarkesville's rate of population growth for the 1950-60 decennial period, as disclosed by the 1960 U.S. Census of population, exceeded that of Cornelia.

²⁰ Specifically, R-J relies on contacts with the superintendent of the Habersham County schools and two officials with the Georgia Fire Marshal's Office and the Department of Forestry, respectively. In addition to these individuals, the mayor, fire chief, a minister, a businessman, a merchant and her husband, and a city employe of Clarkesville, were contacted by R-J.

²¹ Five of these persons are apparently residents of Clarkesville. Of the remaining interviewees, an insurance salesman and the Habersham County tax collector dwell within the applicant's service area. Another, a former State representative, no longer resided within the service area when contacted.

²² No person was contacted in connection with the community needs and interests extant in those counties surrounding Habersham County which R-J's proposal will serve. See *Southern Minnesota Supply Company (KYSM)*, FCC 69R-326, 16 RR 2d 950 (1969). Although R-J listed 27 communities, including Clarkesville, as the major communities which it will principally undertake to serve, only three present and former residents of the service area outside of Clarkesville were contacted. There is no indication that these individuals are community leaders who speak for informed group opinion in their respective communities. See *Broadcasting Service of Carolina, Inc.*, 16 FCC 2d 591 (1969); *Sundial Broadcasting Co., Inc.*, 15 FCC 2d 58 (1968).

area insofar as community needs and interests are concerned. See Click Broadcasting Company, FCC 69R-322, 16 RR 2d 929 (1969); Christian Broadcasting Association, Inc., 18 FCC 2d 15, 16 RR 2d 401 (1969); Cf. Radio Antilles, Inc., FCC 69-619, 16 RR 2d 548; WLVA, Incorporated, 15 FCC 2d 758, 15 RR 2d 105 (1968).

12. Moreover, with respect to the applicant's survey efforts directed to its specified station location, we believe that R-J has again failed to demonstrate that its showing comports with the Suburban doctrine and with the criteria set forth in Minshall Broadcasting Co., Inc., 11 FCC 2d 796, 12 RR 2d 502 (1968) and the Commission's public notice of August 22, 1968, Ascertainment of Community Needs by Broadcast Applicants, FCC 68-847, 33 P.R. 12213, 13 RR 2d 1903. R-J contacted 17 individuals and approximately 90 other persons during its visits to Clarkesville. However, aside from the fact that R-J's application has not been amended to reflect these latter interviews, they were apparently of a general conversational nature and the principals' desires and efforts to establish a local station were not disclosed to the "man-in-the-street" and to the merchants contacted. R-J has also failed to indicate what specific suggestions may have been made by its contacts, or how those suggestions, if any, have been incorporated into the program service to be offered by the applicant. See Click Broadcasting Company, supra; Vernon Broadcasting Company, 12 FCC 2d 946, 13 RR 2d 245 (1968). Similarly, with regard to the seventeen specific contacts, the applicant has neither demonstrated that a representative cross section of the Clarkesville community was canvassed nor that programming proposed is reflective of the needs ascertained from these individuals." See Santa Fe Television, Inc., FCC 69-810, 16 RR 2d 935. For example, while nearly 10 percent of Clarkesville's 1960's population was comprised of Negroes, there is no indication that R-J contacted members of this segment of Clarkesville's populace. While it states in its application that political programs will be of prime importance, that the facilities of its station will be offered to charitable organizations and that young people will be afforded the opportunity and encouraged to participate actively in the station's programs, the applicant's ascertainment efforts do not reflect consultations with any political or charitable organizations or with any youthful members of the Clarkesville community. In the same vein, we note that that R-J proposes to utilize the facilities of the North Georgia Vocational-Technical School in order to instruct listeners in the latest

¹¹ Another failing in R-J's showing is that all the significant suggestions elicited, including those which it may have rejected in formulating its program service, have not been described. See City of Camden, FCC 69-044, 16 RR 2d 555, 567; King & King Broadcasters, FCC 69-831, released Aug. 4, 1969.

trades and skills and yet no faculty members or student organization of this local institution was apparently contacted by the applicant. In view of the foregoing deficiencies in the applicant's program showing, the Review Board cannot conclude that R-J is aware of and will be responsive to the needs and interests of the area to be served by its proposal. The requested Suburban issue will, therefore, be added to this proceeding.

13. Accordingly, it is ordered, That the petition to enlarge issues, filed May 16, 1969, by Habersham Broadcasting Co., Inc., and Robert E. Thomas and Ferris A. Maloof, doing business as Click Broadcasting Co., is granted to the extent indicated below and is denied in all other respects; and

14. It is further ordered, That the issues in this proceeding are enlarged by the addition of the following issue: To determine the efforts made by R-J Co. to ascertain the community needs and interests of the area to be served, and the means by which the applicant proposes to meet such needs and interests.

15. It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof under the issue added herein will be on R-J Co.

Adopted: September 2, 1969.

Released: September 4, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[P.R. Doc. 69-10707; Filed, Sept. 8, 1969;
8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

[H.C. No. 37]

FINANCIAL CORPORATION OF SANTA BARBARA

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

SEPTEMBER 4, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Financial Corporation of Santa Barbara, Santa Barbara, Calif., a registered savings and loan holding company, for approval of its acquisition of control of the Paramount Savings and Loan Association, Bakersfield, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and § 584.4 of the rules and regulations for Savings and Loan Holding Companies, said acquisition to be effected by the purchase of shares of Paramount Savings and Loan Association by Financial Corporation of Santa Barbara followed by a merger of Paramount Savings and Loan Association into Santa Barbara Savings and Loan Association, Santa Barbara, Calif.,

a subsidiary insured institution of Financial Corporation of Santa Barbara. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,
Secretary.

Federal Home Loan Bank Board.

[P.R. Doc. 69-10701; Filed, Sept. 8, 1969;
8:46 a.m.]

[H.C. No. 34]

SOUTHWEST FOREST INDUSTRIES, INC.

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

SEPTEMBER 4, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Southwest Forest Industries, Inc., Phoenix, Ariz., for approval of acquisition of control of the Southwest Savings and Loan Association, Phoenix, Ariz., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and § 584.4 of the regulations for Savings and Loan Holding Companies, said acquisition to be effected by the exchange of 98.1 percent of the outstanding shares of Southwest Savings and Loan Association for cash and notes or common stock of Southwest Forest Industries, Inc. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,
Secretary.

Federal Home Loan Bank Board.

[P.R. Doc. 69-10702; Filed, Sept. 8, 1969;
8:46 a.m.]

[H.C. No. 35]

TRANS-COAST INVESTMENT CO.

Notice of Receipt of Application for Approval of Acquisition of Control of Keystone Savings and Loan Association

SEPTEMBER 4, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the Trans-Coast Investment Co., Sherman Oaks, Calif., for approval of acquisition of control of the Keystone Savings and Loan Association, Westminster, Calif., an insured institution, under the provisions of section 408(e) of the National

NOTICES

Housing Act, as amended (12 U.S.C. 1730(a)), and § 584.4 of the regulations for Savings and Loan Holding Companies be effected by the exchange of guarantee stock of Keystone Savings and Loan Association for capital stock of Trans-Coast Investment Co. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,
Secretary,
Federal Home Loan Bank Board.

[P.R. Doc. 69-10703; Filed, Sept. 8, 1969;
8:47 a.m.]

[H.C. No. 36]

WEST BAY FINANCIAL CORP.

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

SEPTEMBER 4, 1969.

Notice is hereby given that the Federal Savings and Loan Insurance Corporation has received an application from the West Bay Financial Corp., Gardena, Calif., for approval of acquisition of control of Merit Savings and Loan Association, Los Angeles, Calif., an insured institution, under the provisions of section 408(e) of the National Housing Act, as amended (12 U.S.C. 1730(a)), and

§ 584.4 of the regulations for Savings and Loan Holding Companies, said acquisition to be effected by the exchange of at least 80 percent of the outstanding shares of capital stock of Merit Savings and Loan Association for shares of guarantee stock of West Bay Financial Corp. Comments on the proposed acquisition should be submitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C. 20552, within 30 days of the date this notice appears in the FEDERAL REGISTER.

[SEAL]

JACK CARTER,
Secretary,
Federal Home Loan Bank Board.

[P.R. Doc. 69-10704; Filed, Sept. 8, 1969;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI70-163 etc.]

ATLANTIC RICHFIELD CO. ET AL.

Order Accepting Contract Amendment, Providing for Hearings on and Suspension of Proposed Changes in Rates¹

AUGUST 29, 1969.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are designated as follows:

¹ Does not consolidate for hearing or dispose of the several matters herein.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI70-163	Atlantic Richfield Co. (Operator) et al., Post Office Box 2819, Dallas, Tex. 75221. Attention: Mr. P. T. Davis.	109	8	Natural Gas Pipeline Co. of America (Hagist Ranch Field, Duval and McMullen Counties, Tex.) (RR. Districts Nos. 1 and 4).	\$4,500	7-30-69	9-1-69	2-1-70	**14.6	***15.6	
RI70-164	W. M. Wiseman, ² 2337 Houston Natural Gas Bldg., Houston, Tex. 77002. Attention: Mr. R. N. Hibbard.	2	8	United Gas Pipe Line Co. (Albrecht Field, Goliad County, Tex.) (RR. District No. 2).	18,481	5-5-69	9-8-69	(Accepted)	*13.1664	**13.3	
		2	9			8-8-69	9-8-69	2-8-70			

² Corrected by filing dated Aug. 8, 1969.

³ Contractual effective date.

⁴ Periodic rate increase.

⁵ Pressure base is 14.65 p.s.i.a.

⁶ Subject to a downward B.T.U. adjustment.

⁷ Settlement rate as approved by Commission order issued Oct. 8, 1964, in Dockets Nos. G-9283 and G-9284 et al.

⁸ Formerly James A. Rehler et al., FPC Gas Rate Schedule No. 1.

W. M. Wiseman (Wiseman) requests that his proposed rate increase and contract amendment be permitted to become effective as of June 19, 1969, the contractually provided effective date. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Wiseman's rate filings and such request is denied.

Concurrently with the filing of his rate increase, Wiseman submitted a contract amendment dated June 18, 1969, designated as Supplement No. 8 to Wiseman's FPC Gas Rate Schedule No. 2, which provides the basis for his proposed rate increase. We believe that it would be in the public interest to accept for filing Wiseman's contract amendment to become effective as of September 8, 1969, the expiration date of the statutory no-

notice, but not the proposed rate contained therein which is suspended as hereinafter ordered.

The proposed rate increases filed by Atlantic Richfield Co. (Operator) et al., and Wiseman exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR, Chap. I, Part 2, § 2.56).

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown for accepting for filing Wiseman's contract amendment dated June 18, 1969, designated as Supplement No. 8 to Wiseman's FPC Gas Rate Schedule No. 2, and for permitting such supplement to become effective as of September 8, 1969, the

expiration date of the statutory notice.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered (except for the supplement referred to in paragraph (1) above).

The Commission orders:

(A) Supplement No. 8 to Wiseman's FPC Gas Rate Schedule No. 2 is accepted for filing and permitted to become effective as of September 8, 1969, the expiration date of the statutory notice.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of

practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Chap. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated supplements (except the supplement set forth in paragraph (A) above).

(C) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the "Date Suspended Until" column, an thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (CFR 1.8 and 1.37(f)) on or before October 15, 1969.

By the Commission.

[SEAL] GORDON M. GRANT,
Secretary.

[F.R. Doc. 69-10642; Filed, Sept. 8, 1969;
8:45 a.m.]

FEDERAL RESERVE SYSTEM

BARNETT NATIONAL SECURITIES CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Barnett National Securities Corp., which is a bank holding company located in Jacksonville, Fla., for prior approval by the Board of Governors of the acquisition by Applicant of 70 percent or more of the voting shares of Barnett Bank of Daytona Beach, Daytona Beach, Fla., a proposed new bank.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3(a) which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States; or

(2) Any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are

clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(e) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

Dated at Washington, D.C., this 2d day of September 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-10580; Filed, Sept. 8, 1969;
8:45 a.m.]

COMMERCE BANCSHARES, INC.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by Commerce Bancshares, Inc., which is a bank holding company located in Kansas City, Mo., for prior approval by the Board of Governors of the acquisition by Applicant of more than 80 percent of the voting shares of Columbia National Bank, Columbia, Mo.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3(a) which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States; or

(2) Any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(e) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks

concerned, and the convenience and needs of the community to be served.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Kansas City.

Dated at Washington, D.C., this 2d day of September 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-10681; Filed, Sept. 8, 1969;
8:45 a.m.]

FIRST AT ORLANDO CORP.

Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)), by First at Orlando Corp., which is a bank holding company located in Orlando, Fla., for prior approval by the Board of Governors of the acquisition by Applicant of at least 80 percent of the voting shares of First National Bank of Melbourne, Melbourne, Fla.

Section 3(c) of the Act provides that the Board shall not approve:

(1) Any acquisition or merger or consolidation under section 3(a) which would result in a monopoly, or which would be in furtherance of any combination or conspiracy to monopolize or to attempt to monopolize the business of banking in any part of the United States; or

(2) Any other proposed acquisition or merger or consolidation under this section whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

Section 3(e) further provides that, in every case, the Board shall take into consideration the financial and managerial resources and future prospects of the company or companies and the banks concerned, and the convenience and needs of the community to be served.

Not later than 30 days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisition may be filed with the Board. Communications should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. The application may be inspected at the office of the Board of Governors or the Federal Reserve Bank of Atlanta.

Dated at Washington, D.C., this 2d day of September 1969.

By order of the Board of Governors.

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-10682; Filed, Sept. 8, 1969;
8:45 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN INDIA

Entry and Withdrawal From Warehouse for Consumption

SEPTEMBER 4, 1969.

On August 31, 1967, the Government of the United States, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, concluded an agreement with the Government of India concerning exports of cotton textiles and cotton textile products from India to the United States.

Among the provisions of the agreement is that applying a specific export limitation to Category 31 for the agreement year which began on October 1, 1968. Entries into the United States for consumption and withdrawals from warehouse for consumption of cotton textiles in Category 31, produced or manufactured in India have exceeded the level provided for in the agreement. Consultations with the Government of India concerning these exports are now in progress. A subject of such consultations will be provision for the entry of goods affected by the directive published below.

Accordingly, there is published below a letter of September 4, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that upon publication in the FEDERAL REGISTER, and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles in Category 31 produced or manufactured in India and exported during the period beginning October 1, 1968, and extending through September 30, 1969, be prohibited.

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee,
and Deputy Assistant Secretary
for Resources.

THE SECRETARY OF COMMERCE
PRESIDENT'S CABINET TEXTILE ADVISORY
COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

SEPTEMBER 4, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding

International Trade in Cotton Textiles done at Geneva on February 9, 1962, pursuant to the bilateral cotton textile agreement of August 31, 1967, between the Governments of the United States and India, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit, effective upon publication in the FEDERAL REGISTER, and until further notice, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles in Category 31 produced or manufactured in India and which have been exported from India during the period beginning October 1, 1968, and extending through September 30, 1969.

Cotton textiles which have been released from the custody of the Bureau of Customs under the provisions of 19 U.S.C. 1448(b) prior to the effective date of this directive shall not be subject to this directive.

A detailed description of Category 31 in terms of T.S.U.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of India and with respect to imports of cotton textiles and cotton textile products from India have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965-68). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

MAURICE H. STANS,
Secretary of Commerce, Chairman,
President's Cabinet Textile Advisory
Committee.

[F.R. Doc. 69-10719; Filed, Sept. 8, 1969;
8:48 a.m.]

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN MALAYSIA

Entry and Withdrawal From Warehouse for Consumption

SEPTEMBER 4, 1969.

On August 29, 1969, the U.S. Government, in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, informed the Government of Malaysia that it was renewing for an additional 12-month period beginning August 30, 1969, and extending through August 29, 1970, the restraint on imports into the United States of cotton textile products in Category 45, produced or manufactured in Malaysia. Pursuant to Annex B, paragraph 3, of the Long-Term Arrangement the level of restraint for this 12-month period is 5 percent greater than the level of restraint applicable to this category for the preceding 12-month period.

There is published below a letter of August 29, 1969, from the Chairman of the President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amount of cotton textile products in Category 45, produced or manufactured in Malaysia, which may be entered or withdrawn from warehouse for consumption in the United States for the 12-month period beginning August 30, 1968, be limited to the designated level.

STANLEY NEHMER,
Chairman, Interagency Textile
Administrative Committee,
and Deputy Assistant Secretary
for Resources.

THE SECRETARY OF COMMERCE
PRESIDENT'S CABINET TEXTILE ADVISORY
COMMITTEE

COMMISSIONER OF CUSTOMS,
Department of the Treasury,
Washington, D.C. 20226.

AUGUST 29, 1969.

DEAR MR. COMMISSIONER: Under the terms of the Long-Term Arrangement Regarding International Trade in Cotton Textiles done at Geneva on February 9, 1962, including Article 6(c) thereof relating to nonparticipants, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, as amended by Executive Order 11214 of April 7, 1965, you are directed to prohibit effective August 30, 1969, and for the 12-month period extending through August 29, 1970, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textile products in Category 45 produced or manufactured in Malaysia, in excess of a level of restraint for the period of 88,172 dozen.

In carrying out this directive, entries of cotton textile products in Category 45 produced or manufactured in Malaysia, which have been exported to the United States from Malaysia prior to August 30, 1969, shall, to the extent of any unfilled balances, be charged against the level of restraint established for such goods during the period August 30, 1968, through August 29, 1969. In the event that the above level of restraint has been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

A detailed description of Category 45 in terms of T.S.U.A. numbers was published in the FEDERAL REGISTER on January 17, 1968 (33 F.R. 582), and amendments thereto on March 15, 1968 (33 F.R. 4600).

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Malaysia and with respect to imports of cotton textiles and cotton textile products from Malaysia have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of 5 U.S.C. 553 (Supp. IV, 1965-68). This letter will be published in the FEDERAL REGISTER.

Sincerely yours,

MAURICE H. STANS,
Secretary of Commerce, Chairman,
President's Cabinet Textile Advisory
Committee.

[F.R. Doc. 69-10720; Filed, Sept. 8, 1969;
8:48 a.m.]

OFFICE OF EMERGENCY PREPAREDNESS NEW YORK

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); and 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); notice is hereby given that on August 26, 1969, the President declared a major disaster as follows:

I have determined that the damages in Sullivan County of the State of New York adversely affected by heavy rains and flooding beginning on or about July 27, 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 New York.

Dated: September 2, 1969.

G. A. LINCOLN,
Director,

Office of Emergency Preparedness.

[P.R. Doc. 69-10896; Filed, Sept. 8, 1969;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

RAJAC INDUSTRIES, INC.

Order Suspending Trading

SEPTEMBER 3, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading otherwise than on a national securities exchange in the common stock and all other securities of Rajac Industries, Inc. (a New York corporation), 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 September 4, 1969, through September 13, 1969, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[P.R. Doc. 69-10698; Filed, Sept. 8, 1969;
8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS AT SPECIAL MINIMUM WAGES IN RETAIL OR SERVICE ESTABLISHMENTS OR IN AGRICULTURE

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 20 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 595 (31 F.R. 12981), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are as indicated below. The minimum certificate rates are not less than 85 percent of the applicable statutory minimum.

The following certificates provide for an allowance not to exceed the proportion of the total hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by all employees in the establishment during the base period in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base period.

Asheville Orthopedic Hospital, Inc., hospital; Asheville, N.C.; 7-7-69 to 7-5-70.

Ballard's Food Store, foodstore; 301 East Charles, Paul's Valley, Okla.; 7-1-69 to 6-30-70.

Beacham Memorial Hospital, hospital; North Cherry, Magnolia, Miss.; 6-27-69 to 6-26-70.

Boema Brothers Farms, agriculture; 1187 Poulson Road, Muskegon, Mich.; 7-2-69 to 7-1-70.

Brett's Department Store, department store; 325-329 South Front Street, Mankato, Minn.; 6-23-69 to 6-22-70.

Central Market, foodstore; Third and Lincoln, Hobron, Nebr.; 7-9-69 to 7-8-70.

Clarkedale Plantation, agriculture; Clarkedale, Ark.; 7-12-69 to 7-11-70.

Coborn's Inc., foodstore; 6 North Broadway, Sauk Rapids, Minn.; 6-28-69 to 6-27-70.

Co-op Grocery Store, foodstore; 204 East Court, Beloit, Kans.; 6-28-69 to 6-27-70.

Easyway Food Center, foodstore; Carter Street, Harriman, Tenn.; 7-8-69 to 7-7-70.

Emanuel Hospital, hospital; 2801 North Gantenbein Avenue, Portland, Oreg.; 7-8-69 to 6-30-70.

Franks IGA Foodliner, foodstore; 130 South Grand Avenue, Fowlerville, Mich.; 6-30-69 to 6-29-70.

Furr's Inc., foodstore; No. 6, Hobbs, N. Mex.; 7-19-69 to 7-18-70.

W. T. Grant Co., variety-department store; No. 847, Roseda, Calif.; 7-14-69 to 7-13-70.

Hall's 5 & 10¢ Stores, variety store; 122-128 South Main Street, Woodruff, S.C.; 7-3-69 to 7-2-70.

Harry's Food Stores, Inc., foodstore; 135 West Twohig, San Angelo, Tex.; 7-3-69 to 7-2-70.

Hayfield Farm, agriculture; Lehman, Township, Pa.; 6-26-69 to 6-25-70.

Henderson Drugs, Inc., drugstore; 5941 Kingston Pike, Knoxville, Tenn.; 7-7-69 to 7-6-70.

Herberger's, department stores from 6-28-69 to 6-27-70; 110 North Minnesota Street, New Ulm, Minn.; 330 Chestnut Street, Virginia, Minn.; 19 South Maple Street, Watertown, S. Dak.; 25-29 North Main Street, Rice Lake, Wis.

Hillside Farms, Inc., agriculture; Wilkes-Barre, Pa.; 6-26-69 to 6-25-70.

L. D. Holmes & Sons, agriculture; Route 1, Johnston, S.C.; 6-25-69 to 6-14-70.

H. T. & L. F. Holmes Farms, agriculture; Route 2, Trenton, S.C.; 7-9-69 to 6-4-70.

Kay Planting Co., agriculture; Indianola, Miss.; 6-26-69 to 6-25-70.

Kline's Department Store, department store; 14 East Front Street, Monroe, Mich.; 6-27-69 to 6-26-70.

S. S. Kresge Co., variety-department stores from 6-23-69 to 6-22-70 except as otherwise indicated; No. 157, Newport, Ky. (7-1-69 to 6-30-70); No. 249, Joplin, Mo. (6-27-69 to 6-26-70); No. 4619, Springfield, Mo. (7-14-69 to 7-13-70); No. 4577, Fremont, Nebr. (6-21-69 to 6-20-70); No. 562, Bloomfield, N.J.; No. 392, Montclair, N.J. (6-26-69 to 6-23-70); No. 498, North Batontown, N.J.; No. 80, Paramus, N.J.; No. 221, Parlin, N.J.; No. 260, Passaic, N.J. (7-1-69 to 6-30-70); No. 23, Princeton, N.J.; No. 65, Trenton, N.J.; No. 231, Fargo, N. Dak. (6-26-69 to 6-26-70).

S. H. Kress and Co., variety-department stores; 343 Springfield Avenue, Summit, N.J., 7-16-69 to 7-15-70; 852 Procter Street, Port Arthur, Tex., 6-27-69 to 6-26-70.

Lester Krueger, agriculture; Springfield, Minn.; 6-21-69 to 6-20-70.

Ed A. Leatherman, Jr., agriculture; Purgitsville, W. Va.; 7-1-69 to 6-30-70.

Luke's Foodliner, foodstore; 1 Ardmore Mall, Ardmore, Okla.; 7-15-69 to 7-14-70.

Maddux Hardware Co., hardware store; 319 East Spring Street, Cookeville, Tenn.; 6-26-69 to 6-25-70.

McCrary-McLellan-Green Stores, variety-department store; No. 545, Laredo, Tex.; 6-28-69 to 6-27-70.

McKinley's Food Market, Inc., foodstore; Main Street, Hancock, Md.; 6-23-69 to 6-22-70.

Millville Hospital, hospital; North High Street, Millville, N.J.; 7-5-69 to 7-4-70.

G. C. Murphy Co., variety-department stores from 6-29-69 to 6-28-70; No. 433, Anna, Ill.; No. 427, Winchester, Ind.

Oklahoma Memorial Union, Inc., student union; 900 Asp Avenue, Norman, Okla.; 7-14-69 to 7-13-70.

Park-N-Save, foodstore; Route 725 West, Germantown, Ohio; 6-23-69 to 6-22-70.

Penn Taft Pharmacy, drugstore; 1815 Pennsylvania Avenue, West Mifflin, Pa.; 6-27-69 to 6-26-70.

Peoples Wholesale Co., foodstore; Water Valley, Miss.; 6-28-69 to 6-27-70.

Scott Store, variety-department stores from 6-27-69 to 6-26-70 except as otherwise

indicated; No. 40, Madison, Ind.; No. 125, Hazard, Ky. (7-1-69 to 6-30-70); No. 17, Brainerd, Minn. (6-28-69 to 6-25-70); No. 55, Kansas City, Mo.

Setterholm's Super Fair, Inc., foodstore; 935 South Lake Street, Forest Lake, Minn.; 6-28-69 to 6-27-70.

Skinner Nursery, agriculture; 1225 Lower Silver Lake Road, Topeka, Kans.; 6-25-69 to 6-24-70.

Star Brand Cattle Co., agriculture; Kaufman, Tex.; 7-5-69 to 7-4-70.

Stern & Mann Co., apparel store; 301 Tuscarawas Street, West, Canton, Ohio; 7-14-69 to 7-13-70.

Super Chief, Inc., foodstore; 2 Broad Street NW., Atlanta, Ga.; 6-23-69 to 6-21-70.

Super Drive Ins, foodstore; No. 2, Nashville, Tenn.; 7-11-69 to 7-10-70.

T. G. & Y. Stores Co., variety-department stores; No. 148, Kansas City, Kans., 6-22-69 to 6-21-70; No. 145, Independence, Mo., 6-29-69 to 6-28-70.

Thrift-Way Supermarket, foodstore; Gate City, Va.; 7-14-69 to 7-13-70.

Trojan Seed Co., agriculture; Olivia, Minn.; 6-21-69 to 6-20-70.

Union Motor Co., Inc., auto dealer; 315 East Gaines, Monticello, Ark.; 6-27-69 to 6-26-70.

Virginia Baptist Hospital, hospital; Rivermont Avenue, Lynchburg, Va.; 7-8-69 to 7-7-70.

Wheat Ridge Ranch Market, foodstore; 6920 West 38th Avenue, Wheat Ridge, Colo.; 7-17-69 to 7-16-70.

Willbrandt Farms, agriculture; 693 West Wedgewood Drive, North Muskegon, Mich.; 7-11-69 to 7-10-70.

Larry J. Woodard, agriculture; Lepanto, Ark.; 6-23-69 to 6-22-70.

Larry Woodard Farms, Inc., agriculture; Osceola, Ark.; 6-23-69 to 6-22-70.

Wood's 5 & 10¢ Stores, Inc., variety store; Rockingham, N.C.; 7-15-69 to 7-14-70.

F. W. Woolworth Co., variety-department store; No. 2319, Mesquite, Tex.; 6-24-69 to 6-23-70.

S. Workman & Sons, agriculture; 3610 South Getty Street, Muskegon, Mich.; 7-1-69 to 6-30-70.

The following certificates were issued to establishments relying on the base-year employment experience of other establishments, either because they came into existence after the beginning of the applicable base year or because they did not have available base-year records. The certificates permit the employment of full-time students at rates of not less than 85 percent of the statutory minimum in the classes of occupations listed, and provide for the indicated monthly limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees.

Ben Franklin Store, variety store; Berkeley Square Shopping Center, Goose Creek, S.C.; salesclerk, stock clerk; 10 to 45 percent; 7-14-69 to 7-13-70.

Cerretanis' Supermarket, Inc., foodstores for the occupations of bagger, stock clerk, 13 to 20 percent, 7-15-69 to 7-14-70; 34 Essex Street, Melrose, Mass.; 209 Revere Beach Parkway, Revere, Mass.

Coborn's, Inc., foodstores for the occupations of stock clerk, carryout, 19 to 23 percent, 6-28-69 to 6-27-70; Foley, Minn.; 327 South Fifth Avenue, St. Cloud, Minn.

Bill Crook's Food Town, foodstore; No. 1, Nashville, Tenn.; stock clerk, sacker; 9 to 11 percent; 7-1-69 to 6-30-70.

DeByle's, Inc., apparel stores for the occupations of mail clerk, errand clerk, janitorial, 10 percent, 7-3-69 to 7-2-70; Eagle River, Wis.; Minocqua, Wis.; Rhinelander, Wis.; Wisconsin Rapids, Wis.

Dillon Companies, Inc., foodstores; No. 34, Wichita, Kans.; cashier, checker, clerk, carryout, maintenance, wrapper; 9 to 17 percent; 7-1-69 to 6-30-70.

Duckwall Stores Co., variety-department store; No. 57, Albuquerque, N. Mex.; salesclerk, stock clerk; 2 to 15 percent; 7-12-69 to 7-11-70.

Farmers Supply Co., hardware store; Farmville, Va.; stock clerk, errand clerk; 0 to 20 percent; 7-14-69 to 7-13-70.

Ferguson Free Car Wash, gasoline station; 2315 Ferguson Road, Cincinnati, Ohio; service station attendant, retailer; 46 to 72 percent; 7-1-69 to 6-30-70.

Feudo Foodtown, foodstores for the occupations of stock clerk, bottle clerk, carryout, cleanup, 11 to 14 percent; No. 1, Corpus Christi, Tex., 7-11-69 to 7-10-70; No. 2, Corpus Christi, Tex., 7-8-69 to 7-7-70.

W. T. Grant Co., variety-department stores for the occupations of salesclerk, stock clerk except as otherwise indicated, 4 to 18 percent except as otherwise indicated; No. 1054, Riverside, Calif., 7-1-69 to 6-30-70; No. 133, Santa Ana, Calif., 7-15-69 to 7-14-70; No. 739, Whittier, Calif., 7-8-69 to 7-7-70; No. 997, Mundelein, Ill., 6-27-69 to 6-26-70 (salesclerk, cashier, office clerk, stock clerk, 2 to 19 percent); No. 1133, Fairview, Mass., 7-11-69 to 7-10-70 (salesclerk, stock clerk, office clerk, cashier, 2 to 12 percent); No. 1202, Milwaukee, Wis., 7-5-69 to 7-4-70 (salesclerk, office clerk, 8 to 10 percent).

H. E. B. Food Store, foodstore; No. 117, Crystal City, Tex.; package clerk, sacker, bottle clerk; 10 percent; 6-25-69 to 6-24-70.

Herberger's department stores for the occupations of salesclerk, office clerk, marker, 3 to 8 percent, 6-28-69 to 6-27-70; 522 Broadway, Alexandria, Minn.; 312 North Bridge, Chipewah Falls, Wis.; 428 Main Street, La Crosse, Wis.; 222-228 Third Street, Wausau, Wis.

J & S Enterprise Market, foodstore; Hawk Point, Mo.; stock clerk, carryout; 13 to 36 percent; 7-14-69 to 7-13-70.

Kiddie Shoppe of Wilkes-Barre Inc., apparel store; 14-16 East Northampton, Wilkes-Barre, Pa.; salesclerk, cashier, credit clerk; 2 to 5 percent; 7-10-69 to 7-9-70.

S. S. Kresge Co., variety-department stores for the occupations of salesclerk, stock clerk, office clerk, checker-cashier except as otherwise indicated; No. 4184, Mobile, Ala., 3 to 11 percent, 7-6-69 to 7-5-70 (salesclerk, stock clerk, maintenance, checker-cashier, office clerk); No. 784, Boulder, Colo., 3 to 23 percent, 7-13-69 to 7-12-70; No. 4215, Kansas City, Kans., 5 to 10 percent, 7-5-69 to 7-4-70; No. 4172, Monroe, La., 2 to 15 percent, 7-3-69 to 7-2-70 (salesclerk); No. 4217, Independence, Mo., 13 to 20 percent, 7-15-69 to 7-14-70; No. 72, St. Louis, Mo., 13 to 29 percent, 6-29-69 to 6-28-70; No. 4060, Charlotte, N.C., 11 to 22 percent, 6-23-69 to 6-22-70 (salesclerk, checker-cashier); No. 4301, Lima, Ohio, 10 percent, 7-14-69 to 7-13-70 (salesclerk, stock clerk, checker-cashier, maintenance, office clerk, customer service); No. 422, New Castle, Pa., 4 to 13 percent, 7-7-69 to 7-6-70 (salesclerk); No. 758, Alcoa, Tenn., 2 to 17 percent, 6-26-69 to 6-25-70 (salesclerk, stock clerk, maintenance, office clerk, checker-cashier, customer service); No. 4244, Knoxville, Tenn.; 2 to 17 percent; 7-18-69 to 7-17-70 (salesclerk, stock clerk, maintenance, office clerk, checker-cashier, customer service); No. 4219, Green Bay, Wis., 11 to 27 percent, 7-5-69 to 7-4-70.

S. H. Kress and Co., variety-department stores; 440 Dorchester Avenue, Charleston Heights, S.C., salesclerk, 4 to 24 percent,

6-23-69 to 6-22-70; South Pleasantburg Drive, Greenville, S.C., salesclerk, porter, 11 to 40 percent, 7-8-69 to 7-7-70.

Lerner Shops, apparel store; No. 178, Eatontown, N.J., salesclerk, cashier, credit clerk; 6 to 25 percent; 7-1-69 to 6-30-70.

Lobel's Youth Center, Inc., apparel store; 100 Broadway, East Paterson, N.J.; salesclerk, stock clerk, wrapper, packer; 0 to 18 percent; 7-7-69 to 7-6-70.

Magie Mart, Inc., department store; 1701 Main Street, Little Rock, Ark.; salesclerk, stock clerk, janitorial; 6 to 17 percent; 7-14-69 to 7-13-70.

McCrory-McLellan-Green Stores, variety-department stores for the occupations of salesclerk, stock clerk, office clerk except as otherwise indicated; No. 396, Punta Gorda, Fla., 8 to 15 percent, 7-13-69 to 7-12-70; No. 389, Baltimore, Md., 21 to 38 percent, 7-13-69 to 7-12-70; No. 231, Lansing, Mich., 10 to 27 percent, 7-2-69 to 7-1-70; No. 255, Norfolk, Nebr., 7 to 21 percent, 7-2-69 to 7-1-70 (salesclerk, stock clerk, office clerk, porter); No. 397, Kutztown, Pa., 12 to 23 percent, 7-8-69 to 6-28-70; No. 233, Sunbury, Pa., 15 to 32 percent, 7-1-69 to 6-30-70.

G. C. Murphy Co., variety-department stores for the occupations of salesclerk, stock clerk, office clerk, janitorial; No. 77, Fort Wayne, Ind., 11 to 26 percent, 6-23-69 to 6-22-70; No. 328, York, Pa., 5 to 19 percent, 7-1-69 to 6-30-70.

Park-N-Save, foodstores for the occupations of stock clerk, carryout, cleanup, 10 percent; Carlisle, Ohio, 6-23-69 to 6-22-70; Franklin Township, Ohio, 7-1-69 to 6-30-70.

Piggly Wiggly, foodstore; No. 31, Shreveport, La.; stock clerk, checker, sacker, clerk; 10 percent; 7-15-69 to 7-14-70.

Rog & Scott's Super Valu, foodstore; No. 4, Council Bluffs, Iowa; carryout, stock clerk, produce clerk; 32 to 33 percent; 7-10-69 to 7-9-70.

Rohman's Thriftway, foodstore; 810 Main, Concordia, Mo.; sacker, carryout; 10 percent; 6-23-69 to 6-22-70.

Rose's Stores, Inc., variety-department stores for the occupations of salesclerk, stock clerk except as otherwise indicated, 7-15-69 to 7-14-70 except as otherwise indicated;

No. 177, Andalusia, Ala., 13 to 32 percent (salesclerk, stock clerk, checker); No. 93, Belhaven, N.C., 2 to 25 percent (salesclerk, 7-11-69 to 7-10-70); No. 174, Hickory, N.C., 12 to 41 percent (7-8-69 to 7-7-70); No. 27, Warrenton, N.C., 13 to 29 percent (salesclerk, stock clerk, office clerk, checker, 7-8-69 to 7-7-70); No. 181, Conway, S.C., 5 to 35 percent (salesclerk, 7-7-69 to 7-6-70); No. 176, Orangeburg, S.C., 6 to 21 percent; No. 175, Rock Hill, S.C., 11 to 27 percent (salesclerk, checker); No. 105, Columbia, Tenn., 3 to 16 percent (salesclerk).

Schensul's Cafeteria, Inc., restaurant; West Saginaw Street, Lansing, Mich.; busboy (girl), coffee girl (boy), counterworker, dishwasher, food preparer, short order cook; 49 to 77 percent; 7-10-69 to 7-9-70.

Scott Store, variety-department stores for the occupations of salesclerk, stock clerk, checker, 10 to 26 percent except as otherwise indicated, 6-27-69 to 6-26-70 except as otherwise indicated; No. 51, Aurora, Ill. (0 to 25 percent); No. 144, Columbus, Ind. (6-28-69 to 6-27-70); No. 126, Muncie, Ind.; No. 132, Elizabethtown, Ky. (6-30-69 to 6-29-70).

Sterling Stores Co., Inc., variety store; 1563 South Highland, Jackson, Tenn.; salesclerk, stock clerk, janitorial; 12 to 43 percent; 7-15-69 to 7-15-70.

Stern & Mann Co., apparel store; 3040 Cromer Northwest, Canton, Ohio; delivery clerk, stock clerk, service clerk, alteration clerk, gift wrapper, teen board member; 1 to 8 percent; 7-15-69 to 7-13-70.

Sunshine Department Store, department store; 32 Hawthorne Plaza, Mableton, Ga.; salesclerk; 8 to 10 percent; 7-7-69 to 7-6-70.

Sunshine Villa, Inc., nursing home; Birchmor Medical Park, Mora, Minn.; nurse's aide, laundry assistant, kitchen orderly, house-keeping aide; 8 to 14 percent; 8-1-69 to 7-31-70.

Super Drive Ins, foodstore; No. 5, Nashville, Tenn.; sacker, bottle clerk; 21 to 32 percent; 7-11-69 to 7-10-70.

T. G. & Y. Stores Co., variety-department stores for the occupations of salesclerk, stock clerk, office clerk, 20 to 30 percent except as otherwise indicated, 7-3-69 to 7-2-70 except as otherwise indicated: No. 571, Baldwin Park, Calif.; No. 526, Camarillo, Calif.; No. 549, Cerritos, Calif.; No. 531, El Monte, Calif.; No. 550, Escondido, Calif.; No. 595, Hemet, Calif.; Nos. 502 and 558, Long Beach, Calif.; No. 615, Milpitas, Calif. (7-3-69 to 8-30-70); No. 512, North Hollywood, Calif.; No. 507, Ojai, Calif.; No. 505, Riverside, Calif.; No. 523, Rohnert Park, Calif. (7-3-69 to 8-30-70); Nos. 511 and 532, Santa Barbara, Calif.; No. 575, Saugus, Calif.; No. 530, Thousand Oaks, Calif.; No. 302, Kansas City, Kans. (9 to 28 percent, 6-22-69 to 6-21-70); No. 281, Los Alamos, N. Mex. (13 to 24 percent, 7-7-69 to 7-6-70); No. 424, Muskogee, Okla. (10 to 15 percent); No. 87, Oklahoma City, Okla. (22 to 30 percent, 7-2-69 to 7-1-70); No. 445, Tulsa, Okla. (24 to 30 percent, 7-9-69 to 7-8-70); No. 802, Alice, Tex. (30 percent, 7-14-69 to 7-13-70).

Taylor Orchard, agriculture; Greer, S.C.; peach picker, peach packer; 0 to 25 percent; 6-27-69 to 6-26-70.

Terry Parris Stores, Inc., variety-department store; No. 5413, Alice, Tex.; salesclerk, stock clerk, office clerk, janitorial; 10 to 28 percent; 7-14-69 to 7-13-70.

Tom Thumb Stores, Inc., foodstore; No. 36, Dallas, Tex.; package clerk; 11 to 15 percent; 7-17-69 to 7-16-70.

Trojan Seed Co., agriculture for the occupation of detassler, 0 to 95 percent; 6-21-69 to 6-20-70; Lake Crystal, Minn.; Welcome, Minn.

Wheaton Super Valu, foodstore; Wheaton, Minn.; checker, produce clerk, carryout; 9 to 18 percent; 6-27-69 to 6-26-70.

Wood's 5 & 10¢ Stores, Inc., variety store; Elizabethtown, N.C.; salesclerk, stock clerk; 9 to 20 percent; 7-14-69 to 7-13-70.

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time

students at special minimum rates will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under a certificate. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 30 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 29th day of August 1969.

ROBERT G. GRONEWALD,
Authorized Representative
of the Administrator.

[F.R. Doc. 69-10695; Filed, Sept. 8, 1969;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 406]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 4, 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-71522. By order of August 27, 1969, the Motor Carrier Board approved the transfer to Security Van

Lines, Inc. (A Louisiana Corporation), Kenner, La., of the operating rights in certificates Nos. MC-8768 (Sub-No. 1), MC-8768 (Sub-No. 28), and MC-8768 (Sub-No. 31) issued November 21, 1960, June 30, 1964, and July 26, 1965, respectively, to Security Van Lines, Inc. (An Alabama Corporation), Kenner, La., authorizing the transportation, over irregular routes, of household goods between points in 33 States and the District of Columbia, furniture and office effects and equipment between points in Louisiana, on the one hand, and, on the other, points in Mississippi, Tennessee, Arkansas, Georgia, Florida, Missouri, Illinois, Alabama, and Texas, and general commodities between points in an area comprising New Orleans, La., and points within 15 miles of New Orleans. J. G. Dail, Jr., 1111 E Street NW., Washington, D.C. 20004, attorney for applicants.

No. MC-FC-71578. By order of August 27, 1969, the Motor Carrier Board approved the transfer to W. B. Crosby, doing business as American Transfer & Storage Co., 702 South Third Avenue, Marshalltown, Iowa, 50158, of the certificate in No. MC-41000, issued November 20, 1950, to W. B. Crosby and Ruth A. Crosby, a partnership, doing business as American Transfer & Storage Co., 702 South Third Avenue, Marshalltown, Iowa, 50158, authorizing the transportation of soap, soap products, and lard substitutes from Marshalltown, Iowa, to points in Iowa.

No. MC-FC-71583. By order of August 29, 1969, the Motor Carrier Board approved the transfer to Link Truck Lines, Inc., Genoa, Colo., of the certificate in No. MC-26161, issued March 8, 1967, to Glenn Blank, doing business as G & E Truck Line, Joes, Colo., authorizing the transportation of livestock, feed, grain, and household goods, between Joes, Colo., and points within 25 miles of Joes, on the one hand, and, on the other, points in Kansas. Stockton and Lewis, The 1650 Grant St. Building, Denver, Colo. 80203, attorney for applicants.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69-10715; Filed, Sept. 8, 1969;
8:48 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—SEPTEMBER

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