AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

FEDERAL REGISTER

VOLUME 34 • NUMBER 211

Saturday, November 1, 1969 • Washington, D.C.

Pages 17717–17750

Agencies in this issue—

Detailed list of Contents appears inside.

THE NATIONAL ARCHIVES OF THE UNITED STATES
1934

Current White House Releases

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS

This unique service makes available transcripts of the President's news conferences; messages to Congress; public speeches, remarks, and statements; and other Presidential materials released by the White House.

The Weekly Compilation carries a Monday dateline and covers materials released during the preceding week. It includes an Index of Contents and a system of cumulative indexes. Other finding aids include lists of laws approved by the President and of nominations submitted to the Senate, a checklist of White House releases, and a digest of other White House announcements.

This systematic publication of Presidential items provides users with up-to-date information and a permanent reference source concerning Presidential policies and pronouncements.

Subscription Price: $9.00 per year

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from: Superintendent of Documents
U.S. Government Printing Office,
Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 15), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $2.50 per month or $25 per year, payable in advance. The charge for individual copies is 20 cents for each issue, or 20 cents for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended (44 U.S.C. 1510). The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER or the CODE OF FEDERAL REGULATIONS.

Contents

(Continued on next page)

List of CFR Parts Affected

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

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

3 CFR

EXECUTIVE ORDERS:

11398 (amended by EO 11492) 17721
11492 17721

5 CFR

213 (2 documents) 17724

7 CFR

850 17724
910 17724
912 17725
1427 17725

PROPOSED RULES:

81 17731
777 17730

14 CFR

71 17725

PROPOSED RULES:

71 (3 documents) 17732, 17733
75 17733

18 CFR

PROPOSED RULES:

620 17730

21 CFR

146a 17725
147 (2 documents) 17725, 17726
148k 17725
148q 17725
148x 17725

29 CFR

PROPOSED RULES:

727 17732

32A CFR

FRS (Ch. XV):
Reg. V 17729

46 CFR

310 17729

49 CFR

1033 17729

Presidential Documents

Title 3—THE PRESIDENT

Executive Order 11492

AMENDING EXECUTIVE ORDER NO. 11398 WITH RESPECT TO THE CITIZENS ADVISORY COMMITTEE ON PHYSICAL FITNESS AND SPORTS

By virtue of the authority vested in me as President of the United States, Executive Order No. 11398 of March 4, 1968,[1] entitled "Establishing the President's Council on Physical Fitness and Sports," is hereby amended by substituting for subsection (a) of section 3 thereof the following:

"(a) There is hereby established the Citizens Advisory Committee on Physical Fitness and Sports (hereinafter referred to as the Committee), which shall be composed of so many members as the President may appoint thereto from time to time. The President shall designate the Chairman of the Committee from among its members, and the Committee shall meet on the call of the Chairman."

Richard Nixon

THE WHITE HOUSE,
October 30, 1969.

[F.R. Doc. 69-13105; Filed, Oct. 30, 1969; 3:34 p.m.]

[1] 3 CFR 1968 Comp. p. 102; 33 F.R. 4169.

Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

This checklist, arranged in order of titles, shows the issuance date and price of current bound volumes and supplements of the Code of Federal Regulations. The rate for subscription service to all revised volumes and supplements issued as of January 1, 1969, is $150 domestic, $40 additional for foreign mailing. The subscription price for revised volumes to be issued as of January 1, 1970, will be $175 domestic, $50 additional for foreign mailing.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

CFR Unit:		Price
1	(Rev. Jan. 1, 1969)	$1.00
2-3	(Rev. Jan. 1, 1969)	1.75
3	1936–1938 Compilation	6.00
	1938–1943 Compilation	9.00
	1943–1948 Compilation	7.00
	1949–1953 Compilation	7.00
	1954–1958 Compilation	4.00
	1959–1963 Compilation	6.00
	1964–1965 Compilation	3.75
	1966 Compilation	1.00
	1967 Compilation	1.00
	1968 Compilation	.75
4	(Rev. Jan. 1, 1969)	.50
5	(Rev. Jan. 1, 1969)	1.50
6	[Reserved]	
7	Parts:	
	0–45 (Rev. Jan. 1, 1969)	2.50
	46–51 (Rev. Jan. 1, 1969)	1.75
	52 (Rev. Jan. 1, 1969)	3.00
	53–209 (Rev. Jan. 1, 1969)	3.00
	210–699 (Rev. Jan. 1, 1969)	2.00
	700–749 (Rev. Jan. 1, 1969)	2.00
	750–899 (Rev. Jan. 1, 1969)	1.75
	900–944 (Rev. Jan. 1, 1969)	1.50
	945–980 (Rev. Jan. 1, 1969)	1.00
	981–999 (Rev. Jan. 1, 1969)	1.00
	1000–1029 (Rev. Jan. 1, 1969)	1.50
	1030–1059 (Rev. Jan. 1, 1969)	1.25
	1060–1089 (Rev. Jan. 1, 1969)	1.25
	1090–1119 (Rev. Jan. 1, 1969)	1.25
	1120–1199 (Rev. Jan. 1, 1969)	1.25
	1200–1499 (Rev. Jan. 1, 1969)	2.50
	1500–end (Rev. Jan. 1, 1969)	1.50
8	(Rev. Jan. 1, 1969)	1.00
9	(Rev. Jan. 1, 1969)	2.00
10	(Rev. Jan. 1, 1969)	1.50
11	[Reserved]	
12	Parts:	
	1–299 (Rev. Jan. 1, 1969)	2.00
	300–end (Rev. Jan. 1, 1969)	2.00
13	(Rev. Jan. 1, 1969)	1.25
14	Parts:	
	1–59 (Rev. Jan. 1, 1969)	2.75
	60–199 (Rev. Jan. 1, 1969)	2.50
	200–end (Rev. Jan. 1, 1969)	2.75
15	(Rev. Jan. 1, 1969)	2.00
16	Parts:	
	0–149 (Rev. Jan. 1, 1969)	2.75
	150–end (Rev. Jan. 1, 1969)	2.00
17	(Rev. Jan. 1, 1969)	2.75
18	(Rev. Jan. 1, 1969)	4.00
19	(Rev. Jan. 1, 1969)	2.75
20	(Rev. Jan. 1, 1969)	3.50
21	Parts:	
	1–119 (Rev. Jan. 1, 1969)	1.75
	120–129 (Rev. Jan. 1, 1969)	1.75
	130–146e (Rev. Jan. 1, 1969)	2.75
	147–end (Rev. Jan. 1, 1969)	1.50
22	(Rev. Jan. 1, 1969)	1.75
23	(Rev. Jan. 1 ,1969)	.35
24	(Rev. Jan. 1, 1969)	2.00
25	(Rev. Jan. 1, 1969)	1.75
26	Parts:	
	1 (§§ 1.01–1.300) (Rev. Jan. 1, 1969)	3.00
	1 (§§ 1.301–1.400) (Rev. Jan. 1, 1969)	1.00
	1 (§§ 1.401–1.500) (Rev. Jan. 1, 1969)	1.50
	1 (§§ 1.501–1.640) (Rev. Jan. 1, 1969)	1.25
	1 (§§ 1.641–1.850) (Rev. Jan. 1, 1969)	1.50
	1 (§§ 1.851–1.1200) (Rev. Jan. 1, 1969)	2.00
	1 (§§ 1.1201–end) (Rev. Jan. 1, 1969)	3.00
	2–29 (Rev. Jan. 1, 1969)	1.25
	30–39 (Rev. Jan. 1, 1969)	1.25
	40–169 (Rev. Jan. 1, 1969)	2.50
	170–299 (Rev. Jan. 1, 1969)	3.50
	300–499 (Rev. Jan. 1, 1969)	1.25
	500–599 (Rev. Jan. 1, 1969)	1.50
	600–end (Rev. Jan. 1, 1969)	.65
27	(Rev. Jan. 1, 1969)	.45
28	(Rev. Jan. 1, 1969)	1.00
29	Parts:	
	0–499 (Rev. Jan. 1, 1969)	1.50
	500–899 (Rev. Jan. 1, 1969)	3.00
	900–end (Rev. Jan. 1, 1969)	1.25
30	(Rev. Jan. 1, 1969)	1.50
31	(Rev. Jan. 1, 1969)	2.75
32	Parts:	
	1–8 (Rev. Jan. 1, 1969)	3.00
	9–39 (Rev. Jan. 1, 1969)	2.00
	40–399 (Rev. Jan. 1, 1969)	2.75
	400–589 (Rev. Jan. 1, 1969)	2.00
	590–699 (Rev. Jan. 1, 1966)	4.25
	(Supp. Jan. 1, 1969)	.50
	700–799 (Rev. Jan. 1, 1969)	3.50
	800–999 (Rev. Jan. 1, 1969)	2.00
	1000–1199 (Rev. Jan. 1, 1969)	1.50
	1200–1599 (Rev. Jan. 1, 1969)	1.75
	1600–end (Rev. Jan. 1, 1969)	1.00
32A	(Rev. Jan. 1, 1969)	1.25
33	Parts:	
	1–199 (Rev. Jan. 1, 1969)	2.50
	200–end (Rev. Jan. 1, 1969)	1.75
34	[Reserved]	
35	(Rev. Jan. 1, 1967)	5.25
	(Supp. Jan. 1, 1969)	.35
36	(Rev. Jan. 1, 1969)	1.25
37	(Rev. Jan. 1, 1967)	4.00
	(Supp. Jan. 1, 1969)	.30
38	(Rev. Jan. 1, 1969)	3.50
39	(Rev. Jan. 1, 1969)	3.75
40	[Reserved]	
41	Chapters:	
	1 (Rev. Jan. 1, 1969)	2.75
	2–4 (Rev. Jan. 1, 1969)	1.00
	5–5D (Rev. Jan. 1, 1969)	1.25
	6–17 (Rev. Jan. 1, 1969)	3.25
	18 (Rev. Jan. 1, 1969)	3.25
	19–100 (Rev. Jan. 1, 1969)	1.00
	101–end (Rev. Jan. 1, 1969)	1.75
42	(Rev. Jan. 1, 1969)	1.50
43	Parts:	
	1–999 (Rev. Jan. 1, 1969)	1.25
	1000–end (Rev. Jan. 1, 1969)	2.75
44	(Rev. Jan. 1, 1969)	.45
45	(Rev. Jan. 1, 1969)	3.25
46	Parts:	
	1–65 (Rev. Jan. 1, 1969)	2.50
	66–145 (Rev. Jan. 1, 1969)	2.00
	146–149 (Rev. Jan. 1, 1969)	3.75
	150–199 (Rev. Jan. 1, 1969)	2.50
	200–end (Rev. Jan. 1, 1969)	3.00
47	Parts:	
	0–19 (Rev. Jan. 1, 1969)	1.50
	20–69 (Rev. Jan. 1, 1969)	2.00
	70–79 (Rev. Jan. 1, 1969)	1.75
	80–end (Rev. Jan. 1, 1969)	2.50
48	[Vacated; Reserved]	

CFR Unit:		Price
49	Parts:	
	1–199 (Rev. Jan. 1, 1969)	3.50
	200–999 (Rev. Jan. 1, 1969)	1.50
	1000–1199 (Rev. Jan. 1, 1969)	1.25
	1200–1299 (Rev. Jan. 1, 1969)	3.25
	1300–end (Rev. Jan. 1, 1969)	1.00
50	(Rev. Jan. 1, 1969)	1.25
General Index (Rev. Jan. 1, 1969)		1.25
List of Sections Affected, 1949–1963 (Compilation)		6.75

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Export-Import Bank of the United States

Section 213.3342 is amended to show that one position of Assistant and Confidential Secretary to the Vice President and Special Assistant to the Board is excepted under Schedule C and that the position of Private Secretary to the Vice President for Planning and Export Expansion is excepted under Schedule C in lieu of the position of Private Secretary to the Special Assistant to the President and Chairman. Effective on publication in the FEDERAL REGISTER, paragraph (e) is amended and paragraph (f) is added under § 213.3342 as set out below.

§ 213.3342 Export-Import Bank of the United States.

* * * * *

(e) One Private Secretary to the Vice President for Planning and Export Expansion.

(f) One Assistant and Confidential Secretary to the Vice President and Special Assistant to the Board.

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

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

[F.R. Doc. 69-13077; Filed, Oct. 31, 1969; 8:48 a.m.]

PART 213—EXCEPTED SERVICE

Agency for International Development

Section 213.3368 is amended to show that the position of Private Secretary to the Assistant Administrator for Legislative and Public Affairs is excepted under Schedule C, and that the Congressional Liaison Staff now is in the Office of that Assistant Administrator. Effective on publication in the FEDERAL REGISTER, paragraph (b) is revoked and paragraph (e) is added to § 213.3368 as set out below.

§ 213.3368 Agency for International Development.

* * * * *

(b) [Revoked]

* * * * *

(e) *Office of the Assistant Administrator for Legislative and Public Affairs.* (1) One Private Secretary to the Assistant Administrator.

(2) One Staff Assistant to the Director, Congressional Liaison Staff.

(3) One Private Secretary to the Director, Congressional Liaison Staff.

(4) One Staff Assistant (Congressional Liaison) to the Director, Congressional Liaison Staff.

(5) Four Congressional Liaison Officers.

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

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

[F.R. Doc. 69-13076; Filed, Oct. 31, 1969; 8:48 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

PART 850—DOMESTIC BEET SUGAR PRODUCING AREA

Proportionate Shares for Farms; 1970 Crop

Correction

In F.R. Doc. 69-12677 appearing at page 17155 in the issue of Thursday, October 23, 1969, the heading of § 850.227 (b) on page 17158 now reading "(b) *Source of use and unused acreage.*" should be changed to read "(b) *Source and use of unused acreage.*"

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

[Lemon Reg. 398]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.698 Lemon Regulation 398.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such lemons as will provide, in the interest of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

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

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

(i) District 1: 9,300 cartons;

(ii) District 2: 46,500 cartons;

(iii) District 3: 144,150 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as

when used in the said amended marketing agreement and order.

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

Dated: October 30, 1969.

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

[F.R. Doc. 69–13095; Filed, Oct. 31, 1969; 8:49 a.m.]

[Grapefruit Reg. 67]

PART 912—GRAPEFRUIT GROWN IN THE INDIAN RIVER DISTRICT IN FLORIDA

Limitation of Handling

§ 912.367 Grapefruit Regulation 67.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912, 34 F.R. 12881), regulating the handling of grapefruit grown in the Indian River District in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Indian River Grapefruit Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such grapefruit, a hereinafter provided, will tend to effectuate the declared policy of the act.

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

(b) *Order.* (1) The quantity of grapefruit grown in the Indian River District which may be handled during the period November 3, 1969 through November 9, 1969, is hereby fixed at 145,000 standard packed boxes.

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

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

Dated: October 31, 1969.

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

[F.R. Doc. 69–13123; Filed, Oct. 31, 1969; 11:26 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Cotton Loan Program Regs., Amdt. 4]

PART 1427—COTTON

Subpart—Cotton Loan Program Regulations

REPAYMENT OF LOANS

Correction

In F.R. Doc. 69–12762 appearing at page 17328 in the issue of Saturday, October 25, 1969, the section heading now reading "§ 1427.1376 *Repayment of loan by producer.*" should be changed to read "§ 1427.1376 *Repayment of loan.*"

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 69–CE–107]

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

Revocation of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the Columbia, Mo., control zone.

On October 15, 1969, the Columbia, Mo., office of the U.S. Weather Bureau is being moved from its present location on the Columbia Municipal Airport to a new location on the Columbia Regional Airport. Since weather reporting service is required for the designation of a control zone, it is necessary to revoke the Columbia, Mo., control zone designation effective October 15, 1969.

Since this revocation will reduce the amount of designated controlled airspace at Columbia, Mo., it will not impose any additional burden on any person. Therefore, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0901 G.m.t., October 15, 1969, as hereinafter set forth in § 71.171 (34 F.R. 4557), the following control zone is revoked: "Columbia, Mo."

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

Issued in Kansas City, Mo., on October 14, 1969.

EDWARD C. MARSH,
Director, Central Region.

[F.R. Doc. 69–13040; Filed, Oct. 31, 1969; 8:46 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

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

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

PART 148k—NYSTATIN

PART 148q—GENTAMICIN

PART 148x—LINCOMYCIN

Miscellaneous Amendments

Effective on publication hereof, the antibiotic drug regulations are amended as follows to effect code corrections and editorial changes:

§ 146a.14 [Amended]

1. In § 146a.14(a), the reference to "§ 146a.12" in the fourth sentence is changed to read "§ 146a.12(a)".

2. An order published in the FEDERAL REGISTER of July 1, 1969 (34 F.R. 11091), inadvertently deleted paragraph (c) from § 146a.90. Paragraph (c) is hereby restored to that section and reads as follows:

§ 146a.90 **Procaine penicillin and benzathine penicillin G in streptomycin sulfate solution veterinary; procaine penicillin and benzathine penicillin G in dihydrostreptomycin sulfate solution veterinary (procaine penicillin and benzathine penicillin G in crystalline dihydrostreptomycin sulfate solution veterinary).**

* * * * *

(c) In addition to complying with the requirements of § 146a.67(d), a person

who requests certification of a batch shall submit with his request a statement showing the batch mark, and (unless it was previously submitted) the results and the date of the latest tests and assays of the benzathine penicillin G used in making the batch for potency, crystallinity, and penicillin G content, and the number of units of benzathine penicillin G in each milliliter of the batch. He shall also submit in connection with his request a sample consisting of 3 packages containing approximately equal portions of not less than 0.5 gram each of the benzathine penicillin G used in making the batch.

§ 147.7 [Amended]

3. Section 147.7, promulgated July 25, 1969 (34 F.R. 12279), contains a subparagraph concerning fees. An order was published July 1, 1969, removing references to fees from individual sections of the antibiotic drug regulations. For consistency, § 147.7 is amended by deleting subparagraph (5) from paragraph (a).

4. In § 148k.9, as published June 19, 1964 (29 F.R. 7845), the introductory text of paragraph (a)(3) was incomplete and is corrected to read as follows:

§ 148k.9 Nystatin-neomycin sulfate-gramicidin-triamcinolone acetonide cream.

(a) * * *

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

* * * * *

5. The order of July 1, 1969 (34 F.R. 11091), inadvertently deleted subparagraph (4) from § 148q.3(a) instead of subparagraph (5). The section is hereby amended by deleting subparagraph (5) from paragraph (a) and by restoring subparagraph (4) reading as follows:

§ 148q.3 Gentamicin sulfate cream.

(a) * * *

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

(i) Results of tests and assays on:

(*a*) The gentamicin sulfate used in making the batch for potency, moisture, pH, specific rotation, invariance quotient, and identity.

(*b*) The batch for gentamicin potency.

(ii) Samples required:

(*a*) The gentamicin sulfate used in making the batch: 10 packages, each containing not less than 500 milligrams.

(*b*) The batch: A minimum of 5 immediate containers.

(*c*) In the case of an initial request for certification, each other ingredient used in making the batch: One package of each containing not less than 5 grams.

* * * * *

§ 148x.5 [Amended]

6. The order of July 1, 1969 (34 F.R. 11091), deleted a nonexistent subparagraph (5) from § 148x.5(a). The section is hereby amended by deleting subparagraph (4) from paragraph (a).

(Secs. 507, 701(a), 52 Stat. 1055, 59 Stat. 463, as amended; 21 U.S.C. 357, 371(a))

Dated: October 27, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-13027; Filed, Oct. 31, 1969; 8:45 a.m.]

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

Bacitracin, Dihydrostreptomycin Sulfate, Oleandomycin Phosphate, Polymyxin B Sulfate, Streptomycin Sulfate, and Tetracycline Hydrochloride Diagnostic Sensitivity Powders

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended; 21 U.S.C. 357) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), the following six new sections are added to Part 147 to provide for certification of the subject sensitivity powders packaged in diagnostic vials:

§ 147.8 Bacitracin diagnostic sensitivity powder.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Bacitracin diagnostic sensitivity powder is bacitracin, with or without one or more suitable buffers and diluents, packaged in vials and intended for use in clinical laboratories for determining in vitro the sensitivity of microorganisms to bacitracin. Each vial contains 2,000 units of bacitracin. The potency of each immediate container is satisfactory if it contains not less than 90 percent and not more than 115 percent of its labeled content. It is sterile. Its loss on drying is not more than 5.0 percent. When reconstituted as directed in the labeling, its pH is not less than 5.5 and not more than 7.5. The bacitracin used conforms to the standards prescribed by § 146e.401(a) (1), (5), and (6) of this chapter. Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Packaging.* The immediate container shall be of colorless, transparent glass and it shall be a tight container as defined by the U.S.P. It shall be so sealed that the contents cannot be used without destroying such seal. It shall be of appropriate size to permit the addition of 20 milliliters of sterile diluent when preparing a stock solution for use in making further dilutions for microbial susceptibility testing.

(3) *Labeling.* In addition to the requirements of § 148.3(a)(3) of this chapter, each package shall bear on its label or labeling, as hereinafter indicated, the following:

(i) On its outside wrapper or container and on the immediate container:

(*a*) The statement "For laboratory diagnostic use only."

(*b*) The statement "Sterile."

(*c*) The batch mark.

(*d*) The number of units of bacitracin in each immediate container.

(ii) On the circular or other labeling within or attached to the package, adequate information for use of the drug in the clinical laboratory.

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

(i) Results of tests and assays on:

(*a*) The bacitracin used in making the batch for potency, moisture, and pH.

(*b*) The batch for potency, sterility, loss on drying, and pH.

(ii) Samples required:

(*a*) The bacitracin used in making the batch: 6 packages, each containing approximately 500 milligrams.

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 20 immediate containers.

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

(*b*) *Tests and methods of assay—*(1) *Potency.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Reconstitute as directed in the labeling. Dilute an aliquot with 1.0 percent potassium phosphate buffer, pH 6.0 (solution 1), to the prescribed reference concentration.

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

(3) *Loss on drying.* Proceed as directed in § 141.501(b) of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

§ 147.9 Dihydrostreptomycin sulfate diagnostic sensitivity powder.

(a) *Requirements for certification—*(1) *Standards of identity, strength, quality, and purity.* Dihydrostreptomycin sulfate sensitivity powder is crystalline dihydrostreptomycin sulfate, with or without one or more suitable buffers and diluents, packaged in vials and intended for use in clinical laboratories for determining in vitro the sensitivity of microorganisms to dihydrostreptomycin. Each vial contains dihydrostreptomycin sulfate equivalent to 20 milligrams of dihydrostreptomycin. The potency of each immediate container is satisfactory if it contains not less than 90 percent and not more than 115 percent of its labeled content. It is sterile. Its loss on drying is not more than 5.0 percent. When reconstituted as directed in the labeling, its pH is not less than 4.5 and not more than 7.0. The dihydrostreptomycin sulfate used conforms to the standards prescribed by § 146b.103(a) of this chapter, except the standards for sterility, toxicity, pyrogens, and histamine. Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Packaging.* The immediate container shall be of colorless, transparent glass and it shall be a tight container

as defined by the U.S.P. It shall be so sealed that the contents cannot be used without destroying such seal. It shall be of appropriate size to permit the addition of 20 milliliters of sterile diluent when preparing a stock solution for use in making further dilutions for microbial susceptibility testing.

(3) *Labeling.* In addition to the requirements of § 148.3(a)(3) of this chapter, each package shall bear on its label or labeling, as hereinafter indicated, the following:

(i) On its outside wrapper or container and on the immediate container:

(*a*) The statement "For laboratory diagnostic use only."

(*b*) The statement "Sterile."

(*c*) The batch mark.

(*d*) The number of milligrams of dihydrostreptomycin in each immediate container.

(ii) On the circular or other labeling within or attached to the package, adequate information for use of the drug in the clinical laboratory.

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

(i) Results of tests and assays on:

(*a*) The dihydrostreptomycin sulfate used in making the batch for potency, moisture, pH, streptomycin content, and crystallinity.

(*b*) The batch for potency, sterility, loss on drying, and pH.

(ii) Samples required:

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

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 20 immediate containers.

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

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Reconstitute as directed in the labeling. Dilute an aliquot with sterile distilled water to the prescribed reference concentration.

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

(3) *Loss on drying.* Proceed as directed in § 141.501(b) of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

§ 147.10 Oleandomycin phosphate diagnostic sensitivity powder.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Oleandomycin phosphate diagnostic sensitivity powder is crystalline oleandomycin phosphate, with or without one or more suitable buffers and diluents, packaged in vials and intended for use in clinical laboratories, for determining in vitro the sensitivity of micro-organisms to oleandomycin. Each vial contains oleandomycin phosphate equivalent to 20 milligrams of oleandomycin. The potency of each immediate container is satisfactory if it contains not less than 90 percent and not more than 115 percent of its labeled content. It is sterile. Its moisture content is not more than 5.0 percent. When reconstituted as directed in the labeling, its pH is not less than 4.0 and not more than 7.0. The oleandomycin phosphate used conforms to the standards prescribed by § 148m.1(a)(1) (i), (v), (vi), and (ix) of this chapter. Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Packaging.* The immediate container shall be of colorless, transparent glass and it shall be a tight container as defined by the U.S.P. It shall be so sealed that the contents cannot be used without destroying such seal. It shall be of appropriate size to permit the addition of 20 milliliters of sterile diluent when preparing a stock solution for use in making further dilutions for microbial susceptibility testing.

(3) *Labeling.* In addition to the requirements of § 148.3(a)(3) of this chapter, each package shall bear on its label or labeling, as hereinafter indicated, the following:

(i) On its outside wrapper or container and on the immediate container:

(*a*) The statement "For laboratory diagnostic use only."

(*b*) The statement "Sterile."

(*c*) The batch mark.

(*d*) The number of milligrams of oleandomycin in each immediate container.

(ii) On the circular or other labeling within or attached to the package, adequate information for use of the drug in the clinical laboratory.

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

(i) Results of tests and assays on:

(*a*) The oleandomycin phosphate used in making the batch for potency, moisture, pH, identity, and crystallinity.

(*b*) The batch for potency, sterility, moisture, and pH.

(ii) Samples required:

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

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 20 immediate containers.

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

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Reconstitute as directed in the labeling. Dilute an aliquot with 0.1*M* potassium phosphate buffer, pH 8.0 (solution 3), to the prescribed reference concentration.

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

(3) *Moisture.* Proceed as directed in § 141.502 of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

§ 147.11 Polymyxin B sulfate diagnostic sensitivity powder.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Polymyxin B sulfate diagnostic sensitivity powder is polymyxin B sulfate, with or without one or more suitable buffers and diluents, packaged in vials and intended for use in clinical laboratories for determining in vitro the sensitivity of micro-organisms to polymyxin B. Each vial contains the equivalent of 20,000 units of polymyxin B. The potency of each immediate container is satisfactory if it contains not less than 90 percent and not more than 115 percent of its labeled content. It is sterile. Its loss on drying is not more than 7.0 percent. When reconstituted as directed in the labeling, its pH is not less than 5.0 and not more than 7.5. The polymyxin B sulfate used conforms to the standards prescribed by § 148p.1(a)(1) (i), (v), (vi), and (ix) of this chapter. Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Packaging.* The immediate container shall be of colorless, transparent glass and it shall be a tight container as defined by the U.S.P. It shall be so sealed that the contents cannot be used without destroying such seal. It shall be of appropriate size to permit the addition of 20 milliliters of sterile diluent when preparing a stock solution for use in making further dilutions for microbial susceptibility testing.

(3) *Labeling.* In addition to the requirements of § 148.3(a)(3) of this chapter, each package shall bear on its label or labeling, as hereinafter indicated, the following:

(i) On its outside wrapper or container and on the immediate container:

(*a*) The statement "For laboratory diagnostic use only."

(*b*) The statement "Sterile."

(*c*) The batch mark.

(*d*) The number of units of polymyxin B in each immediate container.

(ii) On the circular or other labeling within or attached to the package, adequate information for use of the drug in the clinical laboratory.

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

(i) Results of tests and assays on:

(*a*) The polymyxin B sulfate used in making the batch for potency, moisture, pH, and identity.

(*b*) The batch for potency, sterility, loss on drying, and pH.

(ii) Samples required:

(*a*) The polymyxin B sulfate used in making the batch: 10 packages, each containing approximately 300 milligrams.

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 20 immediate containers.

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

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed in § 141.110 of this chapter, preparing the sample for assay as follows: Reconstitute as directed in the labeling. Dilute an aliquot with 10 percent potassium phosphate buffer, pH 6.0 (solution 6), to the prescribed reference concentration.

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

(3) *Loss on drying.* Proceed as directed in § 141.501(b) of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

§ 147.12 Streptomycin sulfate diagnostic sensitivity powder.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Streptomycin sulfate diagnostic sensitivity powder is streptomycin sulfate, with or without one or more suitable buffers and diluents, packaged in vials and intended for use in clinical laboratories for determining in vitro the sensitivity of micro-organisms to streptomycin. Each vial contains streptomycin sulfate equivalent to 20 milligrams of streptomycin. The potency of each immediate container is satisfactory if it contains not less than 90 percent and not more than 115 percent of its labeled content. It is sterile. Its loss on drying is not more than 5.0 percent. When reconstituted as directed in the labeling, its pH is not less than 4.5 and not more than 7.0. The streptomycin sulfate used conforms to the standards prescribed by § 146b.101(a) (1), (6), and (7) of this chapter. Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Packaging.* The immediate container shall be of colorless, transparent glass and it shall be a tight container as defined by the U.S.P. It shall be so sealed that the contents cannot be used without destroying such seal. It shall be of appropriate size to permit the addition of 20 milliliters of sterile diluent when preparing a stock solution for use in making further dilutions for microbial susceptibility testing.

(3) *Labeling.* In addition to the requirements of § 148.3(a)(3) of this chapter, each package shall bear on its label or labeling, as hereinafter indicated, the following:

(i) On its outside wrapper or container and on the immediate container:

(*a*) The statement "For laboratory diagnostic use only."

(*b*) The statement "Sterile."

(*c*) The batch mark.

(*d*) The number of milligrams of streptomycin in each immediate container.

(ii) On the circular or other labeling within or attached to the package, adequate information for use of the drug in the clinical laboratory.

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

(i) Results of tests and assays on:

(*a*) The streptomycin sulfate used in making the batch for potency, loss on drying, and pH.

(*b*) The batch for potency, sterility, loss on drying, and pH.

(ii) Samples required:

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

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 20 immediate containers.

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

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Reconstitute as directed in the labeling. Dilute an aliquot with sterile distilled water to the prescribed reference concentration.

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

(3) *Loss on drying.* Proceed as directed in § 141.501(b) of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

§ 147.13 Tetracycline hydrochloride diagnostic sensitivity powder.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Tetracycline hydrochloride diagnostic sensitivity powder is crystalline tetracycline hydrochloride, with or without one or more suitable buffers and diluents, packaged in vials and intended for use in clinical laboratories for determining in vitro the sensitivity of microorganisms to tetracycline. Each vial contains 20 milligrams of tetracycline hydrochloride. The potency of each immediate container is satisfactory if it contains not less than 90 percent and not more than 115 percent of its labeled content. It is sterile. Its loss on drying is not more than 2.0 percent. When reconstituted as directed in the labeling, its pH is not less than 1.8 and not more than 3.0. The tetracycline hydrochloride used conforms to the standards prescribed by § 146c.218(a) (1), (6), (7), and (8) of this chapter. Each other substance used, if its name is recognized in the U.S.P. or N.F., conforms to the standards prescribed therefor by such official compendium.

(2) *Packaging.* The immediate container shall be of colorless, transparent glass and it shall be a tight container as defined by the U.S.P. It shall be so sealed that the contents cannot be used without destroying such seal. It shall be of appropriate size to permit the addition of 20 milliliters of sterile diluent when preparing a stock solution for use in making further dilutions for microbial susceptibility testing.

(3) *Labeling.* In addition to the requirements of § 148.3(a)(3) of this chapter, each package shall bear on its label or labeling, as hereinafter indicated, the following:

(i) On its outside wrapper or container and on the immediate container:

(*a*) The statement "For laboratory diagnostic use only."

(*b*) The statement "Sterile."

(*c*) The batch mark.

(*d*) The number of milligrams of tetracycline hydrochloride in each immediate container.

(ii) On the circular or other labeling within or attached to the package, adequate information for use of the drug in the clinical laboratory.

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

(i) Results of tests and assays on:

(*a*) The tetracycline hydrochloride used in making the batch for potency, moisture, pH, crystallinity, and absorptivity.

(*b*) The batch for potency, sterility, loss on drying, and pH.

(ii) Samples required:

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

(*b*) The batch:

(*1*) For all tests except sterility: A minimum of 20 immediate containers.

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

(b) *Tests and methods of assay*—(1) *Potency.* Proceed as directed in § 141.111 of this chapter, preparing the sample for assay as follows: Reconstitute as directed in the labeling. Dilute an aliquot with 0.1*M* potassium phosphate buffer, pH 4.5 (solution 4), to the prescribed reference concentration.

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

(3) *Loss on drying.* Proceed as directed in § 141.501(b) of this chapter.

(4) *pH.* Proceed as directed in § 141.503 of this chapter, using the drug reconstituted as directed in the labeling.

Data supplied by the manufacturer concerning the subject diagnostic sensitivity powders have been evaluated. Since the conditions prerequisite to providing for certification have been complied with and since it is in the public interest not to delay in so providing, notice and public procedure and delayed effective date are not prerequisites to this promulgation.

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

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

Dated: October 27, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-13028; Filed, Oct. 31, 1969; 8:45 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter XV—Federal Reserve System

REG. V—LOAN GUARANTEES FOR DEFENSE PRODUCTION

Maximum Rate of Interest

1. Effective October 27, 1969, section 7(a) of Regulation V is amended to read as follows:

Sec. 7 Supplement.

* * * * *

(a) *Maximum rate of interest.* The maximum interest rate charged a borrower by a financing institution with respect to a guaranteed loan shall not exceed 7½ percent per annum, except that the agency guaranteeing a particular loan may from time to time prescribe a higher rate if it determines the loan to be necessary in financing an essential defense production contract.

* * * * *

2a. The purpose of this amendment is to permit the governmental agency guaranteeing a loan under the Defense Production Act of 1950, as amended, to prescribe from time to time a higher interest rate than otherwise payable on such loan if the agency determines that such higher rate is necessary in obtaining V-loan financing of an essential defense production contract.

b. The requirements of section 553(b) of title 5, United States Code, with respect to notice, public participation, and deferred effective date were not followed in connection with this amendment. Functions exercised under the Defense Production Act are exempt from such requirements (50 App. U.S.C. 2159). It was considered impracticable under the circumstances to consult with industry representatives.

(50 App. U.S.C. 2091(c), 2153; E.O. 10480, secs. 302(c)(2), 602(b)(1).)

By order of the Board of Governors, October 27, 1969.

[SEAL] ROBERT P. FORRESTAL, *Assistant Secretary.*

[F.R. Doc. 69-13026; Filed, Oct. 31, 1969; 8:45 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER H—TRAINING

[General Order 97, Rev., Amdt. 4]

PART 310—MERCHANT MARINE TRAINING

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

NOMINATIONS AND VACANCIES

Effective upon date of publication in the FEDERAL REGISTER, § 310.52 of Subpart C is amended by changing the last sentence of paragraph (e) thereof to read as follows:

§ 310.52 Nominations and vacancies.

* * * * *

(e) *Appointments.* * * * Further, a limited number of additional appointments, not to exceed 30, may be made annually from among qualified nominees selected from the national list who possess special qualities deemed to be of peculiar value to the Academy in pursuit of its mission.

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114)

Dated: October 27, 1969.

By order of the Maritime Administrator.

JOHN M. O'CONNELL, *Assistant Secretary.*

[F.R. Doc. 69-13071; Filed, Oct. 31, 1969; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[2d Rev. S.O. 1020-A]

PART 1033—CAR SERVICE

Distribution of Boxcars

At a session of the Interstate Commerce Commission, Railroad Service Board, held at its office in Washington, D.C., on the 27th day of October 1969.

Upon further consideration of Service Order No. 1020 (34 F.R. 6530, 8920), and good cause appearing therefor:

It is ordered, That:

Section 1033.1020 *Distribution of boxcars* be, and it is hereby vacated and set aside.

Effective date: This order shall become effective at 12:01 a.m., October 31, 1969.

(Secs. 1, 12, 15, and 17(2), 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15, and 17(2). Interprets or applies secs. 1(10-17), 15(4), and 17(2), 40 Stat. 101, as amended 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4), and 17(2).)

It is further ordered, That copies of this order shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Railroad Service Board.

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

[F.R. Doc. 69-13064; Filed, Oct. 31, 1969; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Federal Water Pollution Control Administration

[18 CFR Part 620]

INTERSTATE WATERS OF STATE OF IOWA

Water Quality Standards

Notice is hereby given that, pursuant to the authority of section 10(c)(2) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 466g(c)(2)), and pursuant to due notice (34 F.R. 4975) and conference held at Davenport, Iowa, on April 8–9, 1969, and at Council Bluffs, Iowa, on April 15–16, 1969, required by the provisions thereof, regulations setting forth standards of water quality to be applicable to the interstate waters located in the State of Iowa, of the Mississippi River, Missouri River, Fox River, Des Moines River, East Fork of the Des Moines River, West Fork of the Des Moines River, Iowa River, Cedar River, Shellrock River, Winnebago River, Wapsipinicon River, Upper Iowa River, Chariton River, Middle Fork Medicine River, Weldon River, Little River, Thompson River, East Fork of the Big River, Grand River, Platte River, East Fork of the 102 River, Middle Fork of the 102 River, Nodaway River, West Tarkio River, Tarkio River, Nishnabotna River, Little Sioux River, Big Sioux River, Rock River, and Kanaranzi Ditch, are proposed to be promulgated. Such proposed water quality standards are in addition to the water quality standards established by Iowa on May 26, 1967, and which were determined to meet the criteria of section 10(c)(3) of the Federal Water Pollution Control Act, as amended, by the Secretary of the Interior on January 16, 1969, and published in the FEDERAL REGISTER (34 F.R. 7801) in the paragraph entitled "Iowa."

Interested persons may submit written data, views, or arguments in triplicate in regard to the proposed regulations to the Secretary of the Interior, Washington, D.C. 20240. All relevant material received not later than ninety (90) days of this publication in the FEDERAL REGISTER will be considered.

1. Part 620 would be amended to add § 620.11 as follows:

§ 620.11 Iowa water quality standards.

(a) *Waters.* The water quality standards of this section are applicable to the interstate waters located in the State of Iowa, of the Mississippi River, Missouri River, Fox River, Des Moines River, East Fork of the Des Moines River, West Fork of the Des Moines River, Iowa River, Cedar River, Shellrock River, Winnebago River, Wapsipinicon River, Upper Iowa River, Chariton River, Middle Fork Medicine River, Weldon River, Little River, Thompson River, East Fork of the Big River, Grand River, Platte River, East Fork of the 102 River, Middle Fork of the 102 River, Nodaway River, West Tarkio River, Tarkio River, Nishnabotna River, Little Sioux River, Big Sioux River, Rock River, and Kanaranzi Ditch.

(b) *Dilution.* Dilution shall not be considered a substitute for proper waste treatment at any time.

(c) *Temperature.* Heat additions from man-made sources in all interstate waters, except the Mississippi River and Missouri River, shall not raise the mean daily temperature more than 5° F. and shall not exceed a maximum temperature for each individual water body such as is necessary to protect the production of locally occurring desirable fish populations and their associated biota, and in any case shall not exceed at any time a maximum temperature of 90° F.

(d) *Phenols.* Concentrations of phenols from other than natural sources shall not exceed one part per billion (0.001 mg/1).

(e) *Public Water Supply.* Waters designated as a source of public water supply shall be of such quality that USPHS Drinking Water Standards for finished water can be met after conventional water treatment, consisting of coagulation, sedimentation, rapid sand filtration and disinfection.

(f) *Treatment.* All municipal wastes discharged into the interstate waters of the Mississippi River and the Missouri River shall receive a minimum of secondary treatment to achieve a ninety percent (90%) reduction of BOD prior to discharge no later than December 31, 1973. All industrial wastes discharged into such interstate waters shall receive equivalent treatment prior to discharge no later than December 31, 1973.

(g) *Disinfection.* Continuous disinfection shall be provided for all municipal waste treatment effluents and for all other wastes which may be sources of bacterial pollution throughout the year where such wastes are discharged into interstate waters designated for public water supplies, and throughout the recreational season (April 1 to October 31) where such wastes are discharged into interstate waters used or classified for recreational use, and at all other times as necessary to prevent bacterial pollution which may endanger the public health or welfare.

§ 620.10 [Amended]

2. Section 620.10 would be amended by deleting from the paragraph entitled "Iowa" the following: "except for the treatment requirements and implementation plan for waste discharges into the Mississippi and Missouri Rivers, the requirement for disinfection of controllable waste discharges which may be sources of bacteriological pollution, and the temperature criteria for the interstate waters of Iowa other than the Mississippi and Missouri Rivers," and by inserting in lieu thereof the following: "except for any parts thereof which may be in conflict with the provisions of § 620.11."

Dated: October 24, 1969.

WALTER J. HICKEL,
Secretary of the Interior.

[F.R. Doc. 69-13051; Filed, Oct. 31, 1969; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 777]

PROCESSOR WHEAT MARKETING CERTIFICATE REGULATIONS

Proposed Conversion Factor Basis of Reporting

Notice is hereby given pursuant to section 4a, Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 553), that the Agricultural Stabilization and Conservation Service proposes to issue Amendment 5 to the Republication of the Processor Wheat Marketing Certificate Regulations (33 F.R. 14676).

Consideration will be given to all written comments or suggestions in connection with the proposed amendment filed in duplicate with the Director, Grain Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250, during the 15-day period beginning with the date this notice is published in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection in the Office of the Director at the above address during regular business hours (7 CFR 1.27(b)).

The proposed amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (see sec. 379a to 379j, 52 Stat. 31, as amended, 7 U.S.C. 1379a to 1379j), to provide a change in the conversion factor for granular cereal. This change is deemed necessary as the processor producing this particular type of product has altered his method of production. The new method resulted in extraction percentages which differ from those currently set forth in the Regulations for each of the co-products. Accordingly, it is proposed that the following amendment be issued to change the conversion factor of granular cereal processed on and after July 1, 1969.

The proposed amendment of 7 CFR Part 777 would read as follows:

Section 777.14(c) is amended by changing the conversion factor of granular cereal as follows:

§ 777.14 **Conversion factor basis of reporting.**

* * * * *

(c) *Conversion factors.* * * *

A—*Food Product*	*B—Bushels of wheat equivalent per 100 pounds of product (conversion factor)*
* * *	* * *
Granular cereal (extraction approximately 21 percent granular cereal and 55 percent flour)[1]	1.827
* * *	* * *

Signed at Washington, D.C., on October 27, 1969.

CARROLL G. BRUNTHAVER,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 69-13045; Filed, Oct. 31, 1969; 8:46 a.m.]

Consumer and Marketing Service

[7 CFR Part 81]

POULTRY CONDEMNATION CERTIFICATES; AVAILABILITY TO GROWERS AND OTHER SUPPLIERS OF LIVE POULTRY AT OFFICIAL ESTABLISHMENTS

Notice of Proposed Rule Making

Notice is hereby given under the administrative procedure provisions in 5 U.S.C. 553, that, pursuant to the authority of the Poultry Products Inspection Act (21 U.S.C. and Supp. § 451 et seq.), the Consumer and Marketing Service proposes to amend the Federal Poultry Products Inspection Regulations (7 CFR Part 81) to require poultry slaughterers, subject to inspection requirements under the Act, to separately process and identify each lot of poultry received from each grower, handler, or other supplier; to furnish C&MS in-plant inspection personnel with all information necessary for identification of each lot; and to keep records of birds condemned within each lot. The proposal would require the C&MS veterinarian in charge within each official establishment to furnish live poultry suppliers, upon their request, with certificates showing the number of birds condemned in each lot, the causes for condemnation, and other information specified in the proposal.

Statement of considerations. The proposed amendments would require the maintaining of the identity of lots of poultry delivered by suppliers to establishments inspected under the Act, until post-mortem inspection has been completed and would provide a means for inspectors to obtain all information needed to identify each lot. This information would assist inspectors in the identification and inspection of birds originating from diseased or otherwise abnormal poultry flocks.

Further, under current practice C&MS inspection personnel are not authorized to furnish poultry condemnation certificates to the growers or other persons supplying poultry to such establishments. Such certificates are now furnished upon request only to the management of official establishments when lots of poultry are separately processed at the establishments. The issuing of certificates to growers and other suppliers, showing how many birds were condemned in each lot delivered by the supplier, the causes of condemnation, and other relevant information, would be advantageous to the grower or other supplier in that information concerning disease or other abnormal conditions in a flock would enable the grower or other supplier to take steps for eradication of the disease or abnormal condition. The legislative history of the Act reflects the intent of the Congress that such information should be made available to growers and other suppliers of live poultry, as well as to the processors (June 13, 1968, Cong. Rec. P. H4941). Therefore, it is proposed to amend the Regulations in 7 CFR Part 81 as follows:

§ 81.121 [Amended]

1. The text of § 81.122 prescribing the form of poultry inspection certificates would be transferred to appear as paragraph (c) in § 81.121.

2. A new § 81.122 would be issued to read:

§ 81.122 **Maintenance of identity of lots of poultry; poultry condemnation certificates, contents, and disposition; related reports and records.**

(a) The management of each official establishment shall identify each lot of live poultry delivered by each grower, handler, or other supplier of live poultry to the establishment and separately handle each such lot so as to maintain the identity of the lot of live poultry and the slaughtered poultry derived therefrom throughout the slaughter process until the post-mortem inspection is complete. Lots of poultry shall be separated by a significant and easily recognizable break in the chain on the slaughter and eviscerating lines and the first and last bird in the lot shall be tagged with a positive lot identificaton tag.

(b) The information required by § 81.114 to be furnished to the inspector shall include the name and address of the grower, handler, or other supplier of each lot of live poultry delivered to the official establishment, the number of birds in each lot, and any other information necessary for proper completion of C&MS Form CP-514-1, Poultry Condemnation Certificate (formerly C&MS Form PY-512-1), or other form required by paragraph (e) of this section.

(c) The official establishment management shall keep records showing the number of birds in each lot of live poultry delivered by each supplier, the number of birds in each such lot that were dead on arrival and the number of birds in each lot that were condemned on ante-mortem or post-mortem inspection, the specific causes for such condemnation as identified by the inspector to the management, and the name and address of each supplier.

(d) Upon request made to a veterinarian in charge at any official establishment, by any grower, handler or other supplier who delivered a lot of live poultry for slaughter to the official establishment, or by the management of the establishment, the veterinarian in charge who supervised the ante-mortem and post-mortem inspection of the lot when slaughtered shall prepare, sign, and issue a poultry condemnation certificate giving the information prescribed in paragraph (e) of this section.

(e) Each poultry condemnation certificate issued pursuant to the regulations in this part shall be on Form CP-514-1 (formerly PY-512-1), or substitute therefor, which has been approved by the Administrator, and shall (1) identify a specific lot of live poultry delivered by a grower or other supplier for slaughter to a specified official establishment and the lot of slaughtered poultry derived therefrom, (2) state the number of live birds in the lot so delivered, the number of birds in the lot so delivered that were dead on arrival at the establishment, the number of birds that were condemned on ante-mortem or post-mortem inspection and the causes for such condemnation as determined by the inspector or inspectors who conducted the inspection, (3) state the name and address of the supplier of the live poultry, and (4) state the times of day the first and last bird in each lot reached the post-mortem inspection station.

(f) The original of each poultry condemnation certificate shall be issued, as provided in paragraph (d) of this section, by the veterinarian in charge of the official establishment to the grower or other supplier who requested the certificate. One copy shall be furnished to the official establishment management, one copy shall be forwarded to the Circuit officer in charge, and one copy shall be retained and filed by the veterinarian in charge.

3. If the aforesaid amendments are adopted, appropriate amendments would be made in the public information regulations of the Consumer and Marketing Service (7 CFR Part 900).

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 90 days after the date of publication of this notice in the FEDERAL REGISTER. All such written submissions will be made available for public inspection at said office during regular office hours in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., on October 29, 1969.

ROY W. LENNARTSON,
Administrator.

[F.R. Doc. 69-13074; Filed, Oct. 31, 1969; 8:48 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 727]

[Administrative Order 610]

INDUSTRY COMMITTEES FOR GENERAL AGRICULTURE INDUSTRY IN PUERTO RICO AND SUGARCANE INDUSTRY IN PUERTO RICO

Appointment To Investigate Conditions and Recommend Minimum Wages; Notice of Hearings

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949–1953 Comp. p. 1004) and 29 CFR Part 511, I hereby appoint Industry Committees numbered 89–A and 89–B for the General Agricultural Industry in Puerto Rico and the Sugarcane Industry in Puerto Rico, respectively.

This order replaces Administrative Order No. 609 which was published in the FEDERAL REGISTER on August 23, 1969 (34 F.R. 13607).

The General Agriculture Industry in Puerto Rico is defined as follows: Farming in all its branches, including the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, fur bearing animals, or poultry, and any practices performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including the preparation for market, delivery to storage or to market or to the carriers for transportation to market; *Provided, however,* That the general agriculture industry shall not include any activities included in the sugarcane industry in Puerto Rico as defined in this order, the food and related products industry in Puerto Rico (29 CFR Part 673), the sugar manufacturing industry in Puerto Rico (29 CFR Part 689), the tobacco industry in Puerto Rico (29 CFR Part 657), and the communications, utilities, and transportation industry in Puerto Rico (29 CFR Part 671): *And provided, further,* That the industry shall not include any activity to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

The Sugarcane Industry in Puerto Rico is defined as follows: The preparation of the soil, the planting and cultivating of sugarcane (all work related to the growing and maturing of the crop), the harvesting of sugarcane (cutting, piling, loading, transloading, and all transportation by or for the account of the grower to the point at which title to the sugarcane passes to others), and any other work related to the production and delivery of sugarcane by the grower performed on a farm as an incident to or in conjunction with the farming operations of the grower: *Provided, however,* That the industry shall not include any activities included in the general agriculture industry in Puerto Rico as defined in this order, the sugar manufacturing industry in Puerto Rico (29 CFR Part 689), the food and related products industry in Puerto Rico (29 CFR 673), and the communications, utilities and transportation industry in Puerto Rico (29 CFR 671): *And provided further,* That the industry shall not include any activity to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

Pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and 29 CFR Part 511, I hereby:

(a) Convene the above-appointed industry committees.

(b) Refer to the industry committees the question of the minimum rate or rates of wages to be fixed for the General Agriculture industry in Puerto Rico and the Sugarcane Industry in Puerto Rico, as herein defined.

(c) Give notice of the hearings to be held by the industry committees at the time and place indicated below. Each industry committee shall investigate conditions in its industry, and each industry committee, or any authorized subcommittee thereof, shall hear such witnesses and receive such evidence as may be necessary or appropriate to enable the committee to perform its duties and functions under the aforementioned Act.

Industry Committee No. 89–A shall meet in executive session to commence its investigation at 9:30 a.m. on December 8, 1969, in the office of the Wage and Hour and Public Contracts Divisions, U.S. Department of Labor, Seventh Floor, Condomino San Alberto Building, 1200 Ponce de Leon Avenue, Santurce, P.R., and shall commence its public hearings at 1:30 p.m. on the same date at the same place. Immediately thereafter, Industry Committee No. 89–B shall meet in the same place to commence its investigation and hold its hearings.

Each industry committee shall recommend to the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor the highest minimum wage rates for the industry which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry, and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands, or American Samoa. However, the industry committee shall not recommend minimum wage rates in excess of $1.30 an hour.

Whenever an industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities in the industry than may be determined for other employees in that industry, the committee shall recommend such reasonable classifications within that industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein and in 29 CFR 511.10 which will not substantially curtail employment in such classification and which will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classifications in determining the minimum wage rates for such classifications, each industry committee shall consider, among other relevant factors, the following: (1) Competitive conditions as affected by transportation, living, and production costs; (2) wages established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (3) wages paid for work of like or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

The Administrator shall prepare an economic report for each industry committee containing such data as he is able to assemble pertinent to the matters referred to them. Copies of such report may be obtained at the national and Puerto Rican offices of the Wage and Hour and Public Contracts Divisions of the U.S. Department of Labor as soon as they are completed and prior to the hearings. Each industry committee shall take official notice of the facts stated in the economic report relating to its industry to the extent that they are not refuted at the hearing.

The procedure of the industry committee shall be governed by 29 CFR Part 511. Interested persons wishing to participate in the hearing shall file written prehearing statements, as provided in 29 CFR 511.8 containing the data specified in that section not later than 10 days before the first hearing date set for the committees as set forth in this notice of hearing; i.e. November 28, 1969.

Signed at Washington, D.C., this 28th day of October 1969.

GEORGE P. SHULTZ,
Secretary of Labor.

[F.R. Doc. 69–13050; Filed, Oct. 31, 1969; 8:47 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 69–AL–5]

CONTINENTAL CONTROL AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would extend the Continental Control Area within Alaska north of latitude 68°00'00" N.

Interested persons may participate in the proposed rule 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, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. 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.

On March 4, 1965 (29 F.R. 19185), the Federal Aviation Administration amended § 71.9 of the Federal Aviation Regulations to include Alaska south of latitude 68°00'00" N., excluding the Alaskan Peninsula west of longitude 160°00'00' W. This action was taken to provide air traffic control service to civil and military aircraft operating at high altitudes over Alaska. At that time there was a requirement for this service over the whole State. However, the agency had neither the air traffic control nor communications capability to provide this service north of latitude 68°00'00" N.

Since the designation of the original Continental Control Area in Alaska, there has been a considerable increase in jet air traffic in the northern portion of Alaska in support of the recent discovery of oil. As the agency now has both the capability and necessary communications to provide air traffic control services to these high altitude operations, action is proposed herein to designate the controlled airspace necessary to the provision of such service.

In consideration of the foregoing, it is proposed to amend Part 71 of the Federal Aviation Regulations as follows:

By amending § 71.9 to read as follows:

§ 71.9 Continental control area.

The continental control area consists of the airspace of the 48 contiguous States, the District of Columbia and Alaska, excluding the Alaskan Peninsula west of long. 160°00'00" W., at and above 14,500 MSL, but does not include—

(a) The airspace less than 1,500 feet above the surface of the earth, or

(b) Prohibited and restricted areas, other than restricted area military climb corridors and the restricted areas listed in Subpart D of this part.

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 October 24, 1969.

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

[F.R. Doc. 69-13041; Filed, Oct. 31, 1969; 8:46 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 69-SO-104]

FEDERAL AIRWAY SEGMENTS

Proposed Alteration

The Federal Aviation Administration (FAA) is considering amendments to Part 71 of the Federal Aviation Regulations that would realign segments of VOR Federal airway Nos. 45 and 310.

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, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals 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.

The segments of V-45 and V-310 between Greensboro, N.C., and Raleigh-Durham, N.C., are aligned via the Greensboro 100° T (103° M) and the Raleigh-Durham 280° T (284° M) radials. The Raleigh-Durham VORTAC has a permanent restriction on the 284° M radial below 4,000 feet MSL. In order to obtain a lower MEA of 3,000 feet MSL between Greensboro and Raleigh-Durham, the FAA proposes to realign the segments of V-45 and V-310 via the Greensboro 105° T (108° M) and the Raleigh-Durham 275° T (279° M) radials. Such action would improve the flow of traffic between these terminals.

These amendments are 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 October 24, 1969.

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

[F.R. Doc. 69-13042; Filed, Oct. 31, 1969; 8:46 a.m.]

[14 CFR Parts 71, 75]

[Airspace Docket No. 69-SO-99]

FEDERAL AIRWAY AND JET ROUTE SEGMENTS

Proposed Alteration

The Federal Aviation Administration (FAA) is considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would realign segments of VOR Federal airway Nos. 18, 53, 56, and 185, and Jet Route No. 75.

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, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals 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.

The FAA is considering the following airspace actions:

1. Realign V-18 segment from Augusta, Ga., via the intersection of Augusta 100° T (101° M) and Charleston, S.C., 296° T (298° M) radials to Charleston, including a south alternate via the intersection of Augusta 148° T (149° M) and Allendale, S.C., 273° T (274° M) radials and Allendale.

2. Realign V-53 segment from Charleston via the intersection of Charleston 296° T (298° M) and Columbia, S.C., 152° T (154° M) radials; to Columbia.

3. Realign V-56 south alternate segment from Augusta via the intersection of Augusta 100° T (101° M) and Columbia 236° T (238° M) radials; to Columbia.

4. Realign V-185 segment from Savannah, Ga., direct to Augusta.

5. Realign Jet Route No. 75 segment from Alma, Ga., via the intersection of Alma 034° T (034° M) and Columbia 201° T (203° M) radials; to Columbia.

Action taken in Airspace Docket No. 69-WA-30 (34 F.R. 14462) reduced the lateral limits of the Savannah River Plant, S.C., Restricted Area R-6004 which would permit realignment of the above segments of airways and jet route along more direct lines. The proposed realignments will improve the airway/jet route systems by allowing more direct flight and reducing mileage along these segments.

These amendments are 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 October 24, 1969.

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

[F.R. Doc. 69-13043; Filed, Oct. 31, 1969; 8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OUTER CONTINENTAL SHELF OFF LOUISIANA

Oil and Gas Lease Sale

In the FEDERAL REGISTER of February 21, 1969, a competitive oil and gas lease offering of blocks on the Outer Continental Shelf off Louisiana scheduled for February 25, 1969, as announced in the FEDERAL REGISTER on September 13, 1968, was canceled and withdrawn.

The cancellation notice provided that the lease offering may be rescheduled and announced in the FEDERAL REGISTER.

Pursuant to section 8 of the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U.S.C. 1331 et seq.) and the regulations issued thereunder (43 CFR Part 3380) sealed bids addressed to the Manager, New Orleans Outer Continental Shelf Office, Bureau of Land Management, Room T-9003 Federal Office Building, 701 Loyola Avenue, New Orleans, La., or Post Office Box 53226, New Orleans, La. 70150, will be received until 9:30 a.m., c.s.t., on December 16, 1969, for the lease of oil and gas in certain areas of the Outer Continental Shelf adjacent to the State of Louisiana. Bids will be opened on that date at 10 a.m., c.s.t. in the Claiborne Room, Sheraton Charles Hotel, 211 St. Charles Street, New Orleans, La., for the group of tracts designated herein. The opening of bids is for the sole purpose of publicly announcing and recording bids received, and no bids will be accepted or rejected at that time.

Bidders are notified that leases issued pursuant to this notice will be on revised Form 3380-1 (October 1969). The revised lease form will be published in the FEDERAL REGISTER at least 30 days prior to the date announced herein for the opening of bids. Copies of the revised lease form will be available following its publication from the above listed manager or the Manager, Eastern States Land Office, 7981 Eastern Avenue, Silver Spring, Md. 20910.

On December 16, 1969, bids may be delivered in person to the Manager, New Orleans Outer Continental Shelf Office, Bureau of Land Management, at the Claiborne Room in the Sheraton Charles Hotel between 8:30 a.m., c.s.t., and 9:30 a.m., c.s.t. Bids delivered by mail or in person after 9:30 am, c.s.t. on that date will be returned to the bidders unopened.

All bids must be submitted in accordance with applicable regulations, particularly 43 CFR 3382.2, 3382.4, and 3382.5. Each bidder must submit the certification required by 41 CFR 60-1.6 (b) and Executive Order No. 11246 of September 24, 1965, on Form 1140-1, August, 1969. Bidders are advised that all leases granted pursuant to this notice will include in its provisions a "Certification of Non-segregated Facilities," and that, in submitting their bids, bidders are deemed to have agreed to the inclusion of this certification in any lease issued to them hereunder.

Bids may not be modified or withdrawn unless written modifications or withdrawals are received prior to the end of the period fixed for the filing of bids. Bidders are warned against violation of section 1860 of title 18 U.S.C. prohibiting unlawful combination or intimidation of bidders. Attention is directed to the nondiscrimination clauses in section 3(h) and 3(i) of the lease agreement, Form 3380-1 (October 1969). Bidders must submit with each bid one-fifth of the amount bid, in cash or by cashier's check, bank draft, certified check or money order, payable to the order of the Bureau of Land Management. Bidders are notified that any cash, checks, drafts, or money orders submitted with their bids may be deposited in an unearned escrow account in the Treasury during the period their bids are being considered, and that such deposit does not constitute, and shall not be construed as, acceptance of any bid on behalf of the United States. The leases will provide for a royalty rate of one-sixth, and a yearly rental or minimum royalty of $10 per acre or fraction thereof. The successful bidder will be required to pay the remainder of the bid and the first year's rental of $10 per acre or fraction thereof and furnish an acceptable surety bond as required in 43 CFR 3384.1 prior to the issuance of each lease.

Bids will be considered on the basis of the highest cash bonus offered for a tract. The United States reserves the right and discretion to reject any and all bids, regardless of the amount offered. Oil payment, overriding royalty, logarithmic or sliding scale bids will not be considered. No bid for less than a full tract, as listed below, will be considered.

A separate bid, in a separate envelope, must be submitted for each tract. The envelope should be endorsed "Sealed bid for oil and gas lease, Louisiana (insert number of tract) not to be opened until 10 a.m., c.s.t., December 16, 1969."

Official leasing maps in a set of 25, which contains the maps for the areas in which the tracts being offered for lease may be located, can be purchased for $5 per set. The official leasing maps and copies of the Compliance Report Certification (Form 1140-1, August 1969) may be obtained from the above listed manager or the Manager, Eastern States Land Office, 7981 Eastern Avenue, Silver Spring, Md. 20910.

Operations under leases which may be issued pursuant to this sale will be subject to provisions for the protection of fishing operations and aquatic values.

The tracts offered for bid are as follows:

LOUISIANA

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 1

(Approved June 8, 1954; Revised July 22, 1954; Apr. 28, 1966)

West Cameron Area

Tract No.	Block	Description	Acreage
La. 2037	144	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 1B

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

West Cameron Area-South Addition

La. 2038	455	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 2

(Approved June 8, 1954; Revised Apr. 28, 1966)

East Cameron Area

La. 2039	163	All	1,833.48
La. 2040	164	All	1,777.38
La. 2041	225	All	5,000.00

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 2A

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

East Cameron Area-South Addition

La. 2042	260	S½	2,500

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 3

(Approved June 8, 1954; Revised June 25, 1954; Revised July 22, 1954; Revised Apr. 28, 1966)

Vermilion Area

La. 2043	103	All	5,000
La. 2044	120	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 3B

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

Vermilion Area-South Addition

La. 2045	265	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 3C

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

South Marsh Island Area—South Addition

La. 2046	113	N½	2,500
La. 2047	114	S½; NW¼	3,750

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 4

(Approved June 8, 1954; Revised July 22, 1954; Revised Apr. 28, 1966)

Eugene Island Area

La. 2048	157	SE¼	1,250
La. 2049	247	N½	2,500
La. 2050	254	S½	2,500
La. 2051	255	S½	2,500
La. 2052	258	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 5

(Approved June 8, 1954; Revised Apr. 28, 1966; Revised July 22, 1968)

Ship Shoal Area

La. 2053	102	W½	2,500
La. 2054	213	W½	2,500

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 6

(Approved June 8, 1954; Revised July 22, 1954; Revised Dec. 9, 1954; Revised Apr. 28, 1966)

South Timbalier Area

La. 2055	148	E½	2,500
La. 2056	149	SW¼	1,250
La. 2057	204	All	5,000

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 10

(Approved June 8, 1954; Revised July 22, 1954; Revised Apr. 28, 1966)

Main Pass Area

La. 2058	18	S½	2,497.28
La. 2059	104	NW¼; N½SW¼	1,872.96
La. 2060	143	All	4,994.55
La. 2061	152	All [1]	4,977.5
La. 2062	153	All	4,999.96

OFFICIAL LEASING MAP, LOUISIANA MAP NO. 10A

(Approved Sept. 8, 1959; Revised Apr. 28, 1966)

Main Pass Area-South and East Addition

La. 2063	291	All	4,560.81

[1] Portion more than 3 geographical miles seaward of the line described in paragraph 1 of the Supplemental Decree of the U.S. Supreme Court entered Dec. 13, 1965, in the United States v. Louisiana No. 9 Original (382 U.S. 288).

Some of the tracts offered for lease may fall in fairway areas (including prolongations thereof) or anchorage areas, or both, as designated by the District Engineer, New Orleans District, Corps of Engineers, U.S. Army. For the location of these areas and for operational restrictions imposed by that Agency, the District Engineer should be consulted.

Leases issued pursuant to this notice for lands which are on the date of their issuance, or are thereafter adjudicated to be, subject to the exclusive jurisdiction and control of the United States, will be subject to all rules and regulations which the Secretary of the Interior is authorized to prescribe and administer under the Outer Continental Shelf Lands Act (43 U.S.C. secs. 1331–1343) including rules and regulations for the prevention of waste and for conservation of the natural resources of the Outer Continental Shelf. The protection of correlative rights therein will be administered by the Secretary of the Interior in accordance with such rules and regulations.

In the event a cooperative agreement is concluded between the Secretary and the conservation agency of the State of Louisiana with respect to enforcement of conservation laws, rules and regulations pursuant to section 5 of the Act, the lessee will be given notice thereof by publication in the FEDERAL REGISTER.

It is suggested that bidders submit their bids in the following form:

Manager, Bureau of Land Management, Department of the Interior, Post Office Box 53226, T-9003 Federal Office Building, New Orleans, La. 70150.

OIL AND GAS BID

The following bid is submitted for an oil and gas lease on land of the Outer Continental Shelf specified below:

Area ---------- Official Leasing Map No. ---------

Tract No.	Total amount bid	Amount per acre	Amount submitted with bid

---------- (Signature)

(Please type signer's name under signature)

---------- (Company)

---------- (Address)

Important. The bid must be accompanied by one-fifth of the total amount bid. This amount may be cash, money order, cashier's check, certified check or bank draft. A separate bid must be made for each tract.

JOHN O. CROW,
Acting Director,
Bureau of Land Management.

Approved: October 27, 1969.

WALTER J. HICKEL,
Secretary of the Interior.

[F.R. Doc. 69-13030; Filed, Oct. 31, 1969; 8:45 a.m.]

[Serial N-1885]

NEVADA

Notice of Classification of Public Lands for Multiple-Use Management

OCTOBER 24, 1969.

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1411–18) and to the regulations in 43 CFR Parts 2410 and 2411, the public lands within the area described below are hereby classified for multiple-use management. Publication of this notice has the effect of segregating the described lands from appropriation only under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334) and from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171) and the lands shall remain open to all other applicable forms of appropriation, including the mining and mineral leasing laws. As used herein, "public lands" means any lands withdrawn or reserved by Executive Order No. 6910 of November 26, 1934, as amended, or within a grazing district established pursuant to the Act of June 28, 1934 (48 Stat. 1269), as amended, which are not otherwise withdrawn or reserved for Federal use or purpose.

2. The record showing the comments received following publication of a Notice of Proposed Classification (34 F.R. 9), or at the public hearing at the Ormsby County Courthouse, Carson City, Nev., which was held on February 19, 1969, and other information is on file and can be examined at the Nevada Land Office. Because of recommendations and comments received from the Douglas County Commissioners following publication of the Notice of Proposed Classification (34 F.R. 9) the following described lands are deleted from this classification and the segregative effect terminated:

MOUNT DIABLO MERIDIAN, NEVADA

T. 12 N., R. 21 E.,
Sec. 3, NW¼, NE¼SW¼.
T. 13 N., R. 21 E.,
Sec. 27, W½;
Sec. 34, W½.

Totaling 840 acres.

The public lands affected by this classification are located within the following described area and are shown on a map designated N–1885 in the Carson City District Office, Bureau of Land Management, 801 North Plaza Street, Carson City, Nev. 89701, and the Nevada Land Office, Bureau of Land Management, Room 3104, Federal Building, 300 Booth Street, Reno, Nev. 89502.

The overall description of the area is as follows:

ORMSBY [1] AND DOUGLAS COUNTIES

MOUNT DIABLO MERIDIAN, NEVADA

The public lands classified are generally located within the eastern one-third of Ormsby County and the eastern one-half of Douglas County.

The area described aggregates approximately 164,520 acres of public land.

3. For a period of 30 days from date of publication in the FEDERAL REGISTER, this classification shall be subject to the exercise of administrative review and modification by the Secretary of the Interior as provided for in 43 CFR 2411.2c. For a period of 30 days, interested parties may submit comments to the Secretary of the Interior, LIM, 320, Washington, D.C. 20240.

NOLAN F. KEIL,
State Director, Nevada.

[F.R. Doc. 69-13031; Filed, Oct. 31, 1969; 8:45 a.m.]

AREA MANAGERS, BOISE DISTRICT, IDAHO

Redelegation of Authority

In accordance with Bureau Order No. 701 of July 23, 1964 (F.R. Doc. 64-7492; 29 F.R. 10526) as amended, the Area Managers of the Bruneau, Cascade, Jarbidge, and Owyhee Resource Areas of the Boise District, Idaho, are authorized to perform in their respective areas of responsibility, in accordance with existing policies and regulations of this Department and under the direct supervision of the District

[1] The 1969 Nevada Legislature consolidated Ormsby County and Carson City into one municipal government to be known as Carson City effective July 1, 1969.

Manager, the functions listed below, subject to the limitations set forth in Bureau Order No. 701, as amended, together with any limitations specified below.

(1) Section 3.3(d)—Trespass: Determine liability and accept damages for trespass on the public land and dispose of resources in trespass cases for not less than the appraised value thereof when the amount involved does not exceed $500.

(2) Section 3.7(a): Licenses to graze or trail livestock.

(3) Section 3.7(a)(3): Permits or cooperative agreements to construct and/or maintain range improvements and determine the value of such improvements.

(4) Section 3.7(b): Grazing leases.

(5) Section 3.7(d): Soil and moisture conservation.

(6) Section 3.7(e): Controlled brush burning in accordance with plans and specifications approved by the State Director.

(7) Section 3.8—Forest Management: Manager of the Cascade Area may take all the action on: (a) Disposition of forest products except that sales of timber in excess of 10 million feet board measure must be approved by the State Director or his delegate prior to advertisement. All Area Managers may dispose of or permit the free use of forest products when authorized by law on lands under the jurisdiction of the Bureau of Land Management under applicable portions of 43 CFR Part 5400. This authority does not include the approval of any free use disposal of forest products exceeding $100 in value.

(8) Section 3.9(g)—Land Use: Material other than forest products not exceeding $100 in value.

(9) Section 3.9(m)—Rights-of-Way: Grant temporary rights-of-way over public land and acquired land pursuant to 43 CFR 2234.2-3(a)(2).

The District Manager may at any time temporarily reserve, restrict, or withhold any portion of the above delegated authority through the use of Form 1213.1, District Office Authority and Responsibility Guides.

This delegation supersedes Delegation of Authority, published February 16, 1967 (32 F.R. 2978-2979).

This redelegation will become effective upon publication in the FEDERAL REGISTER.

CLAIR M. WHITLOCK,
District Manager.

Approved:

JOE T. FALLINI,
State Director.

[F.R. Doc. 69-13032; Filed, Oct. 31, 1969; 8:45 a.m.]

Fish and Wildlife Service

COASTAL MAINE NATIONAL WILDLIFE REFUGE, MAINE

Notice of Name Change to Rachel Carson National Wildlife Refuge

Notice is hereby given that the Coastal Maine National Wildlife Refuge, established December 21, 1966, shall hereafter be known as the Rachel Carson National Wildlife Refuge.

This name change is in honor of Rachel Carson who elevated the role of women in the field of biology through her painstaking field work; the excellence and stimulation of her writings; and the prestige she gained for the field of ecology and animal behavior.

A. V. TUNISON,
Acting Director, Bureau of Sport Fisheries and Wildlife.

OCTOBER 15, 1969.

[F.R. Doc. 69-13075; Filed, Oct. 31, 1969; 8:48 a.m.]

Office of the Secretary

HOWARD A. BECK

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None—no change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of October 1, 1969.

Dated: October 1, 1969.

HOWARD A. BECK.

[F.R. Doc. 69-13033; Filed, Oct. 31, 1969; 8:45 a.m.]

C. R. BILBY

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of October 3, 1969.

Dated: October 3, 1969.

C. R. BILBY.

[F.R. Doc. 69-13034; Filed, Oct. 31, 1969; 8:45 a.m.]

JAMES S. BROADDUS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of October 1, 1969.

Dated: October 1, 1969.

JAMES S. BROADDUS.

[F.R. Doc. 69-13035; Filed, Oct. 31, 1969; 8:45 a.m.]

JOHN W. HIERONYMUS

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of October 1, 1969.

Dated: October 1, 1969.

JOHN W. HIERONYMUS.

[F.R. Doc. 69-13036; Filed, Oct. 31, 1969; 8:45 a.m.]

JOHN H. KLINE

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of October 2, 1969.

Dated: October 2, 1969.

JOHN H. KLINE.

[F.R. Doc. 69-13037; Filed, Oct. 31, 1969; 8:46 a.m.]

KENNETH I. SEWELL

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.

(2) Added 30 shares of International Protein.
(3) No change.
(4) No change.

This statement is made as of October 1, 1969.

Dated: October 1, 1969.

K. I. SEWELL.

[F.R. Doc. 69-13038; Filed, Oct. 31, 1969; 8:46 a.m.]

E. F. TIMME

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No change.
(2) No change.
(3) No change.
(4) No change.

This statement is made as of October 13, 1969.

Dated: October 13, 1969.

E. F. TIMME.

[F.R. Doc. 69-13039; Filed, Oct. 31, 1969; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Bureau of International Commerce

[File No. 23(69)-19]

GERT HYLEN ET AL.

Order Temporarily Denying Export Privileges

In the matter of Gert Hylen, Nicoloviusgatan 6B, Malmo, Sweden, *Respondent;* G. Hylen A.B., Nicoloviusgatan 6B, Malmo, Sweden; A.B. Ramviksverken, Ramvik, Sweden; Firma Gate, Hjo, Sweden; Firma Tom Stenholm, Olofstrom, Sweden, *related parties.*

The Director, Investigations Division, Office of Export Control, Bureau of International Commerce, U.S. Department of Commerce, pursuant to the provisions of § 388.11 of the Export Control Regulations (Title 15, Chapter III, Subchapter B, Code of Federal Regulations), has applied to the Compliance Commissioner for an order temporarily denying all export privileges to the above-named respondent. The Compliance Commissioner has reviewed the application and the evidence presented in support thereof and has submitted his report, together with his recommendation that the application be granted and that a temporary denial order be issued for 60 days.

The evidence and recommendation of the Compliance Commissioner have been considered. On the evidence presented there is reasonable basis to believe the following:

The respondent Gert Hylen is engaged in the import-export business and also as a dealer in chemicals in Malmo, Sweden; he owns or controls the following firms located in Sweden: G. Hylen A.B., Malmo; AB Ramviksverken, Ramvik; Firma Gate, Hjo and Firma Tom Stenholm, Olofstrom; he formerly owned or controlled the following firms in Malmo, Sweden which have been declared bankrupt: F. Hylen & Co., S.A.B.A. Scandinavian Automobile Accessories, and S.A.B.A. Distributors Corp.; during the years 1967 and 1968 one or more suppliers in the United States exported to respondent Hylen or his companies automotive and engine parts and accessories having a value in excess of $200,000; respondent reexported or caused the reexportation of said commodities or a substantial portion thereof to one or more consignees in Cuba; respondent knew or had reason to know that the said reexportations to Cuba were in violation of the U.S. Export Control Regulations. There is also reasonable basis to believe that respondent will continue his efforts to obtain U.S.-origin commodities for reexportation to Cuba unless an order is entered for the purpose of preventing such conduct.

Pending further investigation and proceedings, I find that it is reasonably necessary for the protection of the public interest that an order be issued against the respondent temporarily denying all United States export privileges for 60 days.

This order shall also apply to the following firms in Sweden that are owned or controlled by the respondent Gert Hylen which firms are hereby determined to be related parties to him: G. Hylen A.B., Nicoloviusgatan 6B, Malmo; AB Ramviksverken, Ramvik; Firma Gate, Hjo; Firma Tom Stenholm, Olofstrom.

Accordingly, it is hereby ordered:

I. All outstanding validated export licenses in which respondent appears or participates in any manner or capacity are hereby revoked and shall be returned forthwith to the Bureau of International Commerce for cancellation.

II. The respondent, his assigns, representatives, agents, and employees hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction involving commodities or technical data exported from the United States in whole or in part, or to be exported, or which are otherwise subject to the Export Control Regulations. Without limitation of the generality of the foregoing, participation prohibited in any such transaction, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (a) As a party or as a representative of a party to any validated export license application; (b) in the preparation or filing of any export license application or reexportation authorization, or any document to be submitted therewith; (c) in the obtaining or using of any validated or general export license or other export control document; (d) in the carrying on of negotiations with respect to or in the receiving, ordering, buying, selling, delivering, storing, using, or disposing of any commodities or technical data in whole or in part exported or to be exported from the United States; and (e) in the financing, forwarding, transporting, or other servicing of such commodities or technical data.

III. Such denial of export privileges shall extend not only to the respondent but also to his agents and employees and to any person, firm, corporation, or business organization with which he now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade or services connected therewith including the following firms, all located in Sweden: G. Hylen A.B., Malmo; AB Ramviksverken, Ramvik; Firma Gate, Hjo; Firma Tom Stenholm, Olofstrom.

IV. This order shall take effect forthwith and shall remain in effect for a period of 60 days from the date hereof, unless it is hereafter extended, amended, modified, or vacated in accordance with the provisions of the U.S. Export Control Regulations.

V. No person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of International Commerce, shall do any of the following acts, directly or indirectly, or carry on negotiations with respect thereto, in any manner or capacity, on behalf of or in any association with respondent or any related party or whereby the respondent or such related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) apply for, obtain, transfer, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any said respondent; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VI. A copy of this order shall be served upon the respondent and the related parties named herein.

VII. In accordance with the provisions of § 388.11(c) of the Export Control Regulations, the respondent or any related party named herein may move at any time to vacate or modify this temporary denial order by filing an appropriate motion therefor, supported by evidence, with the Compliance Commissioner and may request an oral hearing thereon which, if requested, shall be held before the Compliance Commissioner in Washington, D.C., at the earliest convenient date.

This order shall become effective forthwith.

Dated: October 27, 1969.

RAUER H. MEYER,
Director Office of Export Control.

[F.R. Doc. 69-12983; Filed, Oct. 31, 1969; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

DAUBERT CHEMICAL CO.

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 0B2470) has been filed by Daubert Chemical Co., 4700 South Central Avenue, Chicago, Ill. 60638, proposing that § 121.2551 *Corrosion inhibitors used for steel or tinplate* (21 CFR 121.2551) be amended to provide for additional use of the regulated corrosion inhibitors in packaging materials for the packaging of aluminum intended for use in, or to be fabricated as, food containers or food-processing or handling equipment.

Dated: October 27, 1969.

R. E. DUGGAN,
Acting Associate Commissioner for Compliance.

[F.R. Doc. 69-13029; Filed, Oct. 31, 1969; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

TRESPASSING ON COMMISSION PROPERTY

Sandia Corp. Sites

The notice concerning unauthorized entry into or upon the Sandia Corp. sites of the Atomic Energy Commission appearing at pages 13289-90 of the FEDERAL REGISTER of October 19, 1965 (30 F.R. 13289, F.R. Doc. 65-11115) as amended by the notice appearing at page 5384 of the FEDERAL REGISTER of March 30, 1967 (32 F.R. 5384, F.R. Doc. 67-3475) is hereby further amended by deleting item IV in its entirety and replacing it as follows:

IV. Miscellaneous buildings and other facilities, identified as indicated, with appropriate identification numbers being posted on each building or other facility (except Safeway Building) (Micro-Meteorological Stations 2, 3, 5, and 6 are fenced in their entirety):

Building or other facility	County	Section	NMPM township and range
9800	Bernalillo	13	T. 9 N., R. 4 E.
9801	do	13	Do.
9805	do	13	Do.
9814	do	5	T. 9 N., R. 5 E.
9815	do	5	Do.
9820	do	24	T. 9 N., R. 4 E.
9825	do	18	T. 9 N., R. 5 E.
9830	do	16	Do.
9831	do	17	Do.
9848	do	19	Do.
9849	do	28	Do.
9851	do	24	T. 9 N., R. 4 E.
9916	do	28	Do.
9917	do	28	Do.
9919	do	28	Do.
9920	do	28	Do.
9921	do	28	Do.
9922	Bernalillo	28	Do.
9923	do	28	Do.
9924	do	28	Do.
9925	do	35	Do.
9926	do	28	Do.
9927	do	28	Do.
9928	do	28	Do.
9929	do	28	Do.
9930	do	28	Do.
9931	do	28	Do.
9932	do	28	Do.
9933	do	28	Do.
9934	do	28	Do.
9940	do	28	Do.
9941	do	28	Do.
9942	do	28	Do.
9943	do	28	Do.
9944	do	28	Do.
9950	do	21	Do.
9951	do	21	Do.
9952	do	21	Do.
9953	do	21	Do.
9954	do	21	Do.
9955	do	21	Do.
9956	do	21	Do.
9960	do	27	Do.
9961	do	27	Do.
9962	do	27	Do.
9963	do	33	Do.
9964	do	33	Do.
9965	do	33	Do.
9966	do	33	Do.
9967	do	33	Do.
9970	do	34	Do.
9971	do	35	Do.
9972	do	35	Do.
9975	do	35	Do.
9976	do	35	Do.
9977	do	35	Do.
9983	do	5	T. 8 N., R. 5 E.
9990	do	24	T. 9 N., R. 4½ E.
9992	do	24	Do.
9993	do	24	Do.
9999	do	6	T. 11 N., R. 5 E.
Micro-Met Sta. No. 2.	do	17	T. 9 N., R. 3 E.
Micro-Met Sta. No. 3.	do	11	Do.
Micro-Met Sta. No. 5.	do	28	T. 10 N., R. 5 E.
Micro-Met Sta. No. 6.	do	Town of Albuquerque Grant.	T. 10 N., R. 2 E.
Micro-Met Sta. No. 7.	do	1	T. 9 N., R. 3 E.
Micro-Met Sta. No. 8.	do	32	T. 9 N., R. 4 E.
Safeway Building [1] 2511 San Mateo Blvd. NE., Albuquerque, N. Mex.	do	11	T. 10 N., R. 3 E.

[1] Description: Northeast corner of the Vidas Addition (unplatted). Located on the southwest corner of Menaul and San Mateo Boulevards; 407' on the west, 330' on the north, 407'+ on the east and 249.92' on the south, comprising 2.653 acres, more or less.

Dated at Washington, D.C., this 27th day of October 1969.

R. E. HOLLINGSWORTH,
General Manager.

[F.R. Doc. 69-13011; Filed, Oct. 31, 1969; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 18104, etc.]

ADDITIONAL SERVICE TO SAN DIEGO CASE

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled case is assigned to be heard on November 19, 1969, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

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

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 69-13067; Filed, Oct. 31, 1969; 8:48 a.m.]

[Dockets Nos. 21474, 21491; Order 69-10-139]

AMERICAN AIRLINES, INC.

Order Regarding Complaint Against Premium Air Freight Rates on Live Rats and Mice

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 28th day of October 1969.

By complaint filed October 3, 1969, The Charles River Breeding Laboratories, Inc., Wilmington, Mass., request investigation of American Airlines, Inc.'s (American) currently effective premium percentage rating of 250 percent (applicable to the normal general commodity rate) on live rats and mice.[1] Complainant sets forth a number of reasons why American's premium rate is believed to be unlawful and should be investigated, but which need not be reiterated or considered here, as explained below.

By Order 69-9-149 of September 29, 1969, the Board ordered a general investigation of all live animal and bird rates of all domestic route air carriers, and the American rates complained of are embraced within this proceeding (Docket 21474). The requested investigation has therefore been instituted, prior to the instant complaint, and the pleading is therefore moot and will be dismissed.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof:

It is ordered, That:

1. Except as otherwise granted herein, the complaint of The Charles River Breeding Laboratories, Inc., filed October 3, 1969, in Docket 21491 is dismissed;

2. Copies of this order shall be served upon the air carrier parties in Docket 21474, and upon The Charles River Breeding Laboratories, Inc., The Aquarium Supply Co., The Allied-American Bird Co., and the United Pet Dealers Association, which are hereby made parties to Docket 21474.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-13068; Filed, Oct. 31, 1969; 8:48 a.m.]

[1] American's 250 percent rating became effective Oct. 23, 1961, prior to which a 150 percent rating was in effect.

[Docket No. 21009]

BRITISH UNITED AIRWAYS (SERVICES) LTD., AND BRITISH UNITED AIRWAYS LTD.

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled case is assigned to be heard on November 26, 1969, at 10 a.m., e.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., before the Board.

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

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 69-13069; Filed, Oct. 31, 1969; 8:48 a.m.]

[Docket No. 18650; Order 69-10-138]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority October 28, 1969.

By Order 69-10-54, dated October 13, 1969, action was deferred, with a view toward eventual approval, on certain resolutions adopted by the International Air Transport Association (IATA), relating to specific commodity rates. In deferring action on the agreement 10 days were granted in which interested persons might file petitions in support of or in opposition to the proposed action.

No petitions have been received within the filing period, and the tentative conclusions in Order 69-10-54 will herein be made final.

Accordingly, it is ordered, That:

Agreement CAB 20745, R-118 through R-126 be, and it hereby is, approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

This order will be published in the FEDERAL REGISTER.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 69-13070; Filed, Oct. 31, 1969; 8:48 a.m.]

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

EMPLOYER REPORT

Notice of Proposed Changes

Notice is hereby given that revisions outlined below are being proposed in the form and reporting procedures for the 1970 Employer Information Report EEO-1 (Standard Form 100).

Although the Office of the General Counsel of the Equal Employment Opportunity Commission has ruled that the proposed revisions do not require a public hearing pursuant to section 709(c), title VII, Civil Rights Act of 1964, the Commission has decided to give employers and other interested parties the opportunity to submit comments and suggestions before adoption of the changes.

Pertinent statements, arguments, and suggestions with respect to the proposals may be submitted in writing to the Chief, Reports Division, Office of Research, Equal Employment Opportunity Commission, 1800 G Street NW., Washington, D.C. 20506 by 5:30 p.m., e.s.t., Friday, November 14, 1969.

Description of proposed revisions in Employer Information Report EEO-1:

Changes in the form and format. 1. The form will be streamlined and reduced to two pages, 8" x 10½", continuous paper, carbon interlaced. The instructions will be shortened and simplified.

2. Name, address, and required codes will be computer printed on all four copies.

3. Apprenticeship Schedule A will be deleted from EEO-1 and made a part of Apprenticeship Information Report EEO-2.

4. The question concerning racially separate facilities will be deleted.

Changes in reporting procedure. 1. The option to combine establishments by Designated City, Standard Metropolitan Area, etc., will not be allowed in 1970.

2. A separate report will be filed for each establishment of the company. However, no separate reports will be required for small establishments with less than 25 employees. Employees of these establishments will only be reported in the company's consolidated report.

3. All special reporting procedures approved in previous years will be voided. All such procedures must be renegotiated with the Joint Reporting Committee and will be granted sparingly.

4. The filing deadline will be May 31. The period in which employment statistics are obtained will be changed to any payroll period in March or April.

5. In Alaska, Eskimos and Aleuts, as well as American Indians, will be reported under the column heading "American Indian".

6. No reports will be required in 1970 for establishments located in the State of Hawaii. Equal Employment Opportunity Commission staff will study the feasibility of obtaining the kind of employment data appropriate to Hawaii in another form.

Approval of the new form and reporting procedures will not be sought from the Bureau of the Budget until all comments have been given consideration. When Budget Bureau approval has been obtained, a letter will be sent to all employers describing the changes.

The letter will also contain a list of all the employer's establishments with 25 or more employees that are in Joint Reporting Committee files, with a request to update the list and return it to the Joint Reporting Committee. In addition, the employer will be asked to indicate the address to which the EEO-1 forms should be mailed. It is expected that these steps will result in a substantial improvement in the procedures for mailing and receipt of the forms.

WILLIAM H. BROWN III,
Chairman.

OCTOBER 29, 1969.

[F.R. Doc. 69-13046; Filed, Oct. 31, 1969; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 17554 etc.; FCC 69-1139]

WESTERN UNION TELEGRAPH CO.

Memorandum Opinion and Order Designating Revised Tariff Schedules for Hearing

In the matter of proposed revisions in the rates of the Western Union Telegraph Co. for tie-line domestic interstate telegraph services, Docket No. 17554; in the matter of proposed revisions in the domestic telegraph message tariffs of the Western Union Telegraph Co., Docket No. 18270; in the matter of proposed revisions in the rates of the Western Union Telegraph Co. for domestic telex service, Docket No. 18598.

1. The Commission has under consideration (a) its order adopted June 28, 1967, in Docket No. 17554 (FCC 67-754) instituting an investigation and hearing into the lawfulness of certain tariffs of the Western Union Telegraph Co. (Western Union) applicable to charges for tie-line interstate telegraph services, (b) its order adopted July 29, 1968, in Docket No. 18270 (FCC 68-776) instituting an investigation and hearing into the lawfulness of new and revised rates and service classifications of Western Union applicable to its offering of domestic telegraph message service and consolidating this proceeding with the proceedings in Docket No. 17554, (c) its order adopted July 9, 1969, in Docket No. 18598 (FCC 69-747) instituting an investigation and hearing into the lawfulness of increased charges of Western Union for its offering of Domestic Telex Service and consolidating this proceeding with the proceedings in Dockets Nos. 17554 and 18270, and (d) increased charges of Western Union for its offering of Money Order Service and for Tel(T)ex messages which were submitted under Transmittal No. 6381, to become effective October 15, 1969, designated as follows:

15th Revised Page 9A of Western Union's Tariff FCC No. 229, providing for an overall increase of approximately 16 percent in the schedule of money order fees applicable to telegraphic money orders between points within the continental United States; and 9th Revised Page 25 of Western Union's Tariff FCC No. 240, providing for an upward adjustment from the present $1.25 to the proposed $1.40 in the service charge for each Tel(T)ex message.

2. The above-cited tariff schedules contain increased charges applicable to Money Order Service and Domestic Telex

Service and the Commission is unable to determine from an examination of the above-cited schedules whether the charges contained therein will be lawful under the Communications Act of 1934, as amended. If the above-cited tariff schedules are permitted to become effective on the date specified therein, the rights and interests of the public may be adversely affected thereby.

3. The issues raised by the revised charges for Money Order Service and Tel(T)ex messages are similar to those currently involved in the proceedings in Dockets Nos. 17554, 18270, and 18598 and thus should be considered with those matters by consolidating the proceedings. No protests have been received.

4. The rate levels of the proposed revised charges may be affected by the resolution of the issues involving the allocation of costs in Docket No. 18270.

5. Under the foregoing circumstances, it would appear to be in the public interest to allow the rates to become effective subject to a 1 day suspension and imposition of an accounting order.

6. *Accordingly, it is ordered*, That the hearings in Docket No. 18270 shall include consideration of the lawfulness of the charges set forth in above-cited tariff schedules including any amendments, cancellations, or successive issues thereof, upon the issues and under the procedures heretofore specified in that proceeding; and

7. *It is further ordered*, That, pursuant to section 204 of the Communications Act of 1934, as amended, the operation of the above-cited tariff schedules is hereby suspended until October 23, 1969; and

8. *It is further ordered*, That, after said revised charges, classifications, regulations, and practices go into effect, the Western Union Telegraph Co. shall, until further ordered by the Commission, keep accurate account or record of all amounts received by reason of the increased charges specifying by whom and in whose behalf such amounts are paid, and upon completion of the hearing and decision therein the Commission may by further order require the refund thereof, with interest, pursuant to section 205 of the Communications Act of 1934, as amended, and the carrier shall file with the Commission reports with respect to the aforementioned accounting requirements as shall be prescribed by the Chief, Common Carrier Bureau; and

9. *It is further ordered*, That, a copy of this order be filed in the offices of the Commission with said tariff schedules herein suspended.

Adopted: October 15, 1969.

Released: October 28, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-13072; Filed, Oct. 31, 1969; 8:48 a.m.]

[1] Commissioner Bartley dissenting and issuing a statement filed as part of the original document; Commissioner Johnson concurring in the result.

[Dockets Nos. 18711-18712; FCC 69-1162]

WPIX, INC., AND FORUM COMMUNICATIONS, INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In regard applications of WPIX Inc. (WPIX), New York, N.Y., Docket No. 18711, File No. BRCT-98, for renewal of broadcast license; Forum Communications, Inc., New York, N.Y., Docket No. 18712, File No. BPCT-4249, for construction permit for new television broadcast station.

1. The Commission has before it for consideration: (a) the application (BRCT-98) of WPIX, Inc. (WPIX), for renewal of its license to operate on Channel 11, New York, N.Y.; (b) the application (BPCT-4249) of Forum Communications, Inc. (Forum), for a construction permit for a new television broadcast station to operate on channel 11, New York, N.Y., and its request for waiver of § 73.610(b) of the Commission's rules; and (c) objections filed by The Association of Maximum Service Telecasters, Inc. (AMST), directed against (b) above.

2. Forum proposes to locate its transmitter atop the North Building of the World Trade Center in New York City. The proposed transmitter site is 169.1 miles from the transmitter site of cochannel station WBAL-TV, Baltimore, Md. Since the proposed site is 0.9 mile short of the 170-mile spacing required by § 73.610(b) of the rules for cochannel VHF stations located in Zone I, Forum has requested a waiver of the mileage separation requirements. Forum indicates that its transmitter location is at the site of the proposed multiple antenna structure to be erected for use by the New York area television broadcast stations. AMST states that if the Commission grants the waiver request, it should require that Forum provide "equivalent protection" to Station WBAL-TV. Forum asserts that "equivalent protection" has not been proposed because the reduction in radiation toward WBAL-TV would involve only a small fraction of a decibel, a value not susceptible of accurate measurement. The Commission believes that in view of the minor nature of the short-spacing involved, waiver of section 73.610(b) of the rules is warranted and that under the circumstances, the use of "equivalent protection" is unnecessary. Therefore, we shall provide that in the event of a grant of Forum's application, we shall waive the provisions of § 73.610(b) of the rules.

3. Based on the information contained in Forum's application, at least $3,316,537 will be needed for the construction and first 3 months cost of operation of the proposed station, consisting of down payment on equipment—$315,000; payments for 9 months on equipment including interest—$334,687; buildings—$250,000; other items—$118,500; and 3 months cost of operation—$2,298,350. Since the Commission's TV Broadcast Financial Data Report for 1968 reveals that the New York City television broadcast stations generated revenues on an average in excess of the applicant's anticipated first-year operating costs ($9,193,400), the cash needed figure has been computed on the basis of requiring that the applicant demonstrate the availability of cash to meet the first 3 months operating costs until the previously established revenues can be generated.

4. To meet the cash needed requirements, the applicant relies upon the availability of $1,100,000 in stock subscription agreements and a $2 million bank loan from the Bank of Commerce, New York, N.Y. The applicant has established the availability of $914,500 in stock subscription agreements. However, the applicant has failed to show how Ronnie Myers Eldridge, Irwin Sonny Fox, and Lawrence K. Grossman will obtain additional funds in the amounts of $2,500, $46,000 and $61,340, respectively, to meet the remainder of their respective stock subscription commitments. While Lawrence K. Grossman relies, in part, upon a $36,000 loan from Daniel V. Grossman and a $22,000 loan from LKG Properties Corp. to meet his total stock subscription commitment of $233,340, since the balance sheets submitted to support the loan commitments do not indicate whether the securities relied upon as liquid assets are listed on major exchanges, it cannot be determined whether the loans in the amounts specified will be available to Lawrence K. Grossman. In addition, the financial statements submitted by Arthur D. Leidesdorf, Elmer Engel, and James Marshall do not comply with the requirements of section III, paragraph 4(d), FCC Form 301, since they do not contain sufficient detail (i.e. amounts payable during the first year on long term liabilities) to enable the Commission to reach a determination as to the ability of these stockholders to meet their respective stock subscription commitments to the applicant. Accordingly, appropriate financial issues have been specified. The applicant has established the availability of a $2 million bank loan from the Bank of Commerce. However, this loan does not specify the terms of principal repayment and security and does not, therefore, meet the requirements of section III, paragraph 4(h), FCC Form 301. An issue will be specified to ascertain this information. The cash needed figure must, of course, be increased to the extent that the terms of repayment require first-year payments on principal.[1] In the event that the applicant is able to satisfactorily demonstrate the availability of all the funds

[1] It should be noted that the breakdown of first-year operating expenses submitted by the applicant provides for the first-year repayment of $160,000 in interest on the bank loan. Moreover, while the bank loan provides that the bank will defer repayment of principal during the first 3 months of the station's operation, the cash needed figure must be increased by the amount of any principal repayments made during the remaining portion of the first-year of operation.

upon which it relies ($3,100,000) and even assuming that no first-year principal repayments will be required in connection with the bank loan, the applicant will still need additional funds ($216,537) in order to be considered financially qualified. We will, therefore, specify an appropriate financial issue.

5. Information before the Commission including the Commission's field inquiry into the operation of Television Broadcast Station WPIX raises a number of questions regarding WPIX, Inc.'s news operation and its control and supervision thereof. Accordingly, appropriate issues have been specified and we have provided that the Chief, Broadcast Bureau shall serve upon the above-captioned applicants, within 20 days of the release of this order, a bill of particulars setting forth the basis for these issues.

6. In Suburban Broadcasters, 30 FCC 1020, 20 RR 951 (1961); our public notice of August 22, 1968 (FCC 68-847, 13 RR 2d 1903); and City of Camden (WCAM), 18 FCC 2d 412 (1969), we indicated that applicants were expected to provide full information on their awareness of and responsiveness to local community needs and interests. While we find that Forum has satisfactorily complied with these requirements, WPIX has not shown that it has contracted a representative cross-section of the community or that it has adequately listed the suggestions received regarding community needs. Consequently, it is not clear whether the programs proposed by WPIX are responsive to community needs. Accordingly, a programing issue will be specified.

7. Except as indicated by the issues set forth below, WPIX, Inc., is qualified to own and operate Television Broadcast Station WPIX and except as indicated by the issues set forth below, Forum Communications, Inc., is qualified to construct, own and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is, therefore, unable to make the statutory finding that a grant of the applications would serve the public interest, convenience and necessity, and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

8. *It is ordered*, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of WPIX, Inc., and Forum Communications, Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine with respect to the application of WPIX, Inc.:

(a) Whether the licensee or any of its employees distorted, falsified or misrepresented news.

(b) In view of the facts ascertained under issue "a", whether WPIX, Inc., has demonstrated sufficient knowledge, control or supervision of its news operation.

(c) What actions WPIX, Inc., took to exercise control or supervision of its news operation subsequent to the disclosure of the facts ascertained and relevant to issue "a".

(d) Whether in light of the evidence adduced pursuant to the foregoing issues, WPIX, Inc., is disqualified to remain a licensee of the Commission or if not so disqualified, whether a comparative demerit or demerits should be assessed against it in this proceeding.

(e) The efforts made by WPIX, Inc., to ascertain the community needs and interests of the area to be served and the means by which it proposes to meet those needs and interests.

2. To determine with respect to the application of Forum Communications, Inc.:

(a) Whether Ronnie Myers Eldridge, Irwin Sonny Fox, and Lawrence K. Grossman have available liquid and current assets (as defined in section III, paragraph 4(d), FCC Form 301) in excess of current liabilities in sufficient amounts to meet the remainder of their respective stock subscription commitments to the applicant.

(b) Whether Arthur D. Leidesdorf, Elmer Engel, and James Marshall have available liquid and current assets (as defined in section III, paragraph 4(d)) in excess of current liabilities in sufficient amounts to meet their respective stock subscription commitments to the applicant.

(c) The terms of repayment of principal and the nature of the security in connection with the $2 million loan from the Bank of Commerce.

(d) In view of the evidence adduced under issue "c", the extent, if any, to which the applicant's cash requirements will be increased.

(e) Assuming that all of the funds upon which the applicant relies will be available to it, how the applicant will obtain sufficient additional funds to be used for the construction and first three months operation of the station.

(f) Whether, in view of the evidence adduced under the preceding issues, the applicant is financially qualified.

3. To determine which of the proposals would better serve the public interest.

4. To determine, in light of the evidence adduced pursuant to the above issues, which, if either, of the applications should be granted.

9. *It is further ordered*, That, in the event of a grant of the application of Forum Communications, Inc., the applicant's request for waiver of § 73.610(b) of the Commission's Rules shall be granted.

10. *It is further ordered*, That, the Chief, Broadcast Bureau is directed to serve upon the above-captioned parties, within twenty (20) days of the release of this order, a Bill of Particulars setting forth the basis for the adoption of the above hearing issues 1(a) through 1(c).

11. *It is further ordered*, That the Broadcast Bureau shall proceed with the initial introduction of evidence with respect to issues 1(a) through 1(c) and that WPIX, Inc., shall have the burden of proof with respect to issues 1(a) through 1(d).

12. *It is further ordered*, That WPIX, Inc., shall have the burden of proceeding with the introduction of evidence and the burden of proof with respect to issue 1(e), and that Forum Communications, Inc., shall have the burden of proceeding with the introduction of evidence and the burden of proof with respect to issues 2(a) through 2(f).

13. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants pursuant to §1.221 (c) of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

14. *It is further ordered*, That, the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594 (g) of the rules.

Adopted: October 22, 1969.

Released: October 28, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[2]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-13073; Filed, Oct. 31, 1969; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

FARRELL LINES INC., AND ROYAL INTEROCEAN LINES

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and

[2] By Commissioner Bartley concurring and issuing a statement in which Commissioner Johnson joins filed as part of the original document; Commissioner Robert E. Lee concurring in the result.

the comments should indicate that this has been done.

Notice of agreement filed by:

Mr. Hans Unterwiener, Manager, Freight Documentation and Inward Freight, Farrell Lines Inc., 1 Whitehall Street, New York, N.Y. 10004.

Agreement No. 9826, between Farrell Lines Inc., and Royal Interocean Lines, establishes a through billing arrangement for the movement of cargo between U.S. Atlantic ports and ports in Mauritius, Reunion, Malagasy Republic, Comoro Islands, and Seychelle Islands with transshipment at ports in the Republic of South Africa in accordance with the terms and conditions set forth in the agreement.

Dated: October 28, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-13048; Filed, Oct. 31, 1969; 8:46 a.m.]

[Independent Ocean Freight Forwarder License 1058]

TRANS-GLOBAL FREIGHT, INC.

Order of Revocation

By letter dated October 2, 1969, to Trans-Global Freight, Inc., 158-12 Rockaway Boulevard, Jamaica, N.Y. 11434, the Federal Maritime Commission advised the company that its Independent Ocean Freight Forwarder License No. 1058 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before October 23, 1969.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid surety bond on file.

Trans-Global Freight, Inc., has failed to file the required bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order 201.1, section 6.03,

It is ordered, That the Independent Ocean Freight Forwarder License No. 1058 of Trans-Global Freight, Inc., be and is hereby revoked effective October 23, 1969.

It is further ordered, That License No. 1058 be returned to the Commission promptly.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Trans-Global Freight, Inc.

JOHN F. GILSON,
Deputy Director,
Bureau of Domestic Regulation.

[F.R. Doc. 69-13055; Filed, Oct. 31, 1969; 8:47 a.m.]

ATLANTIC PASSENGER STEAMSHIP CONFERENCE

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. R. M. L. Duffy, Secretary General, Atlantic Passenger Steamship Conference, 139 Sandgate Road, Folkestone, Kent, England.

Agreement No. 7840-76 of the Atlantic Passenger Steamship Conference provides for the modification of Agreement No. 7840, as amended, by establishing a formula with respect to the contributions of Member Lines and Allied Members toward conference expenses.

Dated: October 28, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-13047; Filed, Oct. 31, 1969; 8:46 a.m.]

TRANS-PACIFIC FREIGHT CONFERENCE OF JAPAN

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed by:

Charles F. Warren, Esq., 1100 Connecticut Avenue NW., Washington, D.C. 20036.

Agreement No. 150-43 between the member lines of the Trans-Pacific Freight Conference of Japan, would give the Neutral Body authorized by Article 25 of the basic agreement unlimited powers to investigate suspected or actual malpractices upon its own initiative. As presently approved, the Neutral Body's authority to act upon its own initiative is limited.

Dated: October 29, 1969.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 69-13054; Filed, Oct. 31, 1969; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP68-193]

NORTHERN NATURAL GAS CO.

Notice of Amendment to Application

OCTOBER 28, 1969.

Take notice that on October 20, 1969 Northern Natural Gas Co. (applicant), 2223 Dodge Street, Omaha, Nebr. 68102, filed in Docket No. CP68-193 a further amendment to its pending application in the same docket filed on January 10, 1968, pursuant to section 7(c) of the Natural Gas Act authorizing the construction and operation of certain facilities and for the transportation and sale of natural gas in interstate commerce, all as more fully set forth in the amendment to the application which is on file with the Commission and open to public inspection.

Withr the facilities and capacity heretofore authorized and with the addition of further facilities proposed herein, applicant, by the instant amendment, seeks authorization to sell and deliver contract demand volumes in a total amount of 146,493 Mcf per day from October 27, 1970, to October 27, 1972. Applicant proposes to construct and operate the following facilities:

One 12,500 horsepower unit at Clifton, Kans.;
One 9,100 horsepower unit at Beatrice, Nebr.;
One 12,500 horsepower unit at a new midpoint station near Bucklin, Kans.;
One 5,600 horsepower unit at a new station near Eagle Grove, Iowa;
4.3 miles of 3-inch branchline loop to the Neola, Iowa, branchline,

all at a total estimated cost of $8,266,600 to be financed by cash on hand.

Applicant states that it has experienced difficulty in recent years in acquiring sufficient reserves even to replace current production. Applicant further states that it feels that by adding removable compression facilities to its existing system it can obtain sufficient capacity to

supply all of the outstanding requirements of its customers for the 1970–71 heating season.

Any person desiring to be heard or to make any protest with reference to said application should on or before November 13, 1969, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69–13049; Filed, Oct. 31, 1969; 8:46 a.m.]

[Dockets Nos. RP69–19 et al., RP69–16 et al.[1]]

CONSOLIDATED GAS SUPPLY CORP. AND MANUFACTURERS LIGHT AND HEAT CO. ET AL.

Notice of Opportunity To File Briefs Amicus Curiae

The Commission has before it for decision Phase I (Rate of Return) of the proceedings entitled Consolidated Gas Supply Corp., Docket No. RP69–19 et al., and Manufacturers Light and Heat Co. et al., Docket No. RP69–16 et al. Oral argument therein before the Commission has been scheduled for November 4, 1969.

One of the issues involved in both cases is the treatment that should be given in rate of return determination to the repurchase by a natural gas company of its outstanding debt at a discount. The Commission hereby affords all interested persons an opportunity to file briefs amicus curiae on said issue on or before November 28, 1969.

By direction of the Commission.

GORDON M. GRANT,
Secretary.

[F.R. Doc. 69–13122; Filed, Oct. 31, 1969; 9:54 a.m.]

[1] This grouping is not to be construed as consolidation of these two proceedings.

SECURITIES AND EXCHANGE COMMISSION

[812–2585]

CML VARIABLE ANNUITY ACCOUNT B AND CONNECTICUT MUTUAL LIFE INSURANCE CO.

Notice of Filing of Application for Certain Exemptions

OCTOBER 27, 1969.

Notice is hereby given that CML Variable Annuity Account B ("Account") and Connecticut Mutual Life Insurance Co. ("Insurance Company") (hereinafter called "Applicants"), 140 Garden Street, Hartford, Conn. 06115, have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act"), 15 U.S.C. sec. 80a–1 et seq., for an order exempting applicants from provisions of section 17(f)(3), 22(d) and 27(c)(2) of the Act and Rule 17f–2 thereunder to the extent described below. Account is an open-end diversified management company registered under the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Insurance Company established Account as the facility through which Insurance Company will set aside and invest assets attributable to variable annuity contracts.

Section 17(f)(3) provides that a registered management investment company may maintain its securities and similar investments in its own custody, but only in accordance with such rules and regulations or orders as the Commission may from time to time prescribe for the protection of investors. Rule 17f–2(b) provides, with certain exceptions, that all securities and similar investments must be deposited in the safekeeping of a bank or other company whose functions and physical facilities are supervised by Federal or State authority. Rule 17f–2(d) provides, in relevant part, that no person shall be authorized or permitted to have access to the securities held in the custody of a management investment company except pursuant to a resolution of the board of directors of such company which names not more than five persons, who must be officers or responsible employees of such company, and that access to such investments shall be had only by two or more such persons jointly, at least one of whom shall be an officer. Applicants request an exemption from the provisions of section 17(f)(3) and Rule 17f–2 to the extent necessary to permit the custody by Insurance Company in its vault of the securities and other similar investments held in the Account, and to permit not more than 20 duly authorized officers or responsible employees of Insurance Company as well as representatives of the Connecticut Commissioner of Insurance, members of the National Association of Insurance Commissioners duly designated zonal auditing committee and selected responsible members of Insurance Company's internal audit team to have access to the assets of the Account on the grounds that adequate protection will be afforded to variable annuity contract owners.

Section 22(d) provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus.

Applicants propose to make no sales and administrative charges with respect to payments derived from the surrender or conversion of contracts with Insurance Company which, immediately prior to their surrender or conversion, were payable to the contract owner or annuitant.

Applicants assert that no unfair discrimination would result from elimination of such charges. In all cases of surrender or conversion of contracts with Insurance Company a sales charge on the payments under the contracts will have been paid. By eliminating sales and administrative charges upon the surrender or conversion of such contracts, duplication of charges already made is avoided.

Applicants also request an exemption from the provisions of section 22(d) to permit Insurance Company to employ, in effect, a form of experience rating whereby Insurance Company, a mutual life insurance company, may credit a portion of its divisible surplus with respect to the variable annuity contracts, all of which are issued on a participating basis. Although there is no contractual right to the payment of refunds under the contract, there is an annual determination by the board of directors of Insurance Company of the amount of surplus that may prudently be distributed and the manner in which that amount should be divided among the many classes of contracts administered by Insurance Company based upon each class's contribution to such surplus. Application of the refunds due each participant will be made on the contract anniversary during the period with respect to which any refund is declared. Any refund from divisible surplus will be allocated to the contract owner, the contract or the amount, as determined by Insurance Company. The most common methods of allocation are expected to be (a) applications against future payments under the contract, (b) crediting of a number of additional accumulation units equal in value to the amount of the refund due or (c) increasing the amount of annuity payments.

Refunds due the participants will be applied without deduction of any amounts for sales or administrative expenses, since any applicable charges therefor would already have been made against the payments giving rise to such surplus.

Section 27(c)(2) prohibits a registered investment company or a depositor or underwriter for such company from selling periodic payment plan certificates unless the proceeds of all payments, other than the sales load, are deposited with a bank as trustee or custodian and held under an indenture or agreement containing, in substance, the provisions required by sections 26 (a) (2) and (3) for a unit investment trust. Section 26 (a)(2) requires that the trustee or custodian segregate and hold in trust all securities and cash of the trust and places certain restrictions on charges which may be made against the trust income and corpus and excludes from expenses which the trustee or custodian may charge against the trust any payments to the depositor or principal underwriter, other than a fee not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services delegated to them by the trustee or custodian. Section 26(a)(3) governs the circumstances under which the trustee or custodian may resign. Applicants request an exemption from these requirements to permit the proceeds of all payments under the variable annuity contracts to be held by Insurance Company on the grounds that its status as a regulated insurance company, and its obligations as an insurance company to its variable annuity contract owners provide substantially the protection contemplated by these requirements.

Applicants have consented that the requested exemption may be made subject to the conditions (1) that the charges to variable annuity contract owners for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe, jurisdiction being reserved for such purpose, and (2) that the payment of sums and charges out of the assets of the Account shall not be deemed to be exempted from regulation by the Commission by reason of the requested order, provided that the applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payments of sums and charges out of such assets other than charges for administrative services, and applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 6(c) authorizes the Commission to exempt any person, security or transaction or any class or classes of persons, securities, or transactions, from the provisions of the Act and rules promulgated thereunder it and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than November 7, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-13058; Filed, Oct. 31, 1969; 8:47 a.m.]

COMMERCIAL FINANCE CORPORATION OF NEW JERSEY

Order Suspending Trading

OCTOBER 27, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Commercial Finance Corporation of New Jersey, a New Jersey Corporation, and all other securities of Commercial Finance Corporation of New Jersey being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors:

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 28, 1969, through November 6, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-13062; Filed, Oct. 31, 1969; 8:47 a.m.]

[812-2728]

FORD INTERNATIONAL CAPITAL CORP.

Notice of Filing of Application for Order

OCTOBER 24, 1969.

Notice is hereby given that Ford International Capital Corp. ("Applicant"), International Center, Post Office Box 1737, Hamilton, Bermuda, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order exempting it from all provisions of the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

Applicant intends to issue for offer and sale outside the United States to non-U.S. purchasers an aggregate of not less than approximately $20 million or more than approximately $40 million principal amount, or the equivalent principal amount in another currency, of its guaranteed debentures (the "1969 Debentures") due a minimum of 10 years and a maximum of 15 years from date of issue.

Because of the expiration of the Interest Equalization Tax Act (Internal Revenue Code, Ch. 41, sections 4911-4931) on September 30, 1969, the applicant cannot at this time state with respect to the proposed offer and sale of the 1969 debentures whether the condition specified by paragraph (c)(1) of Rule 6c-1 under the Act will be met. It is expected, based on the following facts, that the conditions contained in paragraph (b) of Rule 6c-1 under the Act will be met.

1. The Applicant is a corporation organized under the laws of the State of Delaware on March 7, 1968, by Ford Motor Co. ("Ford"). All of Applicant's capital stock, consisting only of shares of common stock par value $1 per share, has been issued to and purchased by Ford. Ford was incorporated under the laws of the State of Delaware in 1919. Any additional securities which the Applicant may issue, other than debt securities (which term shall include debt securities convertible into common stock of Ford), will be issued only to Ford or one or more of its subsidiaries. Ford has informed the Applicant that Ford or its subsidiaries will continue to own all shares of the Applicant's capital stock and any additional securities, other than debt securities, of the Applicant so acquired and will not dispose of them except to the Applicant itself or to Ford or one or more other subsidiaries of Ford. Neither Ford nor any subsidiary of Ford which may own the securities, other than debt securities, of the Applicant is or will be an investment company within the meaning of the Act.

2. Ford is utilizing the Applicant to fulfill its general objectives of developing and expanding its foreign operations, including increasing its investments in its existing foreign subsidiaries, the

establishment of additional foreign subsidiaries, and otherwise making substantial direct or indirect investments, and at the same time to support the balance-of-payments position of the United States in compliance with applicable Foreign Direct Investment Regulations of the U.S. Department of Commerce.

3. Ford is the issuer of a class of securities which have been registered under section 12 of the Securities Exchange Act of 1934.

4. Ford has unconditionally guaranteed the principal, premium, if any, and interest on and conversion payment of $60 million aggregate principal amount of 5 percent convertible debentures due 1983 which were issued by Applicant on May 2, 1968, for offer and sale outside the United States. Principal, premium, if any, sinking fund and interest payments on the 1969 debentures will be unconditionally guaranteed by Ford. In the event that any additional debt securities of the applicant are issued to or held by the public, such debt securities will be guaranteed by Ford.

5. The 1969 debentures are to be sold by the underwriters under conditions which are intended to assure that they will not be sold within the United States or its territories or possessions or to citizens, nationals, or residents thereof. Each underwriter will agree that it will not offer or sell any 1969 Debentures in the United States or its territories or possessions, or to citizens, nationals, or residents thereof, or to others for reoffering or resale in the United States or its territories or possessions, or to such citizens, nationals, or residents, except with respect to an underwriter or dealer which will agree that it is purchasing as principal and not for reoffering or resale in the United States or its territories or possessions, or to such citizens, nationals, or residents. Any additional debt securities of the Applicant which may be offered to the public in the future will be sold under substantially similar conditions.

6. Any securities of the Applicant which are convertible or exchangeable shall only be convertible or exchangeable for securities of Ford, and such conversion or exchange shall not take place prior to 6 months from the date of issuance or such shorter period of time as the Secretary of the Treasury or his delegate may approve in writing to the Applicant or Ford.

7. Upon completion of the long-term investment program of the Applicant, at least 80 percent of its assets, exclusive of U.S. Government securities and cash items, will consist of investments in or loans to foreign companies (or domestic companies, substantially all the business of which is conducted outside the United States).

8. At least 90 percent of the assets of the Applicant exclusive of U.S. Government securities and cash items and short-term investments in or loaned to companies at least 10 percent of the equity securities of which are, or at the completion of the investment will be, owned, directly or indirectly, by Ford, and any assets of the Applicant not invested in such companies will only be invested in or loaned to companies which are customers or suppliers of Ford or a subsidiary of Ford; and any of the assets invested in or loaned to investment companies will only be invested in or loaned to investment companies which are wholly owned subsidiaries of Ford.

9. The Applicant will not deal or trade in securities.

10. In connection with the proposed issuance of the 1969 debentures, the Applicant will rely upon opinions of its counsel and of counsel for the underwriters to the effect that, since the Applicant was formed and is availed of for the principal purpose of obtaining funds directly or indirectly for foreign issuers or foreign obligors, the acquisition of the 1969 debentures by U.S. persons, as defined in section 4920(a)(4) of the Internal Revenue Code, during the period with respect to which the applicable provisions of the Internal Revenue Code are in effect, will be subject to United States Interest Equalization Tax unless, and to the extent that a specific statutory exclusion or exemption applies. The 1969 debentures will bear a legend to the foregoing effect, thereby discouraging U.S. persons from purchasing the 1969 debentures. The Applicant has been informed that the U.S. Treasury has requested that members of the New York and American Stock Exchanges, and the National Association of Securities Dealers, Inc., continue to collect the Interest Equalization Tax, pending reenactment of such tax (34 F.R. 15386).

The Applicant does not contemplate registering the 1969 debentures under the Securities Act of 1933. It is not presently proposed to list the 1969 debentures on the New York Stock Exchange or any other national securities exchange in the United States. Application will be made for the listing of the 1969 debentures on the Luxembourg Stock Exchange.

Applicant has submitted that it is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act for the Commission to enter an order exempting the Applicant from each and every provision of the Act. In addition to the foregoing statement of facts, Applicant has represented the following:

(1) Ford could obtain these funds without raising any possible question under the Act by issuing its own debt obligations. The payment of the 1969 debentures which is guaranteed by Ford does not depend on the operation or investment policy of the Applicant because the 1969 debenture holders are entitled ultimately to look to the business enterprise of Ford. Accordingly, the public policy which dictated the enactment of the Act is not applicable to the Applicant nor do the security holders of the Applicant require the protection afforded by the Act.

(2) The Applicant's security holders will have the benefit of the information made generally available by the disclosure and reporting provisions of the Securities Exchange Act of 1934 and the New York Stock Exchange which are applicable to the common stock of Ford.

(3) As described above, the 1969 debentures are to be sold only to non-U.S. persons, and it is not expected that the 1969 debentures will be listed on a national securities exchange in the United States. The probability of payment of the Interest Equalization Tax will further discourage resale to any U.S. national, citizen, or resident.

The Applicant agrees that such an order may be issued subject to the conditions that the Applicant will not issue, subsequent to the offering and sale of the 1969 debentures, without a further order of the Commission, any securities (except to Ford or a subsidiary of Ford which is not an investment company) in the event that the United States Interest Equalization Tax is not reenacted, is reenacted and expires, or is repealed or the rate thereof is reduced to zero and such tax is not replaced by another tax providing comparable deterrent to the purchase of the Applicant's securities by U.S. persons. Nothing contained in the order, or the conditions to which it may be subject, requested by this application shall preclude the Applicant from being exempt from the Act by virtue solely of (i) the Applicant becoming exempt from each and every provision of the Act pursuant to Rule 6c–1 under the Act or (ii) the Commission adopting, amending, or interpreting a rule under the Act which would exempt the Applicant from each and every provision of the Act.

Notice is further given that any interested person may, not later than November 13, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or of law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing hereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20459. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69–13059; Filed, Oct. 31, 1969; 8:47 a.m.]

LIQUID OPTICS CORP.

Order Suspending Trading

OCTOBER 27, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Liquid Optics Corp., a New York corporation, and all other securities of Liquid Optics Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period October 28, 1969, through November 6, 1969, both dates inclusive.

By the Commission.

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

[F.R. Doc. 69-13063; Filed, Oct. 31, 1969; 8:47 a.m.]

[812-2625]

OCCIDENTAL OVERSEAS CAPITAL CORP.

Notice of Filing of Application

OCTOBER 22, 1969.

Notice is hereby given that Occidental Overseas Capital Corp. ("Applicant"), 277 Park Avenue, New York, N.Y. 10017, has filed an application pursuant to Rule 6c-1 under the Investment Company Act of 1940 (the "Act") for an order authorizing the issue of $20 million 8¼ percent guaranteed sinking fund debentures due 1979 (the "Debentures"). All interested persons are referred to the application on file with the Commission for a statement of the representations therein, which are summarized below.

1. The offering of the Debentures was made on September 23, 1969, and the Interest Equalization Tax (Internal Revenue Code, ch. 41, secs. 4911-4931), which lapsed on September 30, 1969, was not extended by the time of the completion of the issue of the Debentures, October 7, 1969. For this reason, Applicant has filed an application for an order, as contemplated by paragraph (c) of Rule 6c-1 under the Act, effective as of October 1, 1969, permitting the issuance of the Debentures.

2. Applicant is a Delaware corporation with authorized capital stock consisting of 2,000 shares of common stock with a par value of $1 per share, of which 1,000 shares have been issued and are held by Occidental Petroleum Investment Co., a California corporation, of which all of the outstanding securities have in turn been issued to and are held by Occidental Petroleum Corp. ("Occidental").

3. Occidental is a California corporation principally engaged directly and through subsidiaries, within and outside the United States, in the exploration for, development of, and production related to certain specified natural resources; and the manufacture and distribution of chemicals and plastics.

4. Applicant's principal business is to borrow funds from foreign nationals other than affiliated foreign nationals and to invest such funds in debt or equity securities of affiliated foreign nationals.

5. The common shares of Occidental are registered under the Securities Exchange Act of 1934, as amended, and are listed on the New York, Pacific Coast, and Toronto Stock Exchanges.

6. Occidental has made contributions to the capital of Applicant which on the date of contribution had a value of more than $35 million. Applicant has issued debt obligations totaling approximately $153 million exclusive of the Debentures, all of which are unconditionally guaranteed by Occidental as to payment of principal (and premium, if any) and interest. Applicant expects from time to time to issue additional debt obligations and to obtain additional capital contributions from Occidental or a subsidiary.

7. Applicant is issuing and selling the Debentures to a group of underwriters for offering outside of the United States. The principal of (and premium, if any) and interest on the Debentures will be unconditionally guaranteed by Occidental. Any additional debt securities of Applicant which may be issued to or held by the public will also be guaranteed by Occidental.

8. The underwriting agreement relating to the issue and sale of the Debentures entered into by Applicant, Occidental, and the underwriters contains restrictions designed to ensure that, except for sales to underwriters and securities dealers purchasing for distribution, the Debentures will not be offered or sold directly or indirectly in the United States or come to rest in the hands of purchasers who are nationals or residents of the United States.

9. Upon completion of the long-term investment program of Applicant, at least 80 percent of its assets, exclusive of U.S. Government securities and cash items, will consist of investments in or loans to foreign countries (or domestic companies, substantially all the business of which is conducted outside the United States).

10. At least 90 percent of the assets of Applicant, exclusive of U.S. Government securities and cash items and short-term investments in foreign government and commercial paper, are and will be invested in or loaned to companies at least 10 percent of the equity securities of which are, or at the completion of the investment will be, owned, directly, by Applicant; and any assets of Overseas not invested in such companies are or will only be invested in or loaned to companies which are customers or suppliers of Occidental or a subsidiary of Occidental; and any of the assets invested in or loaned to investment companies will only be invested in or loaned to investment companies which are wholly owned subsidiaries of Applicant.

11. Applicant does not and will not deal or trade in securities.

12. Applicant conducts and intends to conduct its operations so as otherwise to comply with the conditions contained in Rule 6c-1 under the Act.

13. Applicant represents that the purpose and intent of the conditions provided by paragraph (c) of Rule 6c-1 under the Act, that the purchase of the Debentures by U.S. nationals or residents be subject to the deterrent represented by the Interest Equalization Tax, are effectively fulfilled in this case.

14. Applicant has applied for quotation for and listing of the Debentures on the Luxembourg Stock Exchange. No application is presently being made to list the Debentures on a U.S. Stock Exchange.

Applicant has submitted that it is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act for the Commission to enter an order, effective as of October 1, 1969, authorizing the issue of the Debentures under Rule 6c-1 under the Act. In addition to the foregoing statement of facts, Applicant has represented the following:

1. The final offering prospectus, dated September 23, 1969, states that the Debentures are not being offered in the United States or to nationals or residents thereof and that counsel is of the opinion to the effect that U.S. persons (as defined in the Interest Equalization Tax Act) would be required to report and pay Interest Equalization Tax with respect to any acquisitions of the Debentures by them, except where a specific statutory exemption is applicable.

2. The Debentures have been printed and will be delivered containing a legend to this effect.

3. The extension of the Interest Equalization Tax is currently pending in Congress. In anticipation of passage of the bill or a similar bill extending the Interest Equalization Tax Act and making it retroactive through October 1, 1969, the Treasury Department has requested that the Tax continue to be collected (34 F.R. 15386) and the National Association of Securities Dealers has announced it is requiring its members to comply with such request.

Notice is further given that any interested person may, not later than November 11, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations

promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing thereon shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

By the Commission.

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

[F.R. Doc. 69-13060; Filed, Oct. 31, 1969; 8:47 a.m.]

[812-2623]

VANCE, SANDERS & CO., INC., AND BOSTON MANAGEMENT & RESEARCH CO., INC.

Notice of Filing of Application

OCTOBER 27, 1969.

Notice is hereby given that Vance, Sanders & Co., Inc. ("VS"), a Maryland corporation and Boston Management & Research Co., Inc. ("BMR"), 111 Devonshire Street, Boston, Mass. 02109, a Massachusetts corporation (hereinafter sometimes collectively referred to as the "Applicants") have filed an application as amended, for an order of exemption from the provisions of section 15 of the Investment Company Act of 1940 ("Act"). All interested persons are referred to the application on file with the Commission for a statement of Applicants' representations, which are summarized below.

VS acts, pursuant to contracts now in effect, as investment adviser to Leverage Fund of Boston, Inc., a closed-end investment company registered as such under the Act, and as investment adviser to, among others, the following open-end investment companies, all of which are registered as such under the Act: Capital Exchange Fund, Inc., Depositors Fund of Boston, Inc., Diversification Fund, Inc., The Exchange Fund of Boston, Inc., Fiduciary Exchange Fund, Inc., Second Fiduciary Exchange Fund, Inc., and Vance Sanders Special Fund, Inc. In addition, VS acts, pursuant to contracts now in effect, as national distributor and underwriter for the shares of the following open-end investment companies registered under the Act: Massachusetts Investors Trust, Massachusetts Investors Growth Stock Fund, Inc., Boston Fund, Inc., Boston Common Stock Fund, Inc., Century Shares Trust, and Vance Sanders Special Fund, Inc.

In connection with the investment advisory contracts between VS and Leverage Fund of Boston, Inc., Capital Exchange Fund, Inc., Depositors Fund of Boston, Inc., Diversification Fund, Inc., The Exchange Fund of Boston, Inc., Fiduciary Exchange Fund, Inc., and Second Fiduciary Exchange Fund, Inc., BMR furnishes VS, pursuant to contracts now in effect, with such statistical and other factual information as may from time to time be requested by VS. The contracts have been submitted to and approved by the shareholders of the investment companies listed in the preceding sentence. The contracts between BMR and VS all provide for their termination in the event of their "assignment" (as defined in section 2(a)(4) of the Act) by either BMR or VS.

Pursuant to an agreement and declaration of trust dated November 23, 1959, the holders of all of the outstanding voting stock of VS deposited their stock in a voting trust in exchange for voting trust certificates. The trustees of the voting trust at that time were William F. Shelly, Henry T. Vance, and Kimball Valentine. Effective October 1, 1965, Mr. Valentine resigned and retired as a voting trustee. By agreement dated September 14, 1965, and in contemplation of Mr. Valentine's retirement, the voting trust agreement was amended to provide, among other things, that the voting trustees should be five in number and that Henry T. Vance, William F. Shelly, John A. McCandless, Robert S. Swain, and Arthur H. Hausserman should be the voting trustees thereunder. On account of the 1965 amendment which increased the number of trustees to five and added three new trustees, new investment advisory contracts, effective October 1, 1965, between VS and the investment companies managed by it at that time, as well as new contracts, also effective October 1, 1965, between VS and BMR, were submitted to and approved by shareholders of those investment companies. In 1968, Mr. Shelly died, and the vacancy caused by his illness was filled by Mr. John D. Wilson. Recently, Mr. Hausserman has resigned from the office of senior vice president, treasurer, secretary, and director of VS, and Mr. Swain has announced his intention to resign as vice president and director of VS effective October 31, 1969. Messrs. Hausserman and Swain have also announced their intention to resign as voting trustees of VS before the effective date of the proposed new investment advisory and distribution contracts between VS and the respective investment companies previously referred to.

Section 2(a)(4) of the Act defines the word "assignment" to include, in part, any direct or indirect transfer or hypothecation of a controlling block of the assignor's outstanding voting securities by a security holder of the assignor.

Applicants submit that Mr. Shelly's death and Messrs. Swain's and Hausserman's proposed resignations and the filling of the vacancies in the number of voting trustees created thereby could be construed to be an assignment of the above-mentioned investment advisory contracts through a change in "control" of VS. VS, therefore, intends to enter into new investment advisory and distribution contracts with each of the Funds and into a new statistical contract with BMR.

Section 15(a) of the Act provides in part that it shall be unlawful for anyone to act as investment advisor of a registered investment company except pursuant to a written contract, which contract whether with such registered company or with an investment adviser of such registered company, has been approved by the vote of a majority of the outstanding voting securities of such registered investment company.

Of the eight Funds involved, one has scheduled its annual meeting in February 1970, one in March 1970, two in April 1970, one in June 1970, one in July 1970, one in September 1970, and one in October 1970. Because of the expenses involved in calling special shareholder meetings to approve the aforementioned contracts and because of the administrative impossibility that would be involved in holding such meetings prior to October 31, 1969, the shareholders of the Funds will not be able to approve the contracts prior to October 31, 1969, but will be asked to give such approval at the respective annual meetings thereof, next succeeding such date.

Applicants therefore seek an order pursuant to section 6(c) of the Act exempting Applicants from the provisions of section 15 of the Act to the extent its provisions would prevent Applicants from acting as investment adviser and subinvestment adviser to any of the Funds under a contract relating to each Fund. Each contract will become effective on November 1, 1969, and will expire on the first business day following the date of the annual meeting, or any adjournment thereof, of the particular investment company involved unless shareholder approval is obtained. The terms of each contract will be identical to the existing contracts except for effective dates and expiration dates.

Applicants have agreed that approval by a majority of the directors of the investment companies listed above, including a majority of the directors who are not affiliated with the Applicants, of the new investment advisory contracts between such investment companies and VS, and new related contracts between VS and BMR may be made a condition of any exemptive order issued by the Commission.

Applicants have also agreed that, notwithstanding any postponements of meetings, the exemptions requested may expire 45 days after the respective scheduled dates of the annual meetings of Leverage Fund of Boston, Capital Exchange Fund, Depositors Fund of Boston, Diversification Fund, Fiduciary Exchange Fund, and Second Fiduciary Exchange Fund, and in the case of the Exchange Fund of Boston and Vance Sanders Special Fund, Inc., said exemptions may expire 30 days after the respective dates of their scheduled annual meetings.

Applicants represent that the granting of the exemption is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act for the reasons that:

1. The investment companies involved will be spared the expense of calling and holding special shareholders' meetings to approve the contracts referred to above.

2. Shareholders of each investment company will have an opportunity to vote upon a new contract with VS and upon the related contract between BMR and VS within a reasonable time after Messrs. Swain's and Haussermann's retirement.

Section 6(c) of the Act provides that the Commission, by order upon application, may conditionally or unconditionally exempt any persons or transactions from any provision or provisions of the Act, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than November 11, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicants at the address stated above. Proof of such service by affidavit (or in case of an attorney at law by certificate) shall be filed contemporaneously with a request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in the matter including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69–13061; Filed, Oct. 31, 1969; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[License No. 01/01–0066]

FINANCIAL-TECHNICAL ASSISTANCE CORP.

Surrender of License

Notice is hereby given that, pursuant to § 107.105 of the regulations governing Small Business Investment Companies (13 CFR Part 107, 33 F.R. 326), Financial-Technical Assistance Corp., Waltham, Mass., has requested approval of the Small Business Administration (SBA) to surrender its license to operate as a small business investment company. The licensee was incorporated on May 4, 1967, under the laws of the Commonwealth of Massachusetts and licensed by SBA on August 3, 1967, to operate solely under the Small Business Investment Act of 1958, as amended (15 U.S.C., 661 et seq.). Prior to final action on this request, consideration will be given to any comments pertaining to the proposed surrender which are submitted in writing to the Associate Administrator for Investment, Small Business Administration, 1441 L Street NW., Washington, D.C. 20416, within ten (10) days of the date of publication of this notice. If no comments are received within the specified period of time, under the authority vested by the Small Business Investment Act of 1958, as amended, and the regulations promulgated thereunder, the surrender by Financial-Technical Assistance Corp. of its license will be accepted, and the company will no longer be licensed to operate as a small business investment company.

Dated: October 23, 1969.

A. H. SINGER,
Associate Administrator for Investment.

[F.R. Doc. 69–13057; Filed, Oct. 31, 1969; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 933]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

OCTOBER 29, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC–67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 32882 (Sub-No. 47 TA), filed October 24, 1969. Applicant: MITCHELL BROS. TRUCK LINES, 3841 North Columbia Boulevard, Portland, Oreg. 97217. Applicant's representative: Norman E. Sutherland, 1200 Jackson Tower, Portland, Oreg. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper articles*, from Tacoma, Wash., to Medford, Oreg., for 180 days. Supporting shipper: Menasha Corp., Post Office Box 367, Neenah, Wis. 54956. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 120 Southwest Fourth Avenue, Portland, Oreg. 97204.

No. MC 94350 (Sub-No. 246 TA), filed October 24, 1969. Applicant: TRANSIT HOMES, INC., Post Office Box 1628, Greenville, S.C. 29602. Applicant's representative: G. P. Apperson, Jr. (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, from Bunn, N.C., to States east of the Mississippi River, including Louisiana, for 180 days. Supporting shipper: Winston Mobilehomes, Division of Winston Industries, Inc., Bunn, N.C. Send protests to: Arthur B. Abercrombie, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 601A Federal Building, 901 Sumter Street, Columbia, S.C. 29201.

No. MC 107295 (Sub-No. 227 TA), filed October 24, 1969. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61824. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition boards; insulating materials; urethane, urethane products and related materials;* from Dubuque and Fort Dodge, Iowa, L'Anse, Mich., and Port Clinton, Ohio, to points in Alabama, Louisiana, Mississippi, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Texas, Oklahoma, South Dakota, Tennessee, Wisconsin, Wyoming, Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, for 180 days. Supporting shipper: The Celotex Corp., 1500 North Dale Mabry, Tampa, Fla. 33607. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 107295 (Sub-No. 228 TA), filed October 24, 1969. Applicant: PRE-FAB TRANSIT CO., 100 South Main, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roof deck*, from Wilmington, N.C.,

to points in Arkansas, Louisiana, Kentucky, Mississippi, Tennessee, and Virginia, for 180 days. Supporting shipper: Roll Form Products, Inc., of North Carolina, Suite 424, 1 Charlottetown Center, Post Office Box 4464, Charlotte, N.C. 28204. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 107295 (Sub-No. 229 TA), filed October 24, 1969. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefinished wall paneling*, from Charlotte, N.C., to points in Arkansas, Illinois, Indiana, Kentucky, Michigan, Ohio, Pennsylvania, Tennessee, and West Virginia, for 180 days. Supporting shipper: Vancouver Plywood Co., Post Office Box 8289. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704

No. MC 107295 (Sub-No. 230 TA), filed October 27, 1969. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plywood, plywood panels, and veneer*, from Danville, Va., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin, for 180 days. Supporting shipper: Boise Cascade Transportation Department, Post Office Box 7747, Boise, Idaho 83707. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 107295 (Sub-No. 231 TA), filed October 27, 1969. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Farmer City, Ill. 61842. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floors, floor systems, elevated floors, floor components and accessories*, from Jessup, Md., to points in the United States (except Alaska, Hawaii, New York, New Jersey, Pennsylvania, Maryland, Delaware, West Virginia, Virginia, North Carolina, South Carolina, Georgia, and Florida), for 180 days. Supporting shipper: Tate Architectural Products, Inc., Route 2, Box 349C, Montevideo Road, Jessup, Md. 20794. Send protests to: Harold C. Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 276, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 107496 (Sub-No. 753 TA), filed October 27, 1969. Applicant: RUAN TRANSPORT CORPORATION, Third and Keosauqua Way, Des Moines, Iowa 50309. Applicant's representative: H. L. Fabritz (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Huntington, Ind., to the Lower Peninsula of Michigan, for 150 days. Supporting shipper: Sun Oil Co., Sunoco Division, Post Office Box 920, Toledo, Ohio 43601. Send protests to: Ellis L. Annett, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 113158 (Sub-No. 8 TA), filed October 24, 1969. Applicant: TODD TRANSPORT COMPANY, INC., Secretary, Md. 21554. Applicant's representative: Harry Harrington Todd (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned vegetables and canned mushroom products*, from the Township of West Sadsbury, Chester County, Pa., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Rhode Island, West Virginia, and the District of Columbia; restricted to traffic originating at said township and destined to named points, for 150 days. Supporting shipper: Green Giant Co., Le Sueur, Minn. 56058; Gerald R. Russeth, Motor Transportation Supervisor. Send protests to: Paul J. Lowry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 206 Old Post Office Building, 129 East Main Street, Salisbury, Md. 21801.

No. MC 118706 (Sub-No. 2 TA), filed October 27, 1969. Applicant: JOE L. RUHL, 128 Norvel Street, Sikeston, Mo. 63801. Applicant's representative: Gene R. Yokley, 215 North Stoddard Street, Sikeston, Mo. 63801. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed limestone products and road construction materials*, from Blackrock Limestone Products Co. near Black Rock, Lawrence County, Ark., to a point near Arbyrd, Dunklin County, Mo., for 180 days. Supporting shipper: Charles L. Pratt, Vice President, Hot Mix Division, Missouri Petroleum Products Co., 1620 Woodson Road, St. Louis, Mo. 63114. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 3248, 1520 Market Street, St. Louis, Mo. 63103.

No. MC 125628 (Sub-No. 2 TA), filed October 24, 1969. Applicant: S. S. BAIRD & SONS, LIMITED, 437 Aberdeen Street, Fredericton, New Brunswick, Canada. Applicant's representative: Francis E. Barrett, Jr., 536 Granite Street, Braintree, Mass. 02184. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Precast concrete beams, joints, and tee sections*, from the ports of entry on the international boundary between the United States and Canada at or near Calais and Houlton, Maine, to points in Maine, New Hampshire, Vermont, and Massachusetts, for 150 days. Supporting shipper: Strescon Ltd., Ashburn Lake Road, Postal Station B, Post Office Box 187, St. John, New Brunswick, Canada. Send protests to: Donald G. Weiler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Portland, Maine 04112.

No. MC 125899 (Sub-No. 12 TA) (Correction), filed September 26, 1969, published in the FEDERAL REGISTER issue of October 8, 1969, and republished as corrected this issue. Applicant: JOHN McCABE, 1804 South 27th Avenue, Phoenix, Ariz. 85009. Applicant's representative: Donald E. Fernaays, 4114 North 20th Street, Phoenix, Ariz. 85016. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone;* (1) between points in California on the one hand, and, on the other, points in Nevada; (2) from points in California and Nevada on the one hand, to points in Washington (including the port of entry on the international boundary line between the United States and Canada, located at Blaine, Wash.), and Oregon, for 180 days. NOTE: The purpose of this republication is to show that applicant proposes to transport stone. Supporting shippers: There are approximately 12 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, Ariz. 85025.

No. MC 133776 (Sub-No. 1 TA), filed October 21, 1969. Applicant: ASSOCIATED TRANSFER & STORAGE, INC., 815 East University, Post Office Box 212, Urbana, Ill. Applicant's representative: David Axelrod, 39 South La Salle, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Used household goods;* (1) between points in Iroquois, Vermilion, Edgar, Coles, Douglas, Champaign, Ford, McLean, De Witt, Piatt, Macon, and Moultrie Counties, Ill; (2) between points in Iroquois, Vermilion, Edgar, Coles, Douglas, Champaign, Ford, McLean, De Witt, Piatt, Macon, and Moultrie Counties, Ill., on the one hand, and, on the other, points in Illinois; restricted to the transportation of traffic having a prior or subsequent movement, in containers, beyond the points authorized, and further restricted to the performance of pickup and delivery service in connection with packing, crating, and containerization, or unpacking, uncrating, and decontainerization of such traffic, for 180 days. Supporting shipper: Department of Defense, Washington, D.C. Send protests to: Roger L. Buchanan, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 134041 (Sub-No. 1 TA), filed October 24, 1969. Applicant: WAYNE MOTOR EXPRESS, INC., 406 Fairgrounds Avenue, Wayne, Nebr. 68787. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings and parts and accessories therefor*, from Wayne, Nebr., to points in

South Dakota, points in that part of Minnesota south and west of a line formed by Interstate Highways 94 and 35, and that part of Iowa west of a line formed by Interstate Highway 35, for 150 days. Supporting shipper: Carhart Lumber Co., Wayne, Nebr. 68787. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 134123 TA, filed October 24, 1969. Applicant: FRANK CAVALIERI AND VINCENT GANCI, doing business as C & G TRUCKING COMPANY, 650 Grand Street, Jersey City, N.J. 07304. Applicant's representative: F. X. Masterson, 221 Palisade Road, Elizabeth, N.J. 07208. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except household goods, explosives and commodities in bulk), in trailers arriving in rail service by Plan II piggyback for the Lehigh Valley Railroad Co., between the Lehigh Valley piggyback ramp at Oak Island (Newark), N.J., on the one hand, and points in the New York, N.Y., commercial zone, on the other, for 180 days. Supporting shipper: Lehigh Valley Railroad Co., 140 Cedar Street, New York, N.Y. 10006. Send protests to: District Supervisor Walter J. Grossmann, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

By the Commission.

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

[F.R. Doc. 69-13065; Filed, Oct. 31, 1969; 8:48 a.m.]

[Notice 437]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 29, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

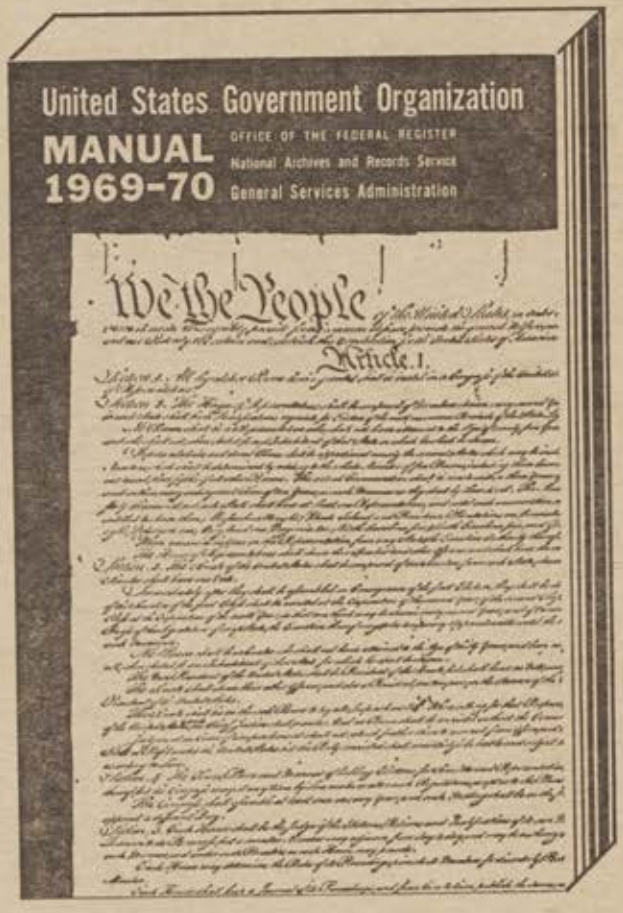
No. MC-FC-71596. By order of October 23, 1969, the Motor Carrier Board approved the transfer to Marc Truck Lines, Inc., Des Plaines, Ill., of the certificate of registration in No. MC-59188 (Sub-No. 4) issued March 20, 1964, to Joseph T. Ryan Cartage, Inc., Chicago, Ill., evidencing a right of the holder to engage in transportation in interstate or foreign commerce corresponding in scope to the authority granted by the Illinois Commerce Commission in certificate No. 8116-MC dated March 7, 1961. Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603, attorney for applicants.

No. MC-FC-71597. By order of October 23, 1969, the Motor Carrier Board approved the transfer to Francis Margolies, doing business as Marc Baggage Lines, Bronx, N.Y., of the operating rights in certificates Nos. MC-127172 and MC-127172 (Sub-No. 2) issued May 18, 1966, and August 9, 1968, respectively, to Marc Truck Lines, Inc., Des Plaines, Ill., authorizing the transportation of camp baggage, seasonally, between Chicago, Ill., and points in De Kalb, Cook, Du Page, Grundy, Kane, Kendall, Kankakee, Lake, McHenry, and Will Counties, Ill., on the one hand, and, on the other, points in Michigan, Minnesota, and Wisconsin; and between points in Michigan, Minnesota, and Wisconsin, on the one hand, and, on the other, points in Indiana, Kentucky, Michigan, Ohio, Missouri, and Tennessee. Robert H. Levy, 29 South La Salle Street, Chicago, Ill. 60603, attorney for applicants.

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

[F.R. Doc. 69-13066; Filed, Oct. 31, 1969; 8:48 a.m.]

United States Government Organization MANUAL 1969–70



know your government

Presents essential information about Government agencies (updated and republished annually). Describes the creation and authority, organization, and functions of the agencies in the legislative, judicial, and executive branches. This handbook is an indispensable reference tool for teachers, students, librarians, researchers, businessmen, and lawyers who need current official information about the U.S. Government. The United States Government Organization Manual is the official guide to the functions of the Federal Government, published by the Office of the Federal Register, GSA.

$3.00 per copy. Paperbound, with charts

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.