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Administration
Civil Aeronautics Board
Consumer and Marketing Service
Federal Aviation Administration
Federal Communications Commission
Federal Power Commission
Federal Railroad Administration
Food and Drug Administration
Hazardous Materials Regulations
Board
Health, Education, and
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[Reg. Docket No. 9945; Amdt. 678]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Alva, Okla.—Alva Municipal, NDB (ADF) Runway 35, Orig., 29 Feb. 1968 (established under Subpart C).
 Anderson, Ind.—Anderson, ADF 1, Amdt. 3, 4 June 1966 (established under Subpart C).
 Charles City, Iowa—Charles City Municipal, NDB (ADF) Runway 12, Amdt. 1, 17 June 1967 (established under Subpart C).
 El Paso, Tex.—El Paso International, NDB (ADF) Runway 22, Amdt. 20, 14 Oct. 1967 (established under Subpart C).
 Gadsden, Ala.—Gadsden Municipal, NDB (ADF) Runway 6, Orig., 18 Apr. 1968 (established under Subpart C).
 Kent, Ohio—Andrew W. Paton of Kent State University, NDB (ADF) Runway 1, Amdt. 1, 18 Feb. 1967 (established under Subpart C).
 San Antonio, Tex.—International, NDB (ADF) Runway 30L, Orig., 18 Nov. 1967 (established under Subpart C).
 San Antonio, Tex.—International, NDB (ADF) Runway 3, Amdt. 25, 16 Sept. 1967 (established under Subpart C).
 San Antonio, Tex.—International, NDB (ADF) Runway 12R, Amdt. 10, 31 July 1969 (established under Subpart C).
 El Paso, Tex.—El Paso International, VOR Runway 26, Amdt. 19, 17 Oct. 1968 (established under Subpart C).
 Hopewell, Va.—Hopewell, VOR 1, Orig., 14 Aug. 1965 (established under Subpart C).
 Kent, Ohio—Andrew W. Paton of Kent State University, VOR-1, Amdt. 2, 19 Aug. 1967 (established under Subpart C).
 Lawrenceville, Va.—Lawrenceville Municipal, VOR 1, Orig., 28 May 1966 (established under Subpart C).
 Lexington, Ky.—Franklin-Wilkins, VOR 1, Amdt. 3, 18 June 1966 (established under Subpart C).
 Owatonna, Minn.—Owatonna Municipal, VOR Runway 12, Amdt. 1, 8 Apr. 1967 (established under Subpart C).
 San Antonio, Tex.—International, VOR-1, Amdt. 16, 22 May 1969 (established under Subpart C).

2. By amending § 97.11 of Subpart B to cancel low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Clarion, Pa.—Rhea, VOR 1, Amdt. 2, effective 19 Nov. 1966, canceled, effective 11 Dec. 1969.
 San Antonio, Tex.—San Antonio International, VOR 2, Amdt. 5, effective 21 Jan. 1967, canceled, effective 11 Dec. 1969.

3. By amending § 97.13 of Subpart B to delete terminal very high frequency omnirange (TerVOR) procedures as follows:
 Gadsden, Ala.—Gadsden Municipal, TerVOR-6, Amdt. 3, 23 July 1966 (established under Subpart C).

4. By amending § 97.15 of Subpart B to cancel very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

El Paso, Tex.—El Paso International, VOR/DME Runway 26, Amdt. 11, effective 17 Oct. 1968, canceled, effective 11 Dec. 1969.

5. By amending § 97.17 of Subpart B to delete instrument landing system (ILS) procedures as follows:

El Paso, Tex.—El Paso International, ILS Runway 22, Amdt. 19, 14 Oct. 1967 (established under Subpart C).
 San Antonio, Tex.—International, ILS Runway 3, Amdt. 2, 27 Feb. 1969 (established under Subpart C).
 San Antonio, Tex.—International, LOC (BC) Runway 30L, Orig., 18 Nov. 1967 (established under Subpart C).

6. By amending § 97.17 of Subpart B to cancel instrument landing system (ILS) procedures as follows:

San Antonio, Tex.—San Antonio International, ILS Runway 12R, Amdt. 11, effective 22 May 1969, canceled, effective 11 Dec. 1969.

7. By amending § 97.19 of Subpart B to delete radar procedures as follows:

El Paso, Tex.—El Paso International, Radar 1, Amdt. 5, 25 Sept. 1965 (established under Subpart C).
 San Antonio, Tex.—International, Radar-1, Amdt. 13, 22 May 1969 (established under Subpart C).

8. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing York Int.
MIE VOR.....	York Int (NOPT).....	Direct.....	2600	Make climbing left turn to 2600' within 5 miles, return to MIE VOR, or as directed by ATIS, make left-climbing turn to 2600' and proceed to Daleville Int via MIE R 241. Supplementary charting information: Final approach crs to intersection of Runways 30 and 18.

Procedure turn not authorized. Approach crs (profile) starts at MIE VOR.
FAF, York Int. Final approach crs, 232°. Distance FAF to MAP, 5 miles.
Minimum altitude over York Int, 2600'.
MSA: 000°-200°-2600'.

NOTES: (1) Radar vectoring. (2) Dual VOR receivers required. (3) Use Muncie altimeter, when not available, use Indianapolis altimeter and raise MDA 160'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C.....	1390	1	447	1380	1	467	1380	1½	467	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Anderson; State, Ind.; Airport name, Anderson; Elev., 913'; Facility, MIE; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 11 Dec. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 8.5 miles after passing PUT VORTAC, or at the 8.5-mile DME Fix.
				Make right-climbing turn to 2500' direct to PUT VORTAC and hold. Supplementary charting information: Hold N of PUT VOR, 1 minute, right turns, 180° Inbnd. Final approach crs intercepts center of airport.

Procedure turn not authorized. One-minute holding pattern N of PUT VORTAC 180° Inbnd, right turns, 2500'.
FAF, PUT VORTAC, Final approach crs, 211°. Distance FAF to MAP, 8.5 miles.
Minimum altitude over PUT VORTAC, 2500'; over 5-mile DME Fix, 1120'.
MSA: 000°-090°-3100'; 090°-180°-2300'; 180°-270°-2100'; 270°-360°-2700'.
NOTES: (1) Use Providence altimeter setting. (2) Radar vectoring.

DAY AND NIGHT MINIMUMS *

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS			VIS
C.....	1120	1½	881	1120	1½	881	NA			NA
	DME Minimums:									
	MDA	VIS	HAA	MDA	VIS	HAA				
C.....	960	1	721	960	1	721	NA			NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Not authorized.			

City, Danielson; State, Conn.; Airport name, Danielson; Elev., 239'; Facility, PUT; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 11 Dec. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.8 miles after passing ELP VORTAC.
Newman VOR	El Paso VORTAC	Direct	4500	Climbing left turn to 5500' on R 150° within 20 miles. Supplementary charting information: Runway 26, TDZ elevation, 3956'.
Rio Int.	Giffen Int.	R 081°	5500	
Giffen Int.	El Paso VORTAC (NOPT)	R 081°	5000	

Procedure turn S side of crs, 081° Outbnd, 261° Inbnd, 6500' within 10 miles of ELP VORTAC.
FAF, ELP VORTAC. Final approach crs, 257°. Distance FAF to MAP, 3.8 miles.
Minimum altitude over Giffen Int., 5500'; over ELP VORTAC, 5000'.
MSA: 090°-250°-6400'; 250°-340°-8200'; 340°-090°-7800'.

NOTE: ABR.
%IFR westbound departure procedures when weather is below 4000-2; takeoff Runways 17, 22, and 26 climbing left turn to 120° heading. Intercept and climb via the ELP R 150° to airway MEA or as directed by ATC. Takeoffs Runways 4, 35, and 8, climbing right turn direct to ELP VORTAC continue climb via the ELP R 150° to airway MEA or as directed by ATC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-26	4280	3/4	324	4280	3/4	324	4280	3/4	324	4280	1	324
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	4420	1	404	4460	1	504	4460	1 1/4	604	4520	2	564
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, El Paso; State, Tex.; Airport name, El Paso International; Elev., 3956'; Facility, ELP; Procedure No. VOR Runway 26, Amdt. 21; Eff. date, 11 Dec. 69; Sup. Amdt. No. 20; Dated, 17 Oct. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: Over GAD VORTAC.
				Climb to 3000', right turn, direct to GAD VORTAC and hold. Supplementary charting information: Hold SW, 1 minute, right turns, 053° Inbnd. Final approach crs intercepts runway centerline extended 3000' from threshold. LRCO, 122.1R, 122.6R. Runway 6, TDZ elevation, 564'.

Procedure turn S side of crs, 233° Outbnd, 053° Inbnd, 3000' within 10 miles of GAD VORTAC.
Final approach crs, 053°.

Minimum altitude over 5-mile DME Fix or Clair Int., 1600'.
MSA: 000°-090°-3000'; 090°-180°-3200'; 180°-270°-2700'; 270°-360°-2600'.

NOTE: Use Anniston FSS altimeter setting.
#Local weather not available to public. Operators with approved weather reporting service authorized standard alternate minimums and decrease straight-in MDA 100'.
Climbing MDA Category A, 100', Categories B and C, 60'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS		
S-6	1600	1 1/4	1036	1600	1 1/4	1036	1600	1 1/4	1036	NA		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1600	1 1/4	1036	1600	1 1/4	1036	1600	1 1/4	1036	NA		
	Dual VOR/DME:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT			
S-6	1020	1	456	1020	1	456	1020	1	456	NA		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA			
C	1040	1	476	1040	1	476	1040	1 1/4	476	NA		
A	Standard.#			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Gadsden; State, Ala.; Airport name, Gadsden Municipal; Elev., 564'; Facility, GAD; Procedure No. VOR Runway 6, Amdt. 4; Eff. date, 11 Dec. 69; Sup. Amdt. No. TerVOR-6, Amdt. 3; Dated, 23 July 66

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing HPW VORTAC.	
Williamsburg Int.	HPW VORTAC (NOPT)	Direct	1600	Climbing left turn to 2000' direct to HPW VOR and hold. Supplementary Charting Information: Hold E, 1 minute, left turns, Inbnd crs 250°. 217° bridge NW of airport. Runway 26, TDZ elevation, 20'.	

Procedure turn S side of crs, 079° Outbnd, 250° Inbnd, 1600' within 10 miles of HPW VORTAC.

FAF, HPW VORTAC. Final approach crs, 250°. Distance FAF to MAP, 5 miles.

Minimum altitude over HPW VORTAC, 1600'.

MSA: 055°-145°-1600'; 145°-235°-1500'; 235°-325°-2100'; 325°-055°-1600'.

NOTES: (1) Use Richmond altimeter setting. (2) Radar vectoring.

%IFR departure procedure for Runway 36: Left-climbing turn to 2000' to HPW VOR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-26	530	1	500	530	1	500	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
O	560	1	537	560	1	537	NA	NA
A	Not authorized.		T 2-eng. or less—Standard. %				T over 2-eng.—Runway 33, 300-1; Standard other runways. %	

City, Hopewell; State, Va.; Airport name, Hopewell; Elev., 23'; Facility, HPW; Procedure No. VOR Runway 26, Amdt. 1; Eff. date, 11 Dec. 66; Sup. Amdt. No. VOR 1. Orig.; Dated, 14 Aug. 65

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 10 miles after passing ACO VORTAC.	
				Climbing right turn to 3000', return to ACO VORTAC and hold. Supplementary charting information: Hold E, 1 minute, right turns, 270° Inbnd. CAUTION: 1347' tower 1.3 miles SW of airport.	

Procedure turn N side of crs, 109° Outbnd, 280° Inbnd, 3000' within 10 miles of ACO VORTAC.

FAF, ACO VORTAC. Final approach crs, 280°. Distance FAF to MAP, 10 miles.

Minimum altitude over ACO VORTAC, 3000'; over Middlebury Int, or 8-mile DME Fix R 280°, 1920'.

MSA: 080°-170°-3200'; 170°-330°-3100'; 330°-080°-2700'.

NOTES: (1) Radar vectoring. (2) Use Akron, Ohio, altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
O	1920	1	770	1920	1½	770	1920	1½	770	NA
	DME or VOR/NDB Minimums:									
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
O	1660	1	510	1660	1	510	1660	1½	510	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Kent; State, Ohio; Airport name, Andrew W. Paton of Kent State University; Elev., 1159'; Facility, ACO; Procedure No. VOR-1, Amdt. 3; Eff. date, 11 Dec. 66; Sup. Amdt. No. 2; Dated, 19 Aug. 67

RULES AND REGULATIONS

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STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.9 miles after passing LVL VOR.	
Nutbush Int.	LVL VOR (NOPT)	Direct	2100	Climb to 2100', left turn, direct to LVL VOR and hold. Supplementary charting information: Hold NW, 1 minute, right turns, 122° Inbnd. 400' obstruction light E side of airport on tree line. Chart R-6602.	

Procedure turn S side of crs, 302° Outbnd, 122° Inbnd, 2100' within 10 miles of LVL VOR.

FAF, LVL VOR. Final approach crs, 122°. Distance FAF to MAP, 5.9 miles.

Minimum altitude over LVL VOR, 2100'.

MSA: 000°-090°-1800'; 090°-180°-1700'; 180°-270°-1800'; 270°-360°-2000'.

NOTE: (1) When Blackstone altimeter not available, use Richmond altimeter and increase circling MDA by 140'. (2) CAUTION: R-6602, 9 miles N of LVL VOR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	780	1	455	780	1	455	NA	NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Lawrenceville; State, Va.; Airport name, Lawrenceville Municipal; Elev., 325'; Facility, LVL; Procedure No. VOR-1, Amdt. 1; Eff. date, 11 Dec. 60; Sup. Amdt. No. VOR 1, Orig.; Dated, 28 May 66

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 3 miles after passing JKS VORTAC.	
R 645°, JKS VORTAC (CW)	R 161°, JKS VORTAC	10-mile Arc	2100	Climbing left turn to 2100' to JKS VORTAC and hold. Supplementary charting information: Hold S, 1 minute, right turns, 341° Inbnd.	
R 256°, JKS VORTAC (CCW)	R 161°, JKS VORTAC	10-mile Arc	2100		
10-mile Arc	JKS VORTAC (NOPT)	JKS, R 161°	1400		

Procedure turn E side of crs, 161° Outbnd, 341° Inbnd, 2100' within 10 miles of JKS VORTAC.

FAF, JKS VORTAC. Final approach crs, 341°. Distance FAF to MAP, 3 miles.

Minimum altitude over JKS VORTAC, 1400'.

MSA: 000°-090°-2100'; 090°-180°-2000'; 180°-270°-2100'; 270°-360°-2200'.

NOTE: Use McKellar (Jackson FSS) altimeter setting.

*Night operation not authorized Runways 1-19.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-33	1040	1	523	1040	1	523	1040	1	523	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C*	1100	1	583	1100	1	583	1100	1½	583	NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Lexington; State, Tenn.; Airport name, Franklin-Wilkins; Elev., 517'; Facility, JKS; Procedure No. VOR Runway 33, Amdt. 4; Eff. date, 11 Dec. 60; Sup. Amdt. No. VOR 1, Amdt. 3; Dated, 18 June 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.8 miles after passing FOW VOR.
New Prague Int.	FOW VOR	Direct	2700	Climb to 2700' on R 130° within 10 miles, return to VOR. Supplementary charting information: Runway 12, TDZ elevation, 1138'.
Cannon City Int.	FOW VOR	Direct	2700	
Hope Int.	FOW VOR	Direct	2700	
Alma City Int.	FOW VOR	Direct	2700	

Procedure turn S side of crs, 310° Outbd, 130° Inbd, 2700' within 10 miles of FOW VOR.

FAF, FOW VOR. Final approach crs, 130°. Distance FAF to MAP, 6.8 miles.

Minimum altitude over FOW VOR, 2700'.

MSA: 000°-090°-2600'; 090°-180°-2700'; 180°-270°-2600'; 270°-360°-2600'.

Note: Use Rochester, Minn., altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-12	1640	1	502	1640	1	502	1640	1	502	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1660	1	513	1780	1	633	1780	1 1/4	633	NA
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Owatonna; State, Minn.; Airport name, Owatonna Municipal; Elev., 1147'; Facility, FOW; Procedure No. VOR Runway 12, Amdt. 2; Eff. date, 11 Dec. 69; Sup. Amdt. No. 1; Dated, 8 Apr. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.3 miles after passing SAT VORTAC.
10-mile DME Fix, R 353°	SAT VORTAC (NOPT)	R 353°	2000	Climb to 3000', left turn, to R 150° SAT VORTAC to Elmendorf Int. Supplementary charting information: Tower 1.1 miles N of airport, 942'. Runway 17, TDZ elevation, 788'.

Procedure turn W side of crs, 355° Outbd, 175° Inbd, 2800' within 10 miles of SAT VORTAC.

FAF, SAT VORTAC. Final approach crs, 175°. Distance FAF to MAP, 6.3 miles.

Minimum altitude over SAT VORTAC, 2000'.

MSA: 000°-360°-3000'.

Note: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-17	1320	1	532	1320	1	532	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C	1320	1	512	1320	1	512	NA	NA
A	Standard.			T 2-eng. or less—RVR 24', Runways 3 and 12R; Standard all others.			T over 2-eng.—RVR 24', Runways 3 and 12R; Standard all others.	

City, San Antonio; State, T.x.; Airport name, International; Elev., 806'; Facility, SAT; Procedure No. VOR Runway 17, Amdt. 17; Eff. date, 11 Dec. 69; Sup. Amdt. No. VOR-1, Amdt. 16; Dated, 22 May 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 21.5-mile DME Fix.
SAV VORTAC.....	7-mile DME Fix.....	SAV, R 081°.....	2000	Climbing right turn to 2000', proceed to
SAV VORTAC, R 190° (CCW).....	SAV VORTAC, R 081°.....	7-mile DME Arc.....	2000	Terry Int/17-mile DME Fix via SAV
SAV VORTAC, R 351° (CW).....	SAV VORTAC, R 081°.....	7-mile DME Arc.....	2000	VORTAC R 081° and hold.
7-mile DME Fix.....	17-mile DME Fix.....	SAV, R 081°.....	2000	Supplementary charting information: Hold W, 1 minute/4 miles, right turns, 081° Inbnd. Final approach crs to center of landing area.

Procedure turn not authorized. Approach crs (profile) starts at the 7-mile DME Fix.
Final approach crs, 081°.
Minimum altitude over SAV VOR, 2000'; over 7-mile DME Fix, 2000'; over 17-mile DME Fix, 2000'.
MSA: 000°-090°-1400'; 090°-180°-1600'; 180°-360°-2200'.
NOTES: (1) Radar vectoring. (2) Use Savannah, Ga., altimeter setting. (3) No weather reporting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C.....	580	1	560	580	1	560	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Hilton Head; State, S.C.; Airport name, Hilton Head; Elev., 20'; Facility, SAV; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 11 Dec. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.8-mile DME Fix.
R 240°, BNA VORTAC (CW).....	R 312°, BNA VORTAC.....	18-mile DME Arc.....	3000	Climbing right turn to 3000' to Brooklyn
R 042°, BNA VORTAC (CCW).....	R 312°, BNA VORTAC.....	18-mile DME Arc.....	3000	Int via BNA R 312° and hold.
18-mile DME Arc.....	Brooklyn Int (NOPT).....	R 312°, BNA.....	2600	Supplementary charting information:
BNA VORTAC.....	Brooklyn Int.....	R 312°, BNA.....	3000	Hold NW, 1 minute, right turns, 132° Inbnd. Final approach crs intercepts runway centerline 3000' from threshold. HIRL Runway 2L/20R. VASI Runway 20R. Runway 13, TDZ elevation, 572'.

Procedure turn S side of crs, 312° Outbnd, 132° Inbnd, 3000' within 10 miles of Brooklyn Int.
Final approach crs, 132°.
Minimum altitude over Brooklyn Int, 2600'; over 9-mile DME Fix, 1800'.
MSA: 000°-090°-2500'; 090°-180°-2400'; 180°-360°-3100'.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-13.....	900	1	328	900	1	328	900	1	328	900	1	328
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1040	1	443	1060	1	463	1060	1½	463	1160	2	563
A.....	Standard.			T 2-eng. or less—RVR 24', Runway 2L; Standard all others. T over 2-eng.—RVR 24', Runway 2L; Standard all others.								

City, Nashville; State, Tenn.; Airport name, Nashville Metropolitan; Elev., 597'; Facility, BNA; Procedure No. VOR/DME Runway 13, Amdt. Orig.; Eff. date, 11 Dec. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: SHV R 291°, 3-mile DME.
				Climbing left turn to 3000' direct to SHV VORTAC and hold. Supplementary charting information: Hold SE of SHV VORTAC on R 111°-291° Inbnd, 1 minute, right turns.
Procedure turn not authorized. One-minute holding pattern, SE of SHV VORTAC, 291° Inbnd, right turns, 3000'. Final approach crs, 291°. Minimum altitude over SHV VORTAC, 3000'; over 5-mile DME, 1800'. MSA: 000°-180°-1800'; 180°-270°-3100'; 270°-360°-2900'. Notes: (1) Radar vectoring. (2) Use Shreveport approach control altimeter setting. *Circling not authorized N of runway centerline extended. †Departing aircraft maintain runway heading, climbing to 1500', prior to turning.				

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C*	780	2	520	780	2	520	NA	NA
A	Not authorized.			T 2-eng. or less—Standard.†			T over 2-eng.—Standard.‡	

City, Vivian; State, La.; Airport name, Vivian Municipal; Elev., 269'; Facility, SHV; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 11 Dec. 69

9. By amending § 97.23 of Subpart C to amend very high frequency omnirange (VOR) and very high frequency distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GPT VORTAC.
R 242°, GPT VORTAC CW	R 320°, GPT VORTAC (NOPT)	7-mile DME Arc	1800	Climbing right turn to 1600' via R 242° to Morris Int and hold or, when directed by ATC, climb to 1600'; proceed to Hawkeye Int via R 180° and hold. Supplementary charting information: Morris holding: hold NW 116° Inbnd, 1 minute, right turns. Hawkeye holding: hold S 360° Inbnd, 1 minute, right turns. TDZ elevation, 24'.
R 038°, GPT VORTAC CCW	R 320°, GPT VORTAC (NOPT)	7-mile DME Arc	1800	

Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 140°.

MSA: 000°-270°-1500'; 270°-090°-2600'.

*Night operations not authorized Runways 22/4.

† Alternate minimums not authorized when control zone not effective except for operators with approved weather reporting service.

‡ Use Mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13*†	400	¾	436	400	¾	436	400	¾	436	400	1	436
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C*‡	680	1	652	680	1	652	680	1¼	652	700	2	672
A	Standard.‡			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No. VOR Runway 13, Amdt. 8; Eff. date, 11 Dec. 69; Sup. Amdt. No. 7; Dated, 23 Oct. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GPT VORTAC.
R 339°, GPT VORTAC CW	R 045°, GPT VORTAC	7-mile DME Arc	1800	Climb to 1600' via R 242° to Morris Int and hold or, when directed by ATC, climb to 1600' via R 180° to Hawkeye Int and hold. Supplementary charting information: Morris holding: hold NW 116° Inbnd, 1 minute, right turns. Hawkeye holding: hold S 360° Inbnd, 1 minute, right turns. TDZ elevation, 27'.
R 008°, GPT VORTAC CCW	R 045°, GPT VORTAC	7-mile DME Arc	1800	
7-mile DME Arc	3-mile DME GPT, R 045° (NOPT)	GPT, R 045°	680	

Procedure turn N side of crs, 045° Outbnd, 225° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 225°.

Minimum altitude over 3-mile DME GPT R 045°, 680'.

MSA: 090°-270°-1500'; 270°-090°-2600'.

*Night operations not authorized Runways 22/4.

†Alternate minimum not authorized when control zone not effective except for operators with approved weather reporting service.

‡Use Mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22°#	680	1	653	680	1	653	680	1 1/4	653	680	1 1/4	653
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C#	680	1	652	680	1	652	680	1 1/2	652	700	2	672
VOR/DME Minimums:												
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22°#	460	1	433	460	1	433	460	1	433	460	1	433
A	Standard. ‡			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No, VOR Runway 22, Amdt. 4; Eff. date, 11 Dec. 69; Sup Amdt. No. 3; Dated, 23 Oct. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: GPT VORTAC
R 008°, GPT VORTAC CW	R 124°, GPT VORTAC	7-mile DME Arc	1800	Climbing left turn to 1600' via R 242° to Morris Int and hold or, when directed by ATC, climb to 2500', R 339° to Mouse Int and hold. Supplementary charting information: Morris holding: hold NW 116° Inbnd, 1 minute, right turns. Mouse holding: hold NW 159° Inbnd, 1 minute, right turns. TDZ elevation, 25'.
R 242°, GPT VORTAC CCW	R 124°, GPT VORTAC	7-mile DME Arc	1800	
7-mile DME Arc	4-mile DME GPT, R 124° (NOPT)	GPT, R 124°	480	

Procedure turn N side of crs, 124° Outbnd, 304° Inbnd, 1600' within 10 miles of GPT VORTAC.

Final approach crs, 124°.

Minimum altitude over 4-mile DME GPT, R 124°, 480'.

MSA: 090°-270°-1500'; 270°-090°-2600'.

NOTE: Inoperative table does not apply to HIRL Runway 31.

*Night operations not authorized, Runways 22/4.

†Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.

‡Use Mobile altimeter setting when control zone not effective and all MDA's increased 200' except for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31°#	480	1	455	480	1	455	480	1	455	480	1	455
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C#	680	1	652	680	1	652	680	1 1/4	652	700	2	672
VOR/DME Minimums:												
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31°#	420	1	395	420	1	395	420	1	395	420	1	395
A	Standard. ‡			T 2-eng. or less—Standard.*			T over 2-eng.—Standard.*					

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Facility, GPT; Procedure No, VOR Runway 31, Amdt. 4; Eff. date, 11 Dec. 69; Sup. Amdt. No. 3; Dated, 23 Oct. 69

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 7.8 miles after passing DCU VOR.
				Climbing right turn to 3000' to DCU VOR and hold; or, when directed by ATC, climbing right turn to 3000' proceed via S crs I H8V LOC to Bluff Int and hold S, 1 minute, right turns, 330° Inbnd. Supplementary charting information: Hold W, 1 minute, right turns, 090° Inbnd. HIRLs Runways 18 L & R/36 L & R.

Procedure turn S side of crs, 270° Outbnd, 090° Inbnd, 3000' within 10 miles of DCU VOR.
FAF, DCU VOR. Final approach crs, 090°. Distance FAF to MAP, 7.8 miles.
Minimum altitude over DCU VOR, 3000'.
MSA: 000-090°-3600'; 090°-180°-2600'; 180°-270°-2300'; 270°-360°-2000'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1140	1	511	1140	1	511	1140	1½	511	1180	2	551
A.....	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Huntsville; State, Ala.; Airport name, Huntsville-Madison County; Elev., 629'; Facility, DCU; Procedure No. VOR-1, Amdt. 3; Eff. date, 11 Dec. 69; Sup. Amdt. No. 2; Dated, 12 Jan. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.6 miles after passing TYS VORTAC.
TYS VORTAC, R 263°, CW.....	TYS VORTAC, R 040°.....	7-mile DME Arc.....	3500	Climb to 3000' on TYS VORTAC R 220° to Greenback Int and hold.
TYS VORTAC, R 100°, CCW.....	TYS VORTAC, R 040°.....	7-mile DME Arc.....	3300	Supplementary charting information:
7-mile DME Arc.....	TYS VORTAC (NOPT).....	TYS, R 040°.....	3000	Hold SW, 1 minute, right turns, 040° Inbnd. HIRL Runways 4L/22R. Final approach crs to runway threshold. Runway 22R, TDZ elevation, 981'.

Procedure turn E side of crs, 040° Outbnd, 220° Inbnd, 3500' within 10 miles of TYS VORTAC.
FAF, TYS VORTAC. Final approach crs, R 220°. Distance FAF to MAP, 6.6 miles.
Minimum altitude over TYS VORTAC, 3000'.
MSA: 000°-090°-5700'; 090°-180°-8700'; 180°-270°-6100'; 270°-360°-5600'.
NOTES: (1) ASR. (2) Inoperative component table does not apply to HIRL Runway 22R.
% RVR 24, Runway 4L.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22R.....	1500	1	519	1500	1	519	1500	1	519	1500	1½	519
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAT	MDA	VIS	HAA
C.....	1540	1	551	1540	1	551	1540	1½	551	1540	2	551
A.....	Standard.			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %					

City, Knoxville; State, Tenn.; Airport name, McGhee Tyson; Elev., 969'; Facility, TYS; Procedure No. VOR Runway 22R, Amdt. 13; Eff. date, 11 Dec. 69; Sup. Amdt. No. 12; Dated, 28 Aug. 69

10. By amending § 97.25 of Subpart C to establish localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR. If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.9 miles after passing AN HW/LOM.
Bandera Int.	AN LOM (NOPT)	Direct	3000	Climb to 3000' right turn to R 120° SAT VORTAC to Elmhurst Int. or when directed by ATC, climbing left turn to 3000' direct to SAT VORTAC then via R 033° to Mission Int.
SAT VORTAC	AN LOM	Direct	3000	
Bellaire Int.	AN LOM	Direct	3000	
R 333°, SAT VORTAC (CCW)	ANT LOC (front crs)	10-mile Arc R 282° lead radial.	3000	
Int 10-mile Arc/ANT LOC (front crs)	AN LOM (NOPT)	LOC Crs	2600	

Procedure turn W side of crs, 303° Outbound, 123° Inbound, 3000' within 10 miles of AN LOM.
FAF, AN LOM. Final approach crs, 123°. Distance FAF to MAP, 5.9 miles.
Minimum altitude over AN LOM, 2600'.
Distance to runway threshold at OM, 5.9 miles; at MM, 0.5 mile.
MSA: 000°-360°-3100'.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1300	1	492	1300	1	492	1300	1½	492	1420	2	612
A.....	Standard. T 2-eng. or less—RVR 24', Runway 3; Standard all others. T over 2-eng.—RVR 24', Runway 3; Standard all others.											

City, San Antonio; State, Tex.; Airport name, International; Elev., 808'; Facility, I-ANT; Procedure No, LOC Runway 12R, Amdt. Orig.; Eff. date, 11 Dec. 69

11. By amending § 97.25 of Subpart C to amend localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR. If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4 miles after passing Derby Int.
				Make left-climbing turn to 3000' on a 140° heading, intercept R 048° of RSV VOR. Proceed to RSV VOR and hold. Supplementary charting information: Hold NE, 1 minute, right turns, 228° Inbound. TDZ elevation, 1217'.

Procedure turn not authorized. Approach crs (profile) starts at Derby Int.
FAF, Derby Int. Final approach crs, 186°. Distance FAF to MAP, 4 miles.
Minimum altitude over Derby Int, 2800'.
NOTES: (1) Radar required. (2) LOC back crs unusable beyond 10 miles.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-19.....	1560	¾	343	1560	¾	343	1560	¾	343	1560	1	343
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1620	1	392	1680	1	452	1680	1½	452	1780	2	552
A.....	Standard. T 2-eng. or less—RVR 24', Runway 1; Standard all other runways. T over 2-eng.—RVR 24', Runway 1; Standard all other runways.											

City, Akron; State, Ohio; Airport name, Akron-Canton; Elev., 1228'; Facility, I-CAK; Procedure No. LOC (BC) Runway 19, Amdt. 2; Eff. date, 11 Dec. 69; Sup. Amdt. No. 1; Dated, 6 Mar. 69

12. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: AVK NDB.
Capron Int.....	AVK NDB.....	Direct.....	3000	Climb to 3000', left turn, to AVK NDB and hold. Supplementary charting information: Hold S of AVK NDB on 160°-340° Inbnd, 1 minute, left turn. Delete 1698' tower 1 mile ENE of Alva Airport from AL Plate and sectional chart. Approximate coordinates 36°46'40" N/ 98°39'40" W. Tower nonexistent. Runway 35, TDZ elevation, 1470'.

Procedure turn W side of crs, 160° Outbnd, 340° Inbnd, 3000' within 10 miles of AVK NDB.

Final approach crs, 340°.

Minimum altitude over AVK NDB, 2000'.

MSA: 000°-360°-3400'.

*When Alva altimeter setting is not available, use Gage altimeter setting and increase straight-in and circling MDA, 280'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
B-33°.....	2000	1	530	2000	1	530	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C*.....	2000	1	526	2000	1	526	NA	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.	

City, Alva; State, Okla.; Airport name, Alva Municipal; Elev., 1474'; Facility, AVK; Procedure No. NDB (ADF) Runway 35, Amdt. 1; Eff. date, 11 Dec. 69; Sup. Amdt. No. Orig.; Dated, 29 Feb. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.1 miles after passing AID NDB.
Daleville Int.....	AID NDB.....	Direct.....	2500	Make left-climbing turn to 2400' and return to AID NDB.
MZZ VOR.....	AID NDB.....	Direct.....	2500	
Pendleton Int.....	AID NDB.....	Direct.....	2500	

Procedure turn S side of crs, 298° Outbnd, 118° Inbnd, 2400' within 10 miles of AID NDB.

FAF, AID NDB. Final approach crs, 118°. Distance FAF to MAP, 3.1 miles.

Minimum altitude over AID NDB, 1500'.

MSA: 000°-180°-2300'; 180°-270°-2500'; 270°-360°-2400'.

NOTES: (1) Radar vectoring. (2) Use Muncie altimeter, when not available, use Indianapolis altimeter and raise MDA 100'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
B-12.....	1320	1	407	1320	1	407	1320	1	407	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	1380	1	447	1380	1	407	1380	1 1/4	467	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Anderson; State, Ind.; Airport name, Anderson; Elev., 913'; Facility, AID; Procedure No. NDB (ADF) Runway 12, Amdt. 4; Eff. date, 11 Dec. 69; Sup. Amdt. No. ADF 1, Amdt. 3; Dated, 4 June 66

RULES AND REGULATIONS

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STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: CCY NDB.	
New Hampton Int.	CCY NDB	Direct	2700	Make left-climbing turn to 2700' on 305° bearing from NDB within 10 miles, return to NDB. Supplementary charting information: Runway 12, TDZ elevation, 1128'.	

Procedure turn S side of crs, 305° Outbnd, 125° Inbnd, 2700' within 10 miles of CCY NDB.
Final approach crs, 125°.
MSA: 000°-270°-2500'; 270°-305°-3800'.
NOTE: Use Mason City altimeter setting.
CAUTION: Runways 4/22 and 17/35 unlighted.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D	
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS	
8-12	1700	1	572	1700	1	572	1700	1	572	NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA		
C	1700	1	570	1720	1	590	1720	1½	590	NA	
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.				

City, Charles City; State, Iowa; Airport name, Charles City Municipal; Elev., 1130'; Facility, CCY; Procedure No. NDB (ADF) Runway 12, Amdt. 2; Eff. date, 11 Dec 69; Sup. Amdt. No. 1; Dated, 17 June 67

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.7 miles after passing EL LOM.	
El Paso VORTAC	EL LOM	Direct	5900	Climbing left turn to heading 120°, climb to 6000', within 20 miles. Supplementary charting information: ATC Tower SE portion of airport 4103' (31°, 47°, 49°/106°, 22°, 13°). Airport beacon remains in old ATC tower. Runway 22, TDZ elevation, 3943'.	
Int R 250°, ELP VORTAC and NE Crs ILS	EL LOM	Direct	5900		
Newman VOR	EL LOM	Direct	5900		

Procedure turn W side of crs, 038° Outbnd, 218° Inbnd, 5900' within 10 miles of EL LOM.
FAP, EL LOM. Final approach crs, 218°. Distance FAP to MAP, 3.7 miles.
Minimum altitude over EL LOM, 5400'.
MSA: 000°-200°-6400'; 200°-340°-8200'; 340°-090°-7800'.
NOTE: ASR.

% IFR westbound departure procedures when weather is below 4000-2: takeoff Runways 17, 22, and 26 climbing left turn to 120°. Intercept and climb via the ELP R 150° to airway MEA or as directed by ATC. Takeoff Runways 4, 35, and 8 climbing right turn direct to ELP VORTAC continue climb via the ELP R 150° to airway MEA or as directed by ATC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
8-22	4380	¾	437	4380	¾	437	4380	¾	437	4380	1	437
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	4420	1	464	4400	1	504	4400	1½	504	4520	2	564
A	Standard.			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %					

City, El Paso; State, Tex.; Airport name, El Paso International; Elev., 3954'; Facility, EL; Procedure No. NDB (ADF) Runway 22, Amdt. 21; Eff. date, 11 Dec. 69; Sup. Amdt. No. 20; Dated, 14 Oct. 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: Over GAD NDB.
GAD NDB.....	Sibert Int.....	Direct.....	3000	Climb to 3000', right turn, direct to GAD NDB and hold. Supplementary charting information: Hold SW, 1 minute, right turns, 067° Inbnd. Final approach crs intercepts runway centerline extended 3000' from threshold. LRCO, 122.1R, 122.6R. Runway 6, TDZ elevation, 564'.

Procedure turn S side of crs, 247° Outbnd, 067° Inbnd, 3000' within 10 miles of Sibert Int.
FAF, Sibert Int. Final approach crs, 067°. Distance FAF to MAP, 5.7 miles.

Minimum altitude over Sibert Int, 2200'.

MSA: 000°-090°-3000'; 090°-180°-3200'; 180°-270°-2700'; 270°-360°-2600'.

NOTES: (1) Use Annapolis FSS altimeter setting. (2) Both ADF and VOR receiving equipment required for this approach.

*Local weather not available to public. Operators with approved weather reporting service authorized standard alternate minimums and decrease straight-in MDA, 100'; Circling MDA Category A, 100'. Categories B and C, 60'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
E-6.....	1080	1	516	1080	1	516	1080	1	516	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	1080	1	516	1080	1	516	1080	1½	516	NA
A.....	Standard.*			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Gadsden; State, Ala.; Airport name, Gadsden Municipal; Elev., 564'; Facility, GAD; Procedure No. NDB (ADF) Runway 6, Amdt. 1; Eff. date, 11 Dec. 69; Sup Amdt. No. Orig.; Dated, 18 Apr. 68

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.8 miles after passing AKR NDB.
Akron VORTAC.....	AKR NDB.....	Direct.....	2800	Climb to 2000' on 348° crs, make right turn, climb to 3000', direct to ACO VORTAC and hold. Supplementary charting information: Hold E, 1 minute, right turns, 276° Inbnd. CAUTION: 1347' tower, 1.3 miles SE of airport. Runway 1, TDZ elevation, 1150'.
Briggs VORTAC.....	AKR NDB (NOPT).....	Direct.....	2800	

Procedure turn E side of crs, 168° Outbnd, 348° Inbnd, 2800' within 10 miles of AKR NDB.

FAF, AKR NDB. Final approach crs, 348°. Distance FAF to MAP, 4.8 miles.

Minimum altitude over AKR NDB, 2800'.

MSA: 000°-090°-2700'; 090°-180°-2800'; 180°-270°-3100'.

NOTES: (1) Radar vectoring. (2) Use Akron, Ohio, altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
E-1.....	1600	1	510	1600	1	510	1600	1	510	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C.....	1600	1	510	1600	1	510	1600	1½	510	NA
A.....	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.			

City, Kent; State, Ohio; Airport name, Andrew W. Paton of Kent State University; Elev., 1150'; Facility, AKR; Procedure No. NDB (ADF) Runway 1, Amdt. 2; Eff. date, 11 Dec. 69; Sup. Amdt. No. 1; Dated, 18 Feb. 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: IMS NDB.	
Moorefield Int.	IMS NDB	Direct	2400	Climbing left turn to 2400' IMS NDB bearing 216°, return to IMS NDB. Supplementary charting information: Final approach crs intercepts runway centerline 3000' from threshold. R-3403, 4.2 miles N of airport.	
ABB VOR	IMS NDB	Direct	2400		

Procedure turn E side of crs, 216° Outbnd, 036° Inbnd, 2400' within 10 miles of IMS NDB.

Final approach crs, 036°.

MSA: 000°-090°-2300'; 090°-180°-2500'; 180°-270°-3000'; 270°-360°-2200'.

NOTE: Use Standiford Field, Louisville, Ky., altimeter setting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAT	MDA	VIS	HAT	VIS	VIS
S-3	1500	1	680	1500	1	680	NA	NA
	MDA	VIS	HAA	MDA	VIS	HAA		
C	1500	1	680	1500	1	680	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.			T over 2-eng.—Standard.		

City, Madison; State, Ind.; Airport name, Madison Municipal; Elev., 814'; Facility, IMS; Procedure No. NDB (ADF) Runway 3, Amdt. Orig.; Eff. date, 11 Dec. 69

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 1.2 miles after passing OGB NDB.	
VAN VOR	OGB NDB	Direct	1800	Climb to 1800', right turn, direct to OBG and hold.	
Bowman Int.	OGB NDB	Direct	1800		
Norway Int.	OGB NDB	Direct	1800	Supplementary charting information: Hold SW, 1 minute, left turn, 048° Inbnd.	
Salley Int.	OGB NDB	Direct	1800		
Ernie Int.	OGB NDB	Direct	1800	Final approach crs to runway threshold.	

Procedure turn N side of crs, 228° Outbnd, 048° Inbnd, 1800' within 10 miles of OGB NDB.

FAF, OGB NDB. Final approach crs, 038°. Distance FAF to MAP, 1.2 miles.

Minimum altitude over OGB NDB, 1200'.

MSA: 000°-360°-1700'.

NOTES: (1) Use CAE APC altimeter setting. (2) No weather reporting.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	980	1	785	980	1 1/4	785	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.			T over 2 eng.—Not authorized.		

City, Orangeburg; State, S.C.; Airport name, Orangeburg; Elev., 195'; Facility, OGB; Procedure No. NDB(ADF) Runway 4, Amdt. Orig.; Eff. date, 11 Dec. 69

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6 miles after passing 6-mile Radar Fix.
				Climb to 3000' direct to AN RBN, continue on 303° bearing from RBN within 8 miles. Supplementary charting information: Aircraft will be released for final approach over 6-mile Radar Fix. Radar required. Runway 30L, TDZ elevation, 785'.

Procedure turn not authorized. Approach crs (profile) starts at 6-mile Radar Fix. FAF, 6-mile Radar Fix. Final approach crs, 303°. Distance FAF to MAP, 6 miles. Minimum altitude over 6-mile Radar Fix, 2200'. MSA: 000°-360°-3100'.
 NOTES: (1) ASR. (2) Radar required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-30L.....	1420	1	635	1420	1	635	1420	1½	635	1420	1½	635
	MDA	VIS	HAA	MDA	VIS	HAA	HDA	VIS	HAA	MDA	VIS	HAA
C.....	1420	1	612	1420	1	612	1420	1½	612	1420	2	612
A.....	Standard.			T 2-eng. or less—RVR 24', Runways 3 and 12R; Standard all others.			T over 2-eng.—RVR 24', Runways 3 and 12R; Standard all others.					

City, San Antonio; State, Tex.; Airport name, International; Elev., 808'; Facility, AN; Procedure No. NDB (ADF) Runway 30L, Amdt. 1; Eff. date, 11 Dec. 69; Sup. Amdt. No. Orig.; Dated, 18 Nov. 67

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.9 miles after passing SA LOM.
SAT VORTAC.....	SA LOM.....	Direct.....	3500	Climb to 3000' direct to SAT VORTAC then via R 033° to Mission Int. or when directed by ATC, climbing right turn to 3000' intercept R 189° SAT VORTAC to Elmendorf Int. Supplementary charting information: Runway 3, TDZ elevation, 784'.
Wetmore Int.....	SA LOM.....	Direct.....	3500	
Losoya Int.....	SA LOM.....	Direct.....	3500	
R 300°, SAT VORTAC (CCW).....	Bearing 212° SA LOM.....	16-mile Arc SAT, R 204° lead radial.	3500	
Int 16-mile Arc/bearing 212° SA LOM.....	SA LOM (NOPT).....	Bearing 212° SA LOM.....	2000	

Procedure turn E side of crs, 212° Outbnd, 032° Inbnd, 3500' within 10 miles of Collins Int. FAF, SA LOM. Final approach crs, 032°. Distance FAF to MAP, 3.9 miles. Minimum altitude over Collins Int, 3500'; over SA LOM, 2600'. MSA: 000°-360°-3000'.
 NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
B-3.....	1280	RVR 50	496	1280	RVR 50	496	1280	RVR 50	496	1280	RVR 50	496
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1280	1	472	1280	1	472	1280	1½	472	1420	2	612
A.....	Standard.			T 2-eng. or less—RVR 24', Runways 3 and 12R; Standard all others.			T over 2-eng.—RVR 24', Runways 3 and 12R; Standard all others.					

City, San Antonio; State, Tex.; Airport name, International; Elev., 808'; Facility, SA; Procedure No. NDB (ADF) Runway 3, Amdt. 26; Eff. date, 11 Dec. 69; Sup. Amdt. No. 26; Dated, 16 Sept. 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.9 miles after passing AN RBN.	
Pandera Int.	AN RBN (NOPT)	Direct	3000	Climb to 3000' right turn to R 159° SAT VORTAC to Elmendorf Int. or when directed by ATC, climbing left turn to 3000' direct to SAT VORTAC then via R 093° to Mission Int. Supplementary charting information: Runway 12R, TDZ elevation, 808'.	
SAT VORTAC	AN RBN	Direct	3000		

Procedure turn W side of crs, 303° Outbnd, 123° Inbnd, 3000' within 10 miles of AN RBN.
FAF, AN RBN. Final approach crs, 123°. Distance FAF to MAP, 5.9 miles.
Minimum altitude over AN RBN, with procedure turn, 3000'; without procedure turn, 3000'.
MSA: 000°-360°-3100'.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-12R	1420	RVR 40	612	1420	RVR 40	612	1420	RVR 40	612	1420	RVR 60	612
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1420	1	612	1420	1	612	1420	1½	612	1420	2	612
A	Standard.			T 2-eng. or less—RVR 24', Runways 3 and 12R; Standard all others.			T over 2-eng.—RVR 24', Runways 3 and 12R; Standard all others.					

City, San Antonio; State, Tex.; Airport name, International; Elev., 808'; Facility, AN; Procedure No. NDB (ADF) Runway 12R, Amdt. 11; Eff. date, 11 Dec. 69; Sup. Amdt. No. 10; Dated, 31 July 69

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: SHL NDB.	
Ireton Int.	SHL NDB	Direct	3100	Climb to 3100' on 335° bearing from NDB within 10 miles, return to NDB. Supplementary charting information: Final approach crs intercepts runway centerline 3400' from threshold. Runway 33, TDZ elevation, 1418'.	
Bigelow Int.	SHL NDB	Direct	3100		
Everly Int.	SHL NDB	Direct	3100		

Procedure turn E side of crs, 155° Outbnd, 335° Inbnd, 3100' within 10 miles of SHL NDB.
Final approach crs, 335°.

MSA: 000°-090°-3400'; 090°-180°-2800'; 180°-270°-2800'; 270°-360°-3400'.
NOTES: (1) Use Worthington, Minn., altimeter setting; when not available use Sioux Falls, S. Dak., altimeter setting and increase all MDAs 80'. (2) Operators with approved weather reporting service may reduce all MDAs by 120'.
*Standard alternate minimums for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-33	2040	1	622	2040	1	622	2040	1	622		NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	2040	1	621	2040	1	621	2040	1½	621		NA	
A	Not authorized.*			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Sheldon; State, Iowa; Airport name, Sheldon Municipal; Elev., 1419'; Facility, SHL; Procedure No. NDB (ADF) Runway 33, Amdt. Orig.; Ex. date, 11 Dec. 69

13. By amending § 97.27 of Subpart C to amend nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and EA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: 4.4 miles after passing NDB.
From—	To—	Via		
RMT VOR	PGV NDB	Direct	1600	Make climbing right turn to 1600' return direct to NDB, hold N 192° Inbd, right turns. Supplementary charting information: Antenna 948', 3.5 miles S of airport.
ISO VOR	PGV NDB	Direct	1900	
Zang Int	PGV NDB (NOPT)	Direct	1900	

Procedure turn E side of crs, 612° Outbd, 192° Inbd, 1600' within 10 miles of PGV NDB.

FAF, PGV NDB. Final approach crs, 192°. Distance FAF to MAP, 4.4 miles.

Minimum altitude over PGV NDB, 1800'.

MSA: 000°-090°-1500'; 090°-270°-2600'; 270°-360°-1600'.

NOTES: (1) Use RMT altimeter setting. (2) Night minimum not authorized on Runways 14/32.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-19	640	1	615	640	1	615	640	1	615	640	1½	615
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	640	1	615	640	1	615	640	1½	615	780	2	755
A	Not authorized.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Greenville; State, N.C.; Airport name, Pitt-Greenville; Elev., 29'; Facility, PGV; Procedure No. NDB(ADF) Runway 19, A mdt. 2; Eff. date, 11 Dec. 69; Sup. Amdt. No. 1; Dated, 11 Sept. 69

Terminal routes			Minimum altitudes (feet)	Missed approach MAP: 7.3 miles after passing CWH NDB.
From—	To—	Via		
H8V VOR	CWH NDB	Direct	2600	Climbing right turn to 3000' direct to DGT VOR and hold; or, when directed by ATC climbing right turn to 2600' direct to CWH NDB and hold N, 1 minute, right turn, 179° Inbd.
Owens Int	CWH NDB	Direct	2600	
Bluff Int	CWH NDB	Direct	2600	
DCU VOR	CWH NDB	Direct	2600	Supplementary charting information: Hold W, 1 minute, right turns, 090° Inbd. HIRLS Runways 18L & R/36 L & R. Depict SV LMM 215 KHz on AL chart. Runway 18R, TDZ elevation, 629'.
Tanner Int	CWH NDB	Direct	2600	
Rethel Int	Toney Int	Direct	2600	
Dellrose Int	CWH NDB (NOPT)	Direct	2600	
Toney Int	CWH NDB (NOPT)	Direct	2600	

Procedure turn W side of crs, 359° Outbd, 179° Inbd, 2600' within 10 miles of CWH NDB.

FAF, CWH NDB. Final approach crs, 179°. Distance FAF to MAP, 7.3 miles.

Minimum altitude over CWH NDB, 2600'; over OM, 1230'.

MSA: 000°-180°-3600'; 180°-360°-2600'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
E-18R	1220	¾	591	1220	¾	591	1220	¾	591	1220	1	591
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1220	1	591	1220	1	591	1220	1½	591	1220	2	591
NDB/FM Minimums:												
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
E-18R	1120	¾	491	1120	¾	491	1120	¾	491	1120	1	491
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1120	1	491	1120	1	491	1120	1½	491	1180	2	551
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Huntsville; State, Ala.; Airport name, Huntsville-Madison County; Elev., 629'; Facility, CWH; Procedure No. NDB(ADF) Runway 18R, Amdt. 4; Eff. date, 11 Dec. 69; Sup. Amdt. No. 3; Dated, 12 June 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.8 miles after passing RS LOM.	
Gardner VORTAC.....	RS LOM.....	Direct.....	3000	Make right-climbing turn to 2000' direct RS LOM and hold. Supplementary charting information: Hold W of RS LOM, 1 minute, left turns, 105° Inbnd. 1663' antenna 2.1 miles N of airport. Runway 11, TDZ elevation, 980'.	
Millbury Int.....	RS LOM.....	Direct.....	3000		
Templeton Int.....	Lakeside Int.....	EEN, R 183°.....	3000		
Lakeside Int.....	Spencer Int.....	EEN, R 183°.....	3000		
Eagle Int.....	Spencer Int.....	GDM, R 209°.....	3000		
Spencer Int.....	RS LOM (NOPT).....	Direct.....	2900		
BE LOM.....	RS LOM.....	Direct.....	3000		

Procedure turn N side of crs, 288° Outbnd, 108° Inbnd, 2000' within 10 miles of RS LOM.

FAP, RS LOM. Final approach crs, 108°. Distance FAF to MAP, 5.8 miles.

Minimum altitude over RS LOM, 2900'.

MSA: 000°-090°-3100'; 090°-180°-2700'; 180°-270°-2400'; 270°-360°-2800'.

Departure procedures: Runway 33, climb on heading 290° to 2000' before proceeding northeastbound; Runway 2, climb on heading 090° to 2000' before proceeding westbound.

*Category D, 1000-2.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-II.....	1500	1	580	1500	1	580	1500	1	580	1500	1½	580
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1500	1	551	1500	1	551	1620	1½	611	2000	2	991
A.....	Standard.*			T 2-eng. or less—300-1, Runways 29 and 33; Standard all others.			T over 2-eng.—300-1, Runways 29 and 33; Standard all others.					

City, Worcester; State, Mass.; Airport name, Worcester Municipal; Elev., 1009'; Facility, RS; Procedure No. NDB (ADF) Runway 11, Amdt. 1; Eff. date, 11 Dec. 69; Sup. Amdt. No. Orig.; Dated, 28 Aug. 69

14. By amending § 97.29 of Subpart C to establish instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS, DH, 4143'. LOC, 3.1 miles after passing EL LOM.	
ELP VORTAC.....	EL LOM.....	Direct.....	5000	Climbing left turn to heading 120°, climb to 6000' on ELP R 150° within 20 miles. Supplementary charting information: ATC tower SE portion of airport, 4103' (31°47'49"/106°22'15"). Airport beacon remains on old ATC tower. Runway 22, TDZ elevation, 3943'.	
EWM VOR.....	EL LOM.....	Direct.....	5000		
Int EWM VOR R 079° and NE crs ILS.....	EL LOM (NOPT).....	ELP LOC crs.....	5400		
R 106°, ELP VORTAC (CCW).....	ELP LOC crs (NOPT).....	8-mile DME Arc lead radial 030°.....	6500		

Procedure turn W side of crs, 038° Outbnd, 218° Inbnd, 5000' within 10 miles of EL LOM.

FAP, ELP LOM. Final approach crs, 218°. Distance FAF to MAP, 3.1 miles.

Minimum glide slope interception altitude, 5400'. Glide slope altitude at OM, 4954'; at MM, 4122'.

Distance to runway threshold at OM, 3.67 miles; at MM, 0.58 mile.

MSA: 090°-200°-6400'; 200°-340°-8300'; 340°-090°-7800'.

Note: ASR.

%IFR westbound departure procedures when weather is below 4000-2; takeoff Runways 17, 22, and 26 climbing left turn to 120° heading. Intercept and climb via the ELP R 150° to airway MEA or as directed by ATC. Takeoff Runways 4, 35, and 8 climbing right turn direct to ELP VORTAC continue climb via the ELP R 150° to airway MEA or as directed by ATC.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-II.....	4143	½	200	4143	½	200	4143	½	200	4143	½	200
LOC.....	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-II.....	4230	½	277	4230	½	277	4230	½	277	4230	¾	277
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	4420	1	464	4460	1	504	4460	1½	504	4520	2	564
A.....	Standard.			T 2-eng. or less—Standard.%			T over 2-eng.—Standard.%					

City, El Paso; State, Tex.; Airport name, El Paso International; Elev., 3956'; Facility, I-ELP; Procedure No. ILS Runway 22, Amdt. 20; Eff. date, 11 Dec. 69; Sup. Amdt. No. 19; Dated, 14 Oct. 67

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS: DH, 984'. LOC: 3.9 miles after passing SA LOM.	
SAT VORTAC.....	SA LOM.....	Direct.....	3500	Climb to 3000' direct to SAT VORTAC, then via R 033° to Mission Int. or when directed by ATC, climbing right turn to 3000', intercept R 159° SAT VORTAC to Elmhurst Int. Supplementary charting information: Runway 3, TDZ elevation, 794'.	
Wetmore Int.....	SA LOM.....	Direct.....	3500		
Lowry Int.....	SA LOM.....	Direct.....	3500		
R 300°, SAT VORTAC (CCW).....	SAT LOC (front crs).....	16-mile Arc SAT, R 204° lead radial. LOC crs.....	3500		
Int 16-mile Arc/SAT LOC (front crs).....	SA LOM (NOPT).....	LOC crs.....	2100		

Procedure turn E side of crs, 212° Outbnd, 032° Inbnd, 3500' within 10 miles of Collins Int.

FAF, SA LOM. Final approach crs, 032°. Distance FAF to MAP, 3.9 miles.

Minimum altitude over Collins Int, 3500'; over SA LOM, 2100'.

Glide slope interception altitude, 2100'. Glide slope altitude at OM, 2060'; at MM, 981'.

Distance to runway threshold at OM, 3.9 miles; at MM, 0.5 mile.

MSA: 000°-360°-3000'.

NOTE: ASR.

*Inoperative table does not apply to HIRL or ALS Runway 3. HIRL and ALS inoperative visibility 1 mile.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-3.....	984	RVR 40	200	984	RVR 40	200	984	RVR 40	200	1034	RVR 40	250
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-3*.....	1100	RVR 40	316	1100	RVR 40	316	1100	RVR 40	316	1100	RVR 40	316
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1280	1	472	1280	1	472	1280	1½	472	1420	2	612
A.....	Standard.			T 2-eng. or less—RVR 24', Runways 3 and 12R; Standard all others.			T over 2-eng.—RVR 24', Runways 3 and 12R; Standard all others.					

City, San Antonio; State, Tex.; Airport name, International; Elev., 808'; Facility, I-SAT; Procedure No. ILS Runway 3, Amdt. 3; Eff. date, 11 Dec. 69; Sup. Amdt. No. 2; Dated, 27 Feb. 69

Terminal routes				Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: 6 miles after passing 6-mile Radar Fix.	
				Climb to 3000' on NW crs of ANT ILS within 15 miles. Supplementary charting information: Aircraft will be released for final approach over 6-mile Radar Fix. Runway 30L, TDZ elevation, 785'.	

Procedure turn not authorized. Approach crs (profile) starts at 6-mile Radar Fix.

FAF, 6-mile Radar Fix. Final approach crs, 303°. Distance FAF to MAP, 6 miles.

Minimum altitude over 6-mile Radar Fix, 2200'.

MSA: 000°-360°-3100'.

NOTES: (1) ASR. (2) Components inoperative table does not apply to HIRL Runway 30L. (3) Radar required.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-30L.....	1360	1	575	1360	1	575	1360	1	575	1360	1½	575
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1360	1	552	1360	1	552	1360	1½	552	1420	2	612
A.....	Standard.			T 2-eng. or less—RVR 24', Runways 3 and 12R; Standard all others.			T over 2-eng.—RVR 24', Runways 3 and 12R; Standard all others.					

City, San Antonio; State, Tex.; Airport name, International; Elev., 808'; Facility, I-ANT; Procedure No. LOC (BC) Runway 30L, Amdt. 1; Eff. date, 11 Dec. 69; Sup. Amdt. No. Orig.; Dated, 18 Nov. 67

15. By amending § 97.29 of Subpart C to amend instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes			Missed approach	
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 1339'; LOC 5.8 miles after passing RS LOM.
Gardner VORTAC	RS LOM	Direct	3000	Make right-climbing turn to 2000' direct
Millbury Int.	RS LOM	Direct	3000	RS LOM and hold.
Templeton Int.	Lakeside Int.	EEN, R 183°	3000	Supplementary charting information:
Lakeside Int.	Spencer Int.	EEN, R 183°	3000	Hold W of RS LOM, 1 minute, left turns.
Eagle Int.	Spencer Int.	GDM, R 309°	3000	108° Inbnd.
Spencer Int.	RS LOM (NOPT)	Direct	2500	1663' antenna 2.1 miles N of airport.
BE LOM	RS LOM	Direct	3000	Runway 11, TDZ elevation, 990'.

Procedure turn N side of crs, 288° Outbnd, 196° Inbnd, 2000' within 10 miles of RS LOM.

FAF, RS LOM. Final approach crs, 108°. Distance FAF to MAP, 5.8 miles.

Minimum glide slope interception altitude, 2000'. Glide slope altitude at OM, 2892'; at MM, 1212'.

Distance to runway threshold at OM, 5.8 miles; at MM, 0.5 mile.

MSA: 000°-090°-3100'; 090°-180°-2700'; 180°-270°-2400'; 270°-360°-2800'.

Departure procedures: Runway 33, climb on heading 290° to 2000' before proceeding northeastbound; Runway 2, climb on heading 050° to 2000' before proceeding westbound.

*Category C, 700-2; Category D, 1000-2.

†Inoperative components table does not apply to HIRL Runway 11 for Categories A, B, and C.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-II	1339	1	359	1339	1	359	1339	1	359	1339	1	359
LOC	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-III	1440	1	460	1440	1	460	1440	1	460	1440	1	460
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1460	1	451	1540	1	531	1620	1½	611	2000	2	991
A	Standard.*			T 2-eng. or less—300-1, Runways 29 and 33; Standard all others.			T over 2-eng.—300-1, Runways 29 and 33; Standard all others.					

City, Worcester; State, Mass.; Airport name, Worcester Municipal; Elev., 1009'; Facility, I-RSR; Procedure No. ILS Runway 11, Amdt. 1; Eff. date, 11 Dec. 69; Sup. Amdt. No. Orig.; Dated, 28 Aug. 69.

16. By amending § 97.31 of Subpart C to establish precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authorized for such airport by the Administrator. Initial approach minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach or before descent to the authorized landing minimums, or (B) at Pilot's discretion if it appears desirable to discontinue the approach. Except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)

From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Notes
As established by El Paso ASR minimum altitude vectoring chart.												1. Descend aircraft to MDA after FAF, ASR Runway 22, FAF 5 miles from threshold. ASR Runway 26, FAF 5 miles from threshold. 2. Missed approach point, runway threshold. Runway 22, TDZ elevation, 3943'. Runway 26, TDZ elevation, 3936'.

Missed approach: Climbing left turn to 6000' on heading 120° within 20 miles.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22	4320	¾	377	4320	¾	377	4320	¾	377	4320	1	377
S-26	4280	1	324	4280	1	324	4280	1	324	4280	1	324
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	4420	1	464	4460	1	504	4460	1½	564	4500	2	544
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, El Paso; State, Tex.; Airport name, El Paso International; Elev., 3956'; Facility, ELP ASR; Procedure No. ASR-1, Amdt. 6; Eff. date, 11 Dec. 69; Sup. Amdt. No. Radar 1, Amdt. 5; Dated, 25 Sept. 65.

RULES AND REGULATIONS

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR—Continued

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)												Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
000°	300°	10 miles	*2200									Descend aircraft to MDA after YAF at 5 miles from thresholds of Runways 12R, 30L, 21, and 3. *Radar control must provide 3 miles horizontal or 1000' vertical separation from 2049' tower 19 miles SE; 1190' tower 10.5 miles SE; 1320' tower 6.8 miles W; and 1402' tower 6.5 miles S of airport. #CAUTION: Radar control will not descend aircraft below 1400' on approach to Runway 12R until observed to have passed 1120' water tank 2.1 miles W of airport, nor below 1400' on approach to Runway 30L until observed to have passed 1108' tower 3.1 miles SE of airport. Supplementary charting information: Inoperative table does not apply to HIRL Runways 30L, 21, and ALS Runway 3. Runway 12R, TDZ elevation, 808'. Runway 30L, TDZ elevation, 785'. Runway 3, TDZ elevation, 784'. Runway 21, TDZ elevation, 776'.
045°	230°	20 miles	*2000	30 miles	*2100							
230°	045°	15 miles	2500	20 miles	3000	30 miles	3600					

Missed approach: Climb to 3000', right or left turn as appropriate, to R 130 SAT VORTAC to Elmendorf Int., or when directed by ATC, direct to SAT VORTAC, then via R 033° to Mission Int.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-12R.....	1230	RVR 24	412	1230	RVR 24	412	1230	RVR 24	412	1230	RVR 30	412
S-30L.....	1230	1	415	1200	1	415	1200	1	415	1200	1	415
S-3.....	1240	RVR 40	456	1240	RVR 40	456	1240	RVR 40	456	1240	RVR 50	456
S-21.....	1280	1	505	1280	1	505	1280	1	505	1280	1½	505
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C.....	1280	1	472	1280	1	472	1280	1½	472	1420	2	612
A.....	Standard.			T 2-eng. or less—RVR 24', Runways 3 and 12R; Standard all others.				T over 2-eng.—RVR 24', Runways 3 and 12R; Standard all others.				

City, San Antonio; State, Tex.; Airport name, International; Elev., 808'; Facility, San Antonio Radar; Procedure No. Radar-1, Amdt. 14; Eff. date, 11 Dec. 69; Sup. Amdt. No. 13; Dated, 22 May 69

17. By amending § 97.31 of Subpart C to amend precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibility which are in statute miles or hundreds of feet RVR.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authorized for such airport by the Administrator. Initial approach minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at Pilot's discretion if it appears desirable to discontinue the approach. Except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes (factors and distances measured from radar antenna)												Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Chicago O'Hare ASR minimum altitude vectoring charts. Radar will provide 1000' vertical clearance within 3-mile radius of the following towers:												1. Descend aircraft after passing FAF 5 miles from threshold, all Runways.
1187', 15 miles NW.	1504', 14.2 miles SE.											2. Runway 27L, minimum altitude over 2-mile fix, 1300'.
1460', 5.5 miles W.	1297', 10 miles SSW.											3. Runway 9R minimum altitude over 4-mile fix 1700'.
1413', 4.9 miles W.	1125', 8 miles SW.											4. Runway 4 minimum altitude over 3-mile fix, 1400'.
1508', 7.3 miles SW.	1549', 13.9 miles SE.											5. Runway 22 minimum altitude over 4-mile fix, 1700'.
1185', 4.8 miles SW.	2045', 13.9 miles SE.											Supplementary charting information:
1120', 3.5 miles SW.	1138', 15.0 miles SW.											Runway TDZ elevations:
												4, 657'. 14R, 667'. 27R, 653'.
												9R, 665'. 22, 650'. 32L, 656'.
												14L, 662'. 27L, 651'. 32R, 652'.

Missed approach:
Runway 4—Climb straight ahead to 3500' and proceed to Evanston Int via ORD VOR R 075°.
Runway 9R—Climb to 3500' and proceed to Evanston Int via ORD VOR R 075°.
Runway 27L—Turn left to 250° heading, climb to 1500', then make left-climbing turn to 3500' and proceed to DPA VOR via R 085°.
Runway 27R—Turn right to 285° heading, climb to 1500', then make right-climbing turn to 3500' and proceed direct to OBK VOR.
Runway 22—Climb to 3500' on a crs of 220° and proceed to DPA VOR via R 085°.
Runway 14R—Right turn to 1500' on heading 185°, then make right-climbing turn to 3500' and proceed to DPA VOR via R 085°.
Runway 32R—Turn right to 335° heading, climb to 1500', then make right-climbing turn to 3500' and proceed to Evanston Int via ORD R 075°.
Runway 32L—Climb straight ahead to 1500', then make climbing turn to 3500' and proceed direct to DPA VOR.
Runway 14L—Left-climbing turn to 1500' on heading 090°, then make left-climbing turn to 3500' and proceed to Evanston Int via ORD R 075°.
NOTES: (1) Inoperative table does not apply to HIRL Runways 9R and 27L. (2) Inoperative table does not apply to REILS Runways 22 and 27L. (3) Inoperative table does not apply to SALS Runway 4.
*IFR departures: Takeoffs on Runway 32L, when weather is below 1000-3, climb to 2000' on runway heading prior to making left turn.
#Runways 32L, 32R, 27R, VIS 2400'. Runways 14L, 14R, VIS 1800'.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
Precision approaches:												
S-14L	852	RVR 18	200	852	RVR 18	200	852	RVR 18	200	852	RVR 20	200
S-14R	867	RVR 18	200	867	RVR 18	200	867	RVR 18	200	867	RVR 20	200
S-32L	856	RVR 24	200	856	RVR 24	200	856	RVR 24	200	856	RVR 24	200
S-32R	852	RVR 24	200	852	RVR 24	200	852	RVR 24	200	852	RVR 24	200
S-27R	853	RVR 24	200	853	RVR 24	200	853	RVR 24	200	853	RVR 24	200
S-4	907	1/4	250	907	1/4	250	907	1/4	250	907	1/4	250
S-22	900	1/4	250	900	1/4	250	900	1/4	250	900	1/4	250
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1160	1	493	1160	1	493	1160	1 1/2	493	1220	2	553
Surveillance approaches:												
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-14L	1120	RVR 24	468	1120	RVR 24	468	1120	RVR 24	468	1120	RVR 50	468
S-14R	1120	RVR 24	453	1120	RVR 24	453	1120	RVR 24	453	1120	RVR 50	453
S-32L	1080	RVR 24	424	1080	RVR 24	424	1080	RVR 24	424	1080	RVR 50	424
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-32R	1080	RVR 24	428	1080	RVR 24	428	1080	RVR 24	428	1080	RVR 50	428
S-27L	1060	1	409	1060	1	409	1060	1	409	1060	1	409
S-27R	1060	RVR 24	407	1060	RVR 24	407	1060	RVR 24	407	1060	RVR 50	407
S-4R	1100	1	435	1100	1	435	1100	1	435	1100	1	435
S-4	1160	2	503	1160	2	503	1160	2	503	1160	2	503
S-22	1120	1	470	1120	1	470	1120	1	470	1120	1	470
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C, Runways 14 L & R, 32 L & R, 27 R & L, 9 R, 22.	1160	1	493	1160	1	493	1160	1 1/2	493	1220	2	553
C-4	1160	2	493	1160	2	493	1160	2	493	1220	2	553
A	Standard.			T 2-eng. or less—Standard. %			T over 2-eng.—Standard. %					

City, Chicago; State, Ill.; Airport name, Chicago O'Hare International; Elev., 667'; Facility, O'Hare Radar; Procedure No. Radar-1, Amdt. 19; Eff. date, 11 Dec. 69; Sup. Amdt. No. 18; Dated, 30 Oct. 69

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on November 4, 1969.

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

[F.R. Doc. 69-13380; Filed, Nov. 20, 1969; 8:45 a.m.]

[Docket No. 9975, Amdt. 103-6]

PART 103—TRANSPORTATION OF DANGEROUS ARTICLES AND MAGNETIZED MATERIALS

Special Requirements for Poison

On May 8, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-4, Notice 69-12 (34 F.R. 7456), proposing to modify the existing restrictions against commingling of poisons and foodstuffs during shipment. By a separate document published at page 18553 of this issue the Hazardous Materials Regulations Board issued an amendment to the Department's Hazardous Materials Regulations contained in Title 49 of the Code of Federal Regulations. For the reasons stated in that document corresponding changes are being made in Part 103 of the Federal Aviation Regulations.

In consideration of the foregoing, § 103.35 of Part 103 of the Federal Aviation Regulations is amended, effective December 30, 1969, as follows:

§ 103.35 Special requirements for poisons.

(a) No operator of an aircraft may carry material marked as or known to be poison (class A or B) in the same cargo compartment of an aircraft with material which is marked as or known to be foodstuffs, feeds, or any other edible material intended for consumption by humans or animals.

(b) No person may operate an aircraft that has been used to transport material marked as or known to be poison (class A or B) unless, upon removal of such poisonous material, the compartment in which it was carried is inspected for leakage, spillage, or other contamination. All contamination discovered must be either isolated or removed from the aircraft. The operation of an aircraft contaminated with such poisons is considered to be the carriage of poisonous materials under paragraph (a) of this section.

(Title VI, sec. 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421-1430, 1472(h); sec. 9, Department of Transportation Act, 49 U.S.C. 1657)

Issued in Washington, D.C., on November 14, 1969.

SAM SCHNEIDER,
Board Member, for the
Federal Aviation Administration.

[F.R. Doc. 69-13849; Filed, Nov. 20, 1969; 8:46 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 46—REGULATIONS (OTHER THAN RULES OF PRACTICE) UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

Definitions

Pursuant to the authority contained in section 15, 46 Stat. 537 as amended; 7 U.S.C. 4990, the regulations, other than rules of practice (7 CFR Part 46) under the Perishable Agricultural Commodities Act, 1930, are hereby amended as follows:

1. Section 46.2(m)(2) is amended by striking out "\$90,000" and inserting in lieu thereof "\$100,000."

2. Section 46.2(n) is amended by striking out "\$90,000" and inserting in lieu thereof "\$100,000."

This order amends the regulations, other than rules of practice, to conform with recent amendments to the Act, effective November 4, 1969 (Public Law 9-107).

The amendments increase from \$90,000 to \$100,000 the annual exemption for retail grocers and frozen food brokers who are otherwise required to obtain licenses under the Act. Notice of proposed rule making is unnecessary because the amount of the exemption is controlled by the statute and is already fixed at \$100,000.

Done at Washington, D.C., this 17th day of November 1969.

G. R. GRANGE,
Acting Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 69-13871; Filed, Nov. 20, 1969; 8:48 a.m.]

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

PART 989—RAISINS PRODUCED FROM GRAPES GROWN IN CALIFORNIA

Payment Rate to Handlers for Certain Services Performed Regarding Reserve Tonnage Raisins

Notice was published in the October 25, 1969, Issue of the FEDERAL REGISTER (34 F.R. 17335) regarding a proposal to amend Subpart—Schedule of Payments so as to provide a single payment to handlers for receiving, storing, handling, and fumigating reserve tonnage raisins during the crop year of acquisition at a combined higher rate of payment for

such services. The increased payment would total \$9.75 per ton. Interested persons were afforded an opportunity to submit written data, views, or arguments with respect to the proposal. No comments were received within the period prescribed therefor.

The proposal was based on a unanimous recommendation of the Raisin Administrative Committee. The Committee is established under, and its recommendations are made in accordance with, the provisions of the marketing agreement, as amended, and Order No. 989, as amended (7 CFR Part 989), regulating the handling of raisins produced from grapes grown in California. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matter presented, including that in the notice, the information and recommendation of the Committee, and other available information, amendment of paragraph (a) of § 989.401 so as to provide a single payment for the aforesaid handler services at a rate of \$9.75 per ton is hereby approved. Therefore, paragraph (a) of § 989.401 is amended by deleting subparagraph (3) therefrom and subparagraph (1) thereof is revised to read as follows:

§ 989.401 Payments for services performed with respect to reserve tonnage raisins.

(a) *Payment for crop year of acquisition—(1) Receiving, storing, handling, and fumigating.* Each handler shall, beginning with the crop year which began September 1, 1969, be compensated at the rate of \$9.75 per ton (natural condition weight at the time of acquisition) for receiving, storing, handling, and fumigating the reserve tonnage raisins, as determined by the final reserve tonnage percentage, acquired during a particular crop year and held by him for the account of the Raisin Administrative Committee during all or any part of the same crop year.

(3) [Deleted]

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) This action imposes no restriction on handlers; (2) the rate of payment for services fixed herein will automatically apply beginning with the current crop year to all such services performed by handlers on reserve raisins acquired during the crop year; (3) the current crop year began on September 1, 1969; (4) some handlers have already completely performed these services with respect to current crop reserve raisins which they have purchased from the Committee; (5) the payments by such handlers to

the Committee for such raisins have been offset, in part, by an amount based on the \$7.75 per ton rate that was in effect prior to the current crop year; (6) the additional amount contained in the \$9.75 per ton rate should also be made available to such handlers for such services performed during the current crop year; (7) the payment to handlers for such services is customarily made as a deduct from the Committee's sale price to handlers when releasing reserve tonnage for export; and (8) no useful purpose would be served by any postponement of the effective date hereof.

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

Dated: November 17, 1969.

ARTHUR E. BROWNE,
Acting Director,
Fruit and Vegetable Division.

[F.R. Doc. 69-13836; Filed, Nov. 20, 1969;
8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. 34-8746]

PART 241—INTERPRETATIVE RE- LEASES RELATING TO SECURITIES EXCHANGE ACT OF 1934 AND GENERAL RULES AND REGULA- TIONS THEREUNDER

PART 271—INTERPRETATIVE RE- LEASES RELATING TO THE INVEST- MENT COMPANY ACT OF 1940 AND GENERAL RULES AND REGU- LATIONS THEREUNDER

Obligations of Mutual Fund Manage- ments and Brokers With Respect to Commissions on Portfolio Brokerage of Mutual Funds

The Securities and Exchange Commission today released a letter written by Philip A. Loomis, Jr., its General Counsel, in response to an inquiry which had been received concerning certain aspects of the obligations of mutual fund managements and brokers with respect to commissions on portfolio brokerage of mutual funds. The letter is as follows:

This is in reply to your letters in which you raise several significant questions concerning the obligations of mutual fund managements and brokers with respect to commission on portfolio brokerage of mutual funds. By "mutual fund management," I mean not only the officers and directors of the fund but also any investment adviser or management company which serves the fund.

As you know, the Commission is conducting hearings and a study of exchange commission rates and the exchanges are also engaged in further reconsideration of this matter. Any

conclusions expressed in this letter are naturally subject to modification in the light of these developments or further consideration by the Commission of the results of these studies.

You first ask whether mutual fund management has a fiduciary duty to acquire a stock-exchange seat, directly or through an affiliate; in order to utilize this means to recapture brokerage which in turn will be offset against management charges. We do not believe that management has this duty if in the exercise of its best business judgment management determines that it is not in the best interest of the fund to create such an affiliate. Proposed Rule 10b-10, as published for comment on January 26, 1968, to which you refer, has been withdrawn.

As you suggest, the statements in letters from the Commission to stock exchanges in connection with their adoption of rules abolishing the customer-directed give-up, that the Commission understood that these rules were not designed to terminate procedures whereby institutions may obtain returns of commissions merely reflected, in our view, that the exchange rules with respect to customer-directed give-ups did not, and were not intended to, terminate the existing arrangements which a few mutual fund organizations have made for the indirect recapture of a portion of their commissions. It is my understanding that this is not presently accomplished by means of customer-directed give-ups, which have been abolished, but in other ways, primarily by reciprocal practices. If these reciprocal practices are available to fund managements, it did not seem appropriate to foreclose their use to benefit the fund itself.

It should be understood, however, that if mutual fund management does acquire a seat on a regional stock exchange whose rules permit the recapture of commissions paid by the fund through the use of that seat, there may be circumstances under which such recapture could be required and that the management may not be free to simply retain for itself revenues derived from this source. This is particularly likely to be true where the affiliate on the exchange does not execute or clear transactions for the account of the fund, but merely receives revenue from other brokers, which revenue is attributable to transactions executed for the account of the fund by such other brokers.

You also inquire concerning the obligations of a broker who is aware that an affiliate of an investment company is participating in commissions attributable to transactions for that company in which the broker is also participating. Questions of this general nature are presented in certain administrative proceedings which are pending and of which you are aware. In view of this, I do not think it appropriate for me to discuss them at this time.

In your letters you suggest various courses of action which the Commission might take with respect to the question of so-called "institutional membership" and other aspects of the commission rate structure. Decisions on these matters will have to await further developments in the inquiries concerning the commission rate structure to which I referred earlier.

For the Commission, November 10, 1969.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 69-13827; Filed, Nov. 20, 1969;
8:45 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter III—Social Security Adminis- tration, Department of Health, Edu- cation, and Welfare

[Reg. 4, further amended]

PART 404—FEDERAL OLD-AGE, SUR- VIVORS, AND DISABILITY INSUR- ANCE (1950—)

Subpart J—Procedures, Payment of Benefits, and Representation of Parties

JOINT PAYMENTS TO A FAMILY

Regulations No. 4 of the Social Security Administration, as amended (20 CFR 404.1 et seq.), are further amended to read as follows:

1. Paragraphs (b) and (c) of § 404.904 are amended to read as follows:

§ 404.904 Joint payments to a family.

(b) *Joint payee dies before negotiation of a check.* Where a check has been issued for joint payment to an individual and spouse residing in the same household and one of such joint payees dies before the check has been negotiated, the Administration may authorize the surviving beneficiary payee to negotiate the check. Such authorization shall be made by the placement on the face of the check of a stamped legend signed by an official of the Administration or the Treasury Disbursing Office redesignating the survivor as the payee of the check. (See 31 CFR 360.8.) Where the unnegotiated check represents benefits for a month after the month of death, negotiation of such check by the surviving payee will not be authorized unless the proceeds of the check are necessary to meet the ordinary and necessary living expenses of the surviving payee.

(c) *Adjustment or recovery of overpayment.* Where a check representing payment of benefits to an individual and spouse residing in the same household is negotiated by the surviving payee pursuant to the authorization in paragraph (b) of this section and where the amount of the check exceeds the amount to which the surviving payee is entitled, appropriate adjustment or recovery with respect to such excess amount shall be made in accordance with section 204(a) of the Act (see Subpart F of this part).

(Secs. 204(a), 205(n), 1102, 53 Stat. 1370, as amended, 53 Stat. 1368, as amended, 49 Stat. 647, as amended; sec. 5, Reorg. Plan No. 1 of 1953, 67 Stat. 18, 631; 42 U.S.C. 404, 405, 1302)

2. *Effective date.* The foregoing regulation shall become effective upon publication in the FEDERAL REGISTER.

Dated: October 28, 1969.

ROBERT M. BALL,
Commissioner of Social Security.

Approved: November 17, 1969.

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

[F.R. Doc. 69-13853; Filed, Nov. 20, 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 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

PART 135g—TOLERANCES FOR RESIDUES OF NEW ANIMAL DRUGS IN FOOD

Lincomycin

The Commissioner of Food and Drugs has evaluated a supplemental new animal

drug application (34-025V) filed by The Upjohn Co., Kalamazoo, Mich. 49001, proposing the use of lincomycin injectable for swine. The application was previously approved for use of the drug for treatment of dogs and cats. The application as supplemented is approved.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), a new section is established in a new Part 135b and a new section is added to Part 135g, as follows:

§ 135b.11 Lincomycin injection.

(a) *Specifications.* Meets the specifications in § 148x.3(a) (1) of this chapter except that each immediate container contains 20 milliliters of a solution containing 100 milligrams of lincomycin per milliliter.

(b) *Sponsor.* The Upjohn Co., Kalamazoo, Mich. 49001.

(c) *Related tolerances.* Section 135g.65 of this chapter.

(e) *Conditions of use.*

Amount	Limitations	Indications for use
<i>Mg. per lb. body weight per day</i>		
1. Lincomycin.... 5-10	For dogs and cats; administer intramuscularly 10 milligrams per pound of body weight once a day or 5 milligrams per pound of body weight twice daily or intravenously 5 to 10 milligrams per pound body weight one or two times daily by slow injection. May be diluted with 5 percent glucose in water or normal saline and given as an infusion; as lincomycin hydrochloride monohydrate; for use by or on the order of a licensed veterinarian.	Infections caused by gram-positive organisms, particularly streptococci and staphylococci.
2. Lincomycin.... 5	For swine; administer intramuscularly as a single daily dose for 3 to 7 days; as lincomycin hydrochloride monohydrate; for use by or on the order of a licensed veterinarian; do not treat within 48 hours of slaughter.	Treatment of infectious arthritis and mycoplasma pneumoniae.

§ 135g.65 Lincomycin.

A tolerance of 0.1 part per million is established for negligible residues of lincomycin in the edible tissues of swine.

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

(Sec. 512(i), 82 Stat. 347, 21 U.S.C. 360b(i))

Dated: November 13, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-13842; Filed, Nov. 20, 1969;
8:46 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 526—INDUSTRIES OF A SEASONAL NATURE AND INDUSTRIES WITH MARKED SEASONAL PEAKS OF OPERATION

Inclusion of Industry Definitions

Sections 526.10, 526.11, and 526.12 of Title 29, Code of Federal Regulations,

are hereby amended by adding to each section the definitions of the industries listed therein. The amendments codify the definitions of industries found to be of a seasonal nature under subsections (c) and (d) of section 7 of the Fair Labor Standards Act of 1938 as amended by the Fair Labor Standards Amendments of 1966 (Public Law 89-601). The definitions under subsections (c) and (d) of section 7 include the findings of seasonality made under former section 7(b) (3) of the Fair Labor Standards Act of 1938 (52 Stat. 1063), which are continued. See the documents published at 32 F.R. 671 (Jan. 20, 1967) and 32 F.R. 5775 (Apr. 11, 1967). In the codification some minor editorial changes in the definitions of industries have been made from those cited in the daily issues of the FEDERAL REGISTER. No substantive changes are made, or intended to be made.

Notice and public procedure are omitted as unnecessary because the amendments are only editorial and make no substantive changes in the rules involved.

1. Section 526.10 is revised to read as follows:

§ 526.10 Industries of a seasonal nature.

(a) *General.* (1) The industries listed in paragraph (b) of this section have

been found to be of a seasonal nature within the meaning of section 7(c) of the Fair Labor Standards Act of 1938, as amended, but have not been found to qualify for the exemption in section 7(d) of such Act. An employer operating an establishment in an enterprise in any such industry in which operations named in the findings are carried on may select the workweeks (not more than 14) in each calendar year in which the partial overtime exemption provided by section 7(c) will be applied to employees in such establishment. (See § 516.18 of this chapter.) During each of the workweeks thus selected, any employee may be employed by an employer in such establishment without payment of the overtime compensation prescribed by section 7(a) of the Act, if such employee is not employed in any nonexempt work outside the scope of the industry and is paid overtime compensation at a rate not less than one and one-half times the regular rate at which he is employed for all hours worked in such workweek in excess of 10 in any workday or in excess of 50 in any workweek, whichever is greater. No employer, however, is permitted to employ any employee under the special provisions of section 7(c) in any industry in the following list for more than 14 workweeks in any calendar year.

(2) The definitions in paragraph (b) of this section include the findings of seasonality made under former section 7(b) (3) of the Fair Labor Standards Act of 1938 (52 Stat. 1063), which are continued.

(b) *Industries found to be seasonal in nature, name and definition.*—(1) *Alfalfa and coastal bermuda grass (artificial drying, subsequent manufacture of meal, and the making of dehydrated pellets).* Dehydrating alfalfa and coastal bermuda grass and subsequent manufacture of meal therefrom, and the following operations when performed at dehydrating plants during the period or periods when dehydrating operations are carried on: The making of dehydrated alfalfa and coastal bermuda grass pellets containing not more than 20 per centum of ingredients other than alfalfa and coastal bermuda grass, including pelleting alfalfa and coastal bermuda grass dehydrated at other plants in any workweek when such pelleting constitutes no more than 20 per centum of the pelleting volume; and any operations necessary or incidental to the foregoing.

(2) *Almond Hulling Industry.* The hulling of almonds including any operation necessary or incidental thereto.

(3) [Reserved]

(4) [Reserved]

(5) *Citrus pulp and waste dehydrating in Texas.* In Texas, the dehydration of citrus pulp and waste and the manufacture of cattle feed therefrom.

(6) *Clay products, brick manufacturing branch, Maine, Vermont, and New Hampshire.* Manufacture of brick in Maine, Vermont, and New Hampshire.

(7) *Cotton ginning.* Includes the following operations, when performed during the period or periods when cotton is being received for ginning: the receiving of seed cotton at the gin, the

handling, cleaning, ginning, and baling of the cotton, the handling of the baled cotton and cottonseed, and any operations or services necessary or incident to the foregoing, including the placing of the cotton and cottonseed in storage or transportation facilities on or near the premises.

(8) *Cotton storing and compressing.* Includes the receiving, handling, and storing of raw cotton and the compressing of raw cotton when performed at a cotton warehouse or compress-warehouse facility other than one operated in conjunction with a cotton mill. Also included are any operations incident to the foregoing such as loading, unloading, weighing, sampling, assembling, and preparing for shipment when performed at the storing establishment.

(9) *Crushed stone, northern branch.* The blasting and excavating of stone for crushing from surface or open cuts, the transportation, handling, and crushing of such stone, and the sizing, washing, and grading of crushed stone, together with other necessary processing incidental thereto. The northern branch of the crushed stone industry shall include all plants located in counties in states that lie within the isothermic belt below 25° Fahrenheit or are touched by the 25° isotherm. The said counties and States are:

(i) Iowa, Maine, Minnesota, Montana, New Hampshire, North Dakota, South Dakota, Utah, Vermont, Wisconsin, and Wyoming: All counties.

(ii) All the counties in the following States, except those counties enumerated:

(a) *Colorado.* All the counties in Colorado except the counties of: Adams, Arapahoe, Baca, Bent, Cheyenne, Crowley, Denver, Douglas, Elbert, Kiowa, Kit Carson, Lincoln, Logan, Morgan, Otero, Phillips, Prowers, Pueblo, Sedgwick, Washington, Weld, and Yuma.

(b) *Connecticut.* All the counties in Connecticut except the counties of: Middlesex, New London, Tolland, and Windham.

(c) *Idaho.* All the counties in Idaho except the counties of: Ada, Benewah, Canyon, Gooding, Jerome, Latah, Lewis, Lincoln, Minidoka, Nez Perce, Owyhee, Payette, and Twin Falls.

(d) *Michigan.* All the counties in Michigan except the counties of: Berrien and Monroe.

(e) *Nebraska.* All the counties in Nebraska except the counties of: Adams, Banner, Buffalo, Chase, Cheyenne, Clay, Dawson, Deuel, Dundee, Franklin, Frontier, Furnas, Gosper, Hall, Harlan, Hayes, Hitchcock, Jefferson, Kearney, Kimball, Nuckolls, Pawnee, Perkins, Phelps, Red Willow, Richardson, Thayer, and Webster.

(f) *New York.* All the counties in New York except the counties of: Genesee, Monroe, Nassau, Niagara, Orleans, Rockland, Seneca, Suffolk, Wayne, Westchester, and all the counties of the City of New York.

(iii) The following counties in the following States:

(a) *Illinois.* Boone, Bureau, Carroll, Cook, De Kalb, Du Page, Henderson,

Henry, Jo Daviess, Kane, Kendall, Knox, Lake, La Salle, Lee, McHenry, Marshall, Mercer, Ogle, Peoria, Putnam, Rock Island, Stark, Stephenson, Warren, Whiteside, Will, and Winnebago.

(b) *Indiana.* Allen, De Kalb, Elkhart, Kosciusko, Lagrange, Marshall, Noble, St. Joseph, Steuben, and Whitley.

(c) *Massachusetts.* Berkshire, Franklin, Hampden, Hampshire, Middlesex, and Worcester.

(d) *Missouri.* Atchison, Gentry, Harrison, Holt, Mercer, Nodaway, Putnam, Schuyler, Scotland, Sullivan, and Worth.

(e) *Nevada.* Elko, Eureka, and White Pine.

(f) *New Mexico.* Colfax, Mora, Rio Arriba, Santa Fe, and Taos.

(g) *Ohio.* Williams.

(h) *Oregon.* Baker, Clackamas, Deschutes, Grant, Hood River, Jefferson, Lane, Linn, Marion, Umatilla, Union, and Wasco.

(i) *Pennsylvania.* Bradford, Erie, Lackawanna, McKean, Pike, Potter, Susquehanna, Tioga, Warren, Wayne, and Wyoming.

(j) *Washington.* Chelan, Ferry, King, Kittitas, Lewis, Okanogan, Pend Oreille, Pierce, Skagit, Skamania, Snohomish, Spokane, Stevens, Whatcom, and Yakima.

(iv) *Supplementary determinations.* This determination shall be without prejudice to a supplementary determination enlarging the scope of the northern branch by the inclusion therein of such plants or groups of plants, if any, as operate in the same manner and for the same reasons as the plants in the northern branch described above. Supplementary determinations for the following plants have also been determined to be within the northern branch of the crushed stone industry and thus entitled to the section 7(c) exemption:

(a) The Gottron Bros., Sandusky County, Ohio. [No. 1]

(b) Kelley Island Lime and Transport Co., Erie County, Ohio. [No. 2]

(c) T. P. Rogers Stone Co., Monroe County, Pa. [No. 3]

(d) LeRoy Lime and Crushed Stone Corp., Genesee County, N.Y. [No. 4]

(e) General Crushed Stone Co., Genesee County, N.Y. [No. 5]

(f) General Crushed Stone Co., Luzerne County, Pa. [No. 6]

(g) Coon Certified Concrete, Luzerne County, Pa. [No. 7]

(h) Abram Cleason, Wayne County, N.Y. [No. 8]

(i) Genesee Stone Products Corp., Genesee County, N.Y. [No. 9]

(j) Rowe Contracting Co., Suffolk and Middlesex Counties, Mass. [No. 10]

(k) Suffern Stone Co., Rockland County, N.Y. [No. 12]

(l) Warren Brothers Roads Co., Bristol County, Mass. [No. 13]

(10) *Decorative greens, certain branches.* (i) The harvesting and preparing of undried evergreens, including both evergreens and deciduous holly but excluding evergreen huckleberry and evergreen ferns in the State of Washington, for use as Christmas trees, wreaths, decorative boughs, ropings, grave blankets, sprays, bouquets, and baskets, in-

cluding the incidental handling and shipping thereof; and

(ii) The processing of coniferous evergreen trees into Christmas trees, including the handling and shipping incident thereto; and

(iii) The processing of undried evergreen holly, including handling and shipping incident thereto except when such processing is conducted as part of the florist supply business which operates throughout the year.

(11) *Flax straw, unloading, weighing, loading, handling, baling and storage:* Minnesota, North Dakota, South Dakota, and Iowa. In the States of Minnesota, North Dakota, South Dakota, and Iowa the receiving of the bales at the storage yards; stacking the bales; rebaling of broken bales; unloading, weighing, loading, and handling at temporary gathering points; and any operations performed at the storage yards or temporary gathering points which are necessary and incident to the foregoing.

(12) *Fur, raw, receiving.* Includes the receipt, accounting or handling in raw fur receiving houses as herein defined, of domestic raw furs in the primary state.

(i) "Raw fur receiving houses," as used herein, shall include any establishment which during any raw fur season, namely from November 25 in any year to March 15 in the succeeding year, both dates inclusive, purchases or receives on consignment, domestic raw furs in the primary state, as herein defined, on which furs all but an insubstantial amount of their labor is employed during such raw fur season, as evidenced by the fact that the total purchase price or consigned price of the primary fur equals at least 75 percent of the total purchase price of all raw furs purchased by such establishment during such raw fur season.

(ii) The term "domestic fur" or "domestic raw fur," as used herein, shall include United States and Canadian furs.

(iii) The term "raw furs in the primary state," as used herein, shall mean all domestic furs which require prompt handling, in order to determine their grade and their need for further treatment, before they can be purchased, stored, sold or reconsigned as "raw furs."

(iv) The term "handling" as used herein, shall include opening, counting, spreading, examining, grading, sorting, mailing, valuing, scraping, stretching, drying, packing, preserving, or other related processes.

(13) *Gold, placer, open-cut mining:* Alaska. Open-cut mining of placer gold by hand and power machinery in Alaska.

(14) *Grain; flaxseed, buckwheat, soybeans, rough rice: Storing and drying before storage in country grain elevators, public terminal and subterminal grain elevators, wheat flour mill elevators, non-elevator type bulk storage establishments, and flat warehouses.* Includes the operations of storing and drying prior to storage of grain, flaxseed, buckwheat, soybeans, and rough rice, and any operations necessary or incident to such storing and drying, including: Receiving, unloading, weighing, testing, cleaning, mixing, fumigating, shelling corn, sacking, and removing these commodities from

storage, during the period or periods when the commodities are being received, dried, or stored. The term "nonelevator type bulk grain storing establishments" includes warehouses, quonset huts, barns, steel tanks, tents, and other similar storage facilities which are used to store grain, whether operated in conjunction with an elevator to supplement the elevator's storage space or operated as independent establishments. "Flat warehousing" means the storing of grain in sacks.

(15) [Reserved.]

(16) *Ice, natural, harvesting and packing.* Harvesting and packing of natural ice.

(17) *Landscape contracting (except in California, Oregon, and Washington).* Includes, except in the States of California, Oregon, and Washington, the planting or transplanting of trees, shrubs, and other plants, including the making of lawns and gardens and the necessary incidental building, on the site, of garden retaining walls, rock gardens, etc. It does not include routine lawn or garden maintenance except as an incident to the above during the planting season or seasons.

(18) *Lumber: Ice and snow road hauling branch, Maine, Massachusetts, New Hampshire, Pennsylvania, Vermont, Michigan, Minnesota, Wisconsin, and New York.* The hauling on ice and snow roads of sawtimber and pulpwood in the States of Maine, Massachusetts, New Hampshire, Pennsylvania, Vermont, Michigan, Minnesota, Wisconsin and New York.

(19) *Pulpwood sap peeling branch.* The felling, trimming and peeling of pulpwood trees while the sap is running, including the operations of bucking and piling if performed during the sap peeling season wherever conducted.

(20) *Spring freshet driving branch: United States.* The spring freshet driving of lumber in the United States.

(21) *Meatcuring and packing (Virginia-Smithfield).* The curing and packing of Virginia-Smithfield cured meats by the Virginia-Smithfield meat packers.

(i) As used herein, "Virginia-Smithfield cured meats" means those cured from the peanut-fed hog by the long process, nonrefrigerated meat curing methods.

(ii) "Virginia-Smithfield meat packers" as used herein means those establishments engaged solely, or almost solely in the curing of meats from peanut-fed hogs by the long process, nonrefrigerated meat curing methods in the peanut belt of eastern Virginia.

(22) *Peanut handling, packing, shell-ing, etc.* The storing of peanuts in warehouses (other than mill warehouses) which store unshelled peanuts exclusively or substantially exclusively.

(23) *Peat materials, production, northern branch.* Excavating, macerating, spreading, cutting, or drying of peat materials in the northern branch of the industry, including Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Ohio, Michigan,

Wisconsin, Minnesota, Illinois, Iowa, Indiana, North Dakota, South Dakota, Colorado, Utah, Nevada, Montana, Idaho, Oregon, Washington, and Modoc County, Calif.

(24) *Pecan packing.* The packing of unshelled paper shell or improved varieties of pecans.

(25) *Rabbits, wild and other wild fur-bearing animals, skinning of.* The skinning of wild rabbits and other wild fur-bearing animals such as skunk, muskrat, mink, and beaver, in wild rabbit skinning establishments during the wild rabbit skinning season, including the operations of collecting or receiving the carcasses of these animals, or occasionally, the pelts of these animals which have not been cleaned, scraped or dried, and it includes the removing of the pelts from carcasses, cleaning, scraping, and drying the pelts, baling the pelts for shipment and all operations immediately necessary and incident to these enumerated operations. It does not include these operations when performed on domesticated rabbits or other fur-bearing animals raised in captivity.

(26) *Sand and gravel, northern branch.* The excavation of sand and gravel, but not industrial sand, from open cuts, including necessary milling operations incident thereto, in plants located in counties that lie within the isothermic belt below 25° Fahrenheit or are touched by the 25° isotherm. These counties are enumerated in the industry of a seasonal nature determination for crushed stone, northern branch, supra, in this section. This determination shall be without prejudice to a supplementary determination enlarging the scope of the northern branch by the inclusion therein of such plants or groups of plants, if any, as operate in the same manner and for the same reasons as the plants in the northern branch described above. Pursuant to this determination the following plants have also been determined to be within the northern branch of the sand and gravel industry and thus entitled to the section 7(c) exemption:

(i) Portland Sand and Gravel Co., Northampton County, Pa. [Supplementary Determination No. 1]

(ii) J. C. O'Connor & Sons, Miami County, Pa. [No. 2]

(iii) Klamath Concrete Pipe Co., Klamath County, Ore. [No. 3]

(iv) Kickapoo Sand and Gravel Co., Inc., Peru, Ind. [No. 4]

(27) *Seed—(i) Garden seed and seed corn, cleaning and preparing.* The cleaning and preparing of garden seed and seed corn at country cleaning plants.

(a) "Cleaning and preparing" consists of receiving of the seed crop into the cleaning plant and the cleaning, purifying, sorting, drying, grading, and otherwise rendering such crop suitable for seed. It may include the bulk packaging of seed for delivery to a central point of distribution.

(b) "Country cleaning plants" are those establishments wherein the seed crop is received direct from farmers (and no part of which is shipped from other plants) and is cleaned, purified,

sorted, dried, graded, and otherwise rendered suitable for seed.

(ii) *Grass, clover, and other forage seed crops, cleaning and preparing.* The receiving, cleaning and preparing of all varieties of alfalfa, Austrian winter peas, bermuda grass, bent grass, bluegrass, clover, cow peas, fescue, grain sorghum, lespedeza, lupine, orchard grass, redtop, ryegrass, sudan grass, sugar beet, vetch, and wheat grass seeds by country cleaning plants primarily engaged in such cleaning and preparing, and at bluegrass seed curing yards; the receiving, cleaning and preparing of other kinds of seeds by such plants; and any operations or services necessary or incident to the foregoing, including packing and shipping, during the period or periods when seeds are being received, cleaned, and prepared. For the purpose of this determination, the term "cleaning and preparing" means curing, cleaning, purifying, sorting, drying, grading and otherwise conditioning seed for planting purposes. The term "country cleaning plant" primarily engaged in such cleaning and preparing means a seed cleaning and preparing establishment in which all the seeds cleaned and prepared are received directly from farmers or farm assemblers (and no part of which is shipped from other cleaning plants), and in which the specifically named seeds either individually or in combination constitute 75 percent or more of the seeds cleaned and prepared.

(iii) *Hybrid corn, processing.* Husking, sorting, drying, shelling, grading, and sacking of hybrid seed corn, in plants which engage in no other operations.

(28) *Sorgo processing into sorgo syrup in Iowa.* The receiving, handling, unloading, and weighing of sorgo at the processing establishment; the preparation of the sorgo for grinding by removing the leaves and seed heads; the extraction of the juice from the sorgo; the processing of the juice into sorgo syrup; and the following operations when performed at or near the sorgo processing plant by employees of the processor during the period of seasonal operations: Packing the syrup into containers and labeling the packages; the removal, handling and conveying of the packages of sorgo syrup to trucks or other means of transportation in the vicinity of the plant; the removal, conveying, burning, packing, baling, piling and storing in bags or in baled forms of bagasse resulting from the processing of sorgo into sorgo syrup; and any operations necessary or incident to the foregoing in the State of Iowa. The term "processing of sorgo into sorgo syrup" does not include operations performed on syrups other than sorgo, or the blending or mixing of such other syrups with sorgo syrup.

(29) *Soybeans: Handling by cottonseed crushing mills.* The unloading, weighing, placing into storage, storing, and handling of soybeans in cottonseed crushing mills and any operations or services necessary or incident to the foregoing, including incidental selling and shipping, during the period or periods

when soybeans are being received for storage or handling.

(30) *Sugar*—(i) *Beet sugar*. Receiving the sugar beets at the factory site or at receiving stations operated by the beet sugar factory; the transporting of the beets from such receiving stations to the factory when performed by employees of the sugar beet processor; the production of sugar from the beets and the further extraction of sugar from sugar beet molasses by mixing and concurrently processing the molasses with the beet juice obtained directly from the sugar beets; and the following operations when performed by employees of the sugar beet processor on or near the premises of the beet sugar plant while the sugar beets are being received at the factory or are being processed into sugar: The powdering of sugar; the compressing and artificial drying of wet beet pulp; the weighing, handling, packaging, bagging, and storing of sugar, wet beet pulp, dried beet pulp and molasses; the removal of these products from the premises and placing them in transportation facilities; and any operation or services necessary or incident to the foregoing, such as the testing of the equipment, maintenance, repairs, clerical work or sales work. The term "beet sugar industry" does not include the quarrying of lime, the manufacture of bags or other sugar containers, or the manufacture of yeast, citric acid, or any other byproducts not specifically included in this definition.

(ii) *Cane sugar: Processing and milling branch, Louisiana*. The unloading of sugarcane at the mill; the processing of sugarcane into sugar, syrup and molasses; and the following operations when performed on the premises of a sugarcane processing mill while the sugarcane is being processed; the immediate refining, as one of a connected series of operations, of raw sugar produced from sugarcane ground on the premises; the refining, by the introduction into such series of operations, of raw sugar which has been produced during the same grinding season in other Louisiana cane processing plants of the employer, except in establishments where the refined sugar made from such transferred raw sugar constitutes half or more of the refined sugar produced during the cane processing season, or where purchased raw sugar, or raw sugar produced outside of Louisiana, is refined during the cane processing season; the burning, removing from the premises, or dehydrating of bagasse resulting from the processing of sugarcane; the extraction of calcium aconitate from "B" molasses, including the drying of the cake; the handling, baling, bagging, packing and storing of the sugar, syrup, molasses, bagasse, or calcium aconitate, and any operations necessary and incident to the foregoing, including the placing of these products in storage or transportation facilities on or near the premises.

(31) *Timber operations involving Lodgepole pine, etc., in States of Colorado, Wyoming, and Utah*. Includes the

logging and reducing to usable form in the woods of Lodgepole pine, Engelmann spruce, and commonly associated species of timber in the States of Colorado, Wyoming, and Utah, and also includes the hauling of the logs from the woods to the sawmill, or the delivery of the logs or rough manufactured products from the woods to local markets or shipping points. The treating and further processing of such logs or rough manufactured products is not included.

(32) *Tobacco*—(i) *Auction and loose leaf branch using leaf tobacco of types 11, 12, 13, 14, 21, 22, 23, 24, 31, 35, 36, and 37*. The operations of the auction on loose leaf tobacco warehouse industry consists of the services necessary and incidental to the sale at auction of green leaf tobacco of types 11, 12, 13, 14, 21, 22, 23, 24, 31, 35, 36, and 37 (as defined by the Bureau of Agricultural Economics of the U.S. Department of Agriculture) in some instances including stripping the tobacco from the stalk and the grading thereof.

(ii) *Green leaf, buying, handling, stemming, redrying, packing, and storing of types 11, 12, 13, 14, 21, 22, 23, 24, 31, 35, 36, and 37*. The buying, handling, stemming, and redrying of green leaf tobacco of types 11, 12, 13, 14, 21, 22, 23, 24, 31, 35, 36, and 37 (as defined by the Bureau of Agricultural Economics of the U.S. Department of Agriculture) and the packing and storing thereof.

(iii) *Green leaf, buying, handling, sorting, grading, packing, and storing of type 32*. The buying, handling, sorting and grading of green leaf tobacco of type 32 (as defined by the Bureau of Agricultural Economics of the U.S. Department of Agriculture) and the packing and storing thereof.

(iv) *Cigar leaf tobacco, buying, handling, stripping, sorting, grading, sizing, packing, and stemming prior to packing types 41-45, 51-55, 61, and 62*. The buying, handling, stripping, sorting, grading, sizing, packing, and in the stemming prior to packing, of perishable cigar leaf tobacco of types 41-45, 51-55, 61, and 62 (as defined by the Bureau of Agricultural Economics of the U.S. Department of Agriculture).

(33) *Tung nuts, milling*. Unloading nuts at the mill, cleaning, hulling (including field hulling), separating, drying, grinding, expelling, and filtering; moving the oil into storage tanks; the chemical extraction of oil from tung meal or filter press foots when performed at a tung mill as a part of a continuous series of operations with the milling; and any operations performed at the tung mills which are necessary or incident to the foregoing.

(34) *Walnuts and filberts, unshelled, drying, packing, and storing*. The drying of walnuts and filberts, and the packing and storing of unshelled walnuts and filberts. This determination does not apply to the shelling of walnuts and filberts or to the packing or storing of walnut and filbert kernels.

(35) *Wild rice, processing in State of Minnesota*. The curing, drying, parching, hulling, and cleaning of wild rice in the State of Minnesota and the following

operations when performed by employees of wild rice processors on or near the premises of wild rice processing plants during the wild rice processing season: the packaging and bagging of wild rice; the storing of wild rice and the removal of the wild rice from storage and placing it in transportation facilities; and any operations or services necessary or incident to the foregoing in the State of Minnesota.

(36) *Wool, raw shorn fleece, receiving*. The receiving of raw shorn fleece wool at primary concentration points and country receiving stations directly from the grower, and the assembling, grading, sacking, and preparing of such wool for shipment to market centers.

The terms "primary concentration point" and "country receiving station" shall mean any establishment that receives all, or almost all, of its raw shorn fleece wool directly from the grower, and assembles, grades, sacks, and ships such wool to market centers for storage or sale.

(37) *Wool, raw shorn Texas, and/or mohair; receiving for storage in Texas*. The unloading, weighing, marking for identification, placing into storage and storing of Texas wool (as that term is used in the industry) and/or mohair and any operations or services necessary or incident to the foregoing, including incidental grading and selling, during the period or periods when wool or mohair is being received for storage.

2. Section 526.11 is revised to read as follows:

§ 526.11 Industries characterized by annually recurring seasonal peaks of operation.

(a) *General*. (1) The industries listed in paragraph (b) of this section have been found to be engaged in the operations on perishable agricultural commodities and to have the seasonal characteristics required for exemption under section 7(d)(1)(a) of the Fair Labor Standards Act of 1938, as amended, but have not been found to qualify for the exemption in section 7(c) of such Act. An employer operating an establishment in an enterprise in any such industry in which operations named in the finding are carried on may select the workweeks (not more than 14) in each calendar year in which the partial overtime exemption provided by section 7(d) will be applied to employees in such establishment. (See § 516.19 of this chapter.) During each of the workweeks thus selected, any employee may be employed by an employer in such establishment without payment of the overtime compensation prescribed by section 7(a) of the Act, if such employee is not employed in any nonexempt work outside the scope of the industry and is paid overtime compensation at a rate not less than one and one-half times the regular rate at which he is employed for all hours worked in such workweek in excess of 10 in any workday or in excess of 48 in the workweek, whichever is greater. No employer, however, is permitted to employ any employee under the special provisions of section 7(d) in any industry in the following list for

more than 14 workweeks in any calendar year.

(b) *Industries found to be seasonal in nature, name and definition*—(1) *Cottonseed processing industry*. The receiving, handling, and storing of cottonseed; the processing of cottonseed during the period when the seed is being received, and any operations necessary and incident to the foregoing during this period.

(2) *Dairy products industry*. Includes all, but only, the following operations:

(i) Transportation of milk and cream from farms.

(ii) Handling and preparing milk or cream at receiving stations, fluid milk plants, and processing plants, and transporting the milk or cream from one to the other.

(c) First processing of milk, butter-milk, whey, skimmed milk or cream into dairy products, including: Pasteurized, flavored, condensed, evaporated, concentrated, or dried, whole or skimmed milk; sweet, sour, or dried cream; whey, renovated, process or creamery butter; any variety of cheese including natural or processed; condensed, evaporated, or dried buttermilk; wet or dried casein; malted milk powder; crude milk sugar; ice cream, ice milk, and sherbet (except water ices).

(d) Any operations or services necessary or incident to the foregoing performed by employees employed by an employer in an enterprise which is in the industry, including necessary packaging, storage, and shipping at the plant of the dairy products made by the enterprise, plant maintenance, machinery repair, clerical work necessary or incident to the operations described in paragraphs (a) through (c) of this section, handling the nondairy ingredients used in the dairy products, aging, cleaning, paraffining, weighing, slicing, and wrapping cheese made by the enterprise, assembling knock-down boxes, and transferring ingredients and supplies from stock to meet the daily needs of processing operations.

(e) Any other operations normally performed in the Dairy Products Industry which do not occupy more than 20 percent of the time worked in any workweek by an employee for whom the exemption is claimed. Not included in the industry are operations which do not constitute or are not necessary or incident to the operations of an enterprise engaged in activities described in paragraphs (a) through (c) of this section, and which exceed the amount provided in (e) of this section, such as storing, slicing, and packaging cheese and printing, wrapping, and storing butter bought in bulk from cheesemakers and butter-makers, further processing of dry casein, regrinding, rescreening, and repacking dried whey, handling and distributing nondairy products as a wholesaler or other distributor.

3. Section 526.12 is revised to read as follows:

§ 526.12 Seasonal industries engaged in certain operations on perishable agricultural or horticultural commodities.

(a) *General*. (1) The industries listed in paragraph (b) of this section have been found to be seasonal in nature and engaged in certain operations on perishable agricultural or horticultural commodities in their raw or natural state so that both the partial exemptions from the maximum hours requirement of the Fair Labor Standards Act of 1938 provided in its sections 7(c) and 7(d) apply to them. An employer operating an establishment in an enterprise in any such industry in which operations named in the finding are carried on may select the workweeks (not more than 10 for each exemption, or a total of 20 for both exemptions) in each calendar year in which the partial overtime exemptions provided by sections 7(c) and 7(d) will be applied in such establishment. (See §§ 516.18 and 516.19 of this chapter.) During each of the 20 workweeks thus selected, any employee may be employed by an employer in such establishment without payment of the overtime compensation prescribed by section 7(a) of the Act, if such employee is not employed in any nonexempt work outside the scope of the industry and is paid overtime compensation at a rate not less than one and one-half times the regular rate at which he is employed for all hours worked in such workweek in excess of 10 in any workday or in excess of 50 in not more than 10 of the workweeks which may be attributed to section 7(c), or in excess of 10 hours in any workday or in excess of 48 hours in the workweek in not more than 10 of the workweeks which may be attributed to section 7(d), whichever number of hours attributed to daily or weekly overtime work is greater. No employer, however, is permitted to employ any employee under the special provisions of sections 7(c) and 7(d) combined in any industry in the following list for more than 20 workweeks in any calendar year.

(b) *Industries found to be seasonal in nature, name and definition*—

(1) *Field grown cut and potted flower industry*. The original assembly of field grown cut and potted flowers from the growers, including the sorting, grading, handling, packing, and shipping, and transporting to carriers or to market, and any other operations necessary or incidental thereto.

(2) *Fresh fruit and vegetable industry*. Includes only the handling, packing, storing, preparing, first processing, and canning, of any fresh fruits and vegetables in their raw or natural state and any other operations and services necessary and incidental thereto. It includes such operations when performed in connection with fresh fruits and vegetables which have been merely refrigerated, but does not include operations performed in connection with fresh fruits and vege-

tables which have been frozen, preserved, canned, dehydrated, or otherwise changed so that they are no longer perishable or in their raw or natural state. The industry to which these findings apply may include transactions whereby, for purpose of filling a customer's order, fresh fruits and vegetables that have been packed or canned by employees of one employer are commingled with those packed or canned by the employees of the employer claiming these exemptions: *Provided*, That the amount of fill-in goods is 5 percent or less of the weekly volume of shipments made during each week in which the exemption is claimed.

(3) *Hop drying industry*. The receiving, picking, and drying of hops and any operations necessary or incidental to the foregoing including the curing, compressing, and baling of hops when performed at the hop drying establishment during the hop drying period.

(4) *Mint oil distilling industry*. The distilling of mint oil from mint hay, including any operations necessary or incidental thereto.

(5) *Nursery stock storing and packing industry*. The handling, packing, storing, and preparing of nursery stock, and any operations necessary or incidental thereto.

(6) *Sugarcane processing and milling industry*—(i) *Sugarcane processing and milling industry in Florida*. The loading of sugarcane in the fields and its transportation to a sugarcane processing mill when performed by employees of the processor; the unloading of sugarcane at the mill; the processing of sugarcane into raw sugar, syrup, and molasses; and the following operations when performed on the premises of a sugarcane mill while the sugarcane is being processed: The immediate refining, as one of a connected series of operations, of raw sugar produced from sugarcane ground on the premises; the refining, by the introduction into such series of operations, of raw sugar which has been produced during the same grinding season in other Florida cane processing plants of the employer, except in establishments where the refined sugar made from such transferred raw sugar constitutes one-half or more of the refined sugar produced during the cane processing season, or where purchased raw sugar, or raw sugar produced outside of Florida is refined during the cane processing season; the burning, removing from the premises or dehydrating of bagasse resulting from the processing of sugarcane; the handling, baling, bagging, packing, and storing of the sugar, syrup, molasses, or bagasse; and any operations necessary and incident to the foregoing including the placing of these products in storage or transportation facilities on or near the premises.

(ii) *Sugarcane processing and milling industry in Puerto Rico*. In the Commonwealth of Puerto Rico, the transportation of sugarcane to a sugarcane

processing mill when performed by employees of the processor; the unloading of sugarcane at the mill; the processing of sugarcane into raw sugar, syrup, and molasses; and the following operations when performed on the premises of a sugarcane mill while the sugarcane is being processed; the immediate refining, as one of a connected series of operations, of raw sugar produced from sugarcane ground on the premises; the refining, by the introduction into such series of operations, of raw sugar which has been produced during the same grinding season in other Puerto Rican cane processing plants of the employer, except in establishments where the refined sugar made from such transferred raw sugar constitutes one-half or more of the refined sugar produced during the cane processing season, or where purchased raw sugar or raw sugar produced outside of Puerto Rico is refined during the cane season; the burning, removing from the premises, or dehydrating of bagasse resulting from the processing of sugarcane; the handling, baling, bagging, packing, and storing of the sugar, syrup, molasses, or bagasse; and any operations necessary and incident to the foregoing, including the placing of these products in storage or transportation facilities on or near the premises.

Effective date. As these changes are merely editorial in character, this amendment shall be effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., this 18th day of November 1969.

ROBERT D. MORAN,
Administrator, Wage and Hour
and Public Contracts Divi-
sions, U.S. Department of
Labor.

[F.R. Doc. 69-13873; Filed, Nov. 20, 1969;
8:48 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 128—TRANSACTIONS IN FOR- EIGN EXCHANGE, TRANSFERS OF CREDIT AND EXPORT OF COIN AND CURRENCY

Subpart B—Description of Forms Pre- scribed Under this Part

CHANGE OF DESIGNATION

The designation "Supplement to Foreign Exchange Form C-1/2" is being changed to "Foreign Exchange Form C-3" in order to avoid confusion between it and the quarterly Form C-1/2 and a new report form designated "Foreign Exchange Form C-4" is being issued to obtain an annual breakdown of the "All other countries" line reported as of September 30 on Form C-3 (formerly Supplement to Form C-1/2).

1. The designation of the Supplement to Foreign Exchange Form C-1/2 is hereby changed to Foreign Exchange Form C-3. Accordingly, the heading of § 128.16 is revised to read as follows:

§ 128.16 Foreign Exchange Form C-3:
"Short-Term" liquid claims on
"foreigners".

2. A new report form designated "Foreign Exchange Form C-4" is hereby issued. A description of this form is contained in a new § 128.16a which shall read as follows:

§ 128.16a Foreign Exchange Form C-4:
"Short-Term" liquid claims on "for-
eigners" in countries not listed
separately on Form C-3.

On this form reporters on Form C-3 are required to report annually a breakdown by country of the amounts which they reported as of September 30 on Form C-3 on the "All other countries" line.

3. **Effective date:** The effective date of the amendment of Subpart B is December 31, 1969.

[SEAL]

JOHN R. PETTY,
Assistant Secretary for
International Affairs.

[F.R. Doc. 69-13868; Filed, Nov. 20, 1969;
8:47 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 113—INFORMATION ON POSTAL SERVICE AND RECORDS RELATING TO OPERATION

Miscellaneous Amendments

The regulations of the Department codified in Part 113, Code of Federal Regulations, are amended in several respects to update instructions on the availability of information and records relating to the Department. These changes are made in order to conform to court decisions, civil service regulations, and new policies of the Department.

Accordingly, the following amendments are made to the regulations in Part 113:

§ 113.1 [Amended]

I. In § 113.1 *Inquiries*, make the following changes:

1. Amend paragraph (b) to read as follows:

(b) *Departmental records, documents, and other data.* (1) This part contains information as to the availability of, and the procedures to be followed by persons outside the Federal Government to inspect, to copy, or to obtain the various records and data concerning operation of the Department. Inquiries regarding availability, other than as specifically stated in this part, or location of Department records, administrative manuals and other documents should be made to the head of the office at which the record is maintained, if known. In other

cases, inquiries may be made to the local postmasters, regional directors, directors, postal data centers, or the Special Assistant to the Postmaster General for Public Information, Post Office Department, Washington, D.C. 20260.

(2) Parties in litigation or adversary proceedings with the Department in any Federal or State court, Federal board or commission will be furnished Department records, documents and other data, excluding postal inspectors' reports and Postal Inspection Service records, in whole or in part, only as provided by the rules or orders of such courts, boards, or commissions. Postal inspectors' reports and Postal Inspection Service Records, in whole or in part, will be disclosed only if prior approval for such disclosure is obtained from Headquarters, Post Office Department, Washington, D.C. 20260 or in response to an order issued by a judge of a Federal court.

2. Under paragraph (e) *Exemptions*, the following changes are made:

a. In subparagraph (1) delete subdivisions (x), (xi), and (xii) and insert in lieu thereof the following:

(x) Technical data concerning postage meters and prototypes submitted for Department approval prior to leasing to mailers.

(xi) Records of money orders, except as provided in § 171.4 of this chapter.

b. Amend subparagraph (2) to read as follows:

(2) If an exemption is claimed by any postal official authorized to disclose records, the General Counsel, after consultation with that official may, for good cause shown, permit disclosure of any record, except as may be prohibited by law, executive order or regulation of another Federal agency which is charged with the responsibility for the maintenance and control of such record.

NOTE: The corresponding Postal Manual sections are 113.12; and 113.15

§ 113.3 [Amended]

II. In § 113.3 *Availability of other matters*, make the following changes:

1. In paragraph (a) *Records covered by this section*, the following amendments are made:

a. Amend subparagraph (2) to read as follows:

(2) *Organizational statements.* The best guide to the location of any matter covered by this section is Subchapter L of this chapter, which contains a description of departmental organization and of the function of the Bureaus and offices at Headquarters, regional offices, postal data centers, post offices, and other postal installations. Because of the manifold variety of records and the large number of separate postal facilities, it is impractical to prepare an itemized directory of matters covered by this section. (See § 113.1(b) for further information.)

b. Redesignate subparagraph (3) as subparagraph (4), and insert new subparagraph (3) reading as follows:

(3) *Addresses of prospective jurors.* All requests from the Administrative Office of the U.S. Courts, including the

Judges, clerks and other court officials thereof, to obtain addresses of prospective jurors, if known, will be honored by the installation head of the post office serving the particular community, without fee; except that residential addresses of lock box holders will not be divulged except in accordance with § 113.1(e) (viii) of this chapter. Postmasters need not gather such information if not readily available at the post office concerned.

c. In subparagraph (4), as redesignated above, the first two sentences of subdivision (d) are amended to read as follows: "Change of address of civilian or military personnel stationed at any APO or FPO is not normally recorded at a civilian post office. Requests for such changes of address should be directed or redirected to the cognizant military establishment."

2. In paragraph (b) *Procedure*, the following changes are made:

a. Amend the opening sentence to read as follows: "All identifiable records covered by this section for which an exemption is not claimed may be available pursuant to the following procedures:"

b. Amend subparagraph (2) to read as follows:

(2) Installations receiving requests which describe records located elsewhere in the Department or at another agency of the Federal Government will forward the request to the appropriate office or agency, and send requester copy of such referral.

c. Amend subparagraph (3) to read as follows:

(3) Installations receiving requests for inspection or copy which do not contain sufficient information to identify the record will answer the request as soon as possible. The answer will state that the installation is unable to identify the record from the information in the request, or if possible, what additional information is necessary in order to identify the record requested or that there is no known record containing the information requested and that the Department will not compile data or otherwise create any record except when it is in the furtherance of Post Office Department business. See also § 113.1(e) of this chapter.

NOTE: The corresponding Postal Manual sections are 113.31 and 113.32.

§ 113.4 [Amended]

III. In § 113.4 *Denials and appeal procedure*, paragraph (a) is amended to read as follows:

(a) *Denials*. If a request to inspect or copy a record is denied by the head of the organizational segment of the Department except the General Counsel, to which the request is made, or in which the records are maintained, the private party may appeal such a denial to the General Counsel, Post Office Department, Washington, D.C. 20260. The notice of denial shall advise the requesting party of his right to appeal to the General Counsel. The General Counsel's decision shall be made promptly. The decision of

the General Counsel or his designee shall constitute the final decision of the Department on the legal right to inspect or copy a record. In those cases in which the General Counsel or his designee make the initial decision upon a request, such decision shall likewise constitute the final decision of the Department.

NOTE: The corresponding Postal Manual section is 113.41.

§ 113.5 [Amended]

IV. In § 113.5 *Schedule of fees*, make the following changes:

1. Amend paragraphs (b) (2) and (3) to read as follows:

(b) *Reproduction*. * * *

(2) The Department reserves the right to make available coin operated copy machines at any given location. In such event, the party desiring copies will make the copies at his own expense.

(3) The Department is not required nor need it furnish more than one copy of any record, publication, etc.

2. In paragraph (d) *Waiver of fees*, delete subparagraph (3); and amend subparagraph (1) to read as follows:

(1) If it is determined to be in the interest of and for the convenience of the Department to furnish a copy of any particular record, publication, etc., except a copy of a change of address or information in connection therewith, only the General Counsel or the Bureau, office or installation head having jurisdiction over such record may waive the fees set out in paragraphs (a) and (b) of this section. However, only the General Counsel may, for good cause shown, permit waiver of the prescribed fee for change of address information.

NOTE: The corresponding Postal Manual sections are 113.522, 113.523; and 113.54 a and e.

V. Section 113.6 *Compliance with subpoenas duces tecum and summonses*, is amended to read as follows:

§ 113.6 Compliance with subpoenas duces tecum, court orders and summonses.

(a) *Compliance with subpoena duces tecum*. (1) Except as required by §§ 113.2 and 113.3, other records of the Department shall be produced only in compliance with a subpoena duces tecum or appropriate court order.

(2) Time, leave, and payroll records of postal employees are subject to production when a subpoena duces tecum or appropriate court order has been served. Authority is hereby delegated to Regional Directors, Postal Data Center Directors, and in those regions which have regional counsels, to the regional counsels to authorize the production of time, leave, and payroll records in response to a properly served subpoena duces tecum or appropriate court order. The custodian of the records may designate a postmaster, postal inspector, or other postal employee conveniently located to the court to present the records. The presentation by a designee rather than the employee named in the subpoena or court order must meet with the approval of the attorneys for each side. In addition, such

records may be released without a subpoena or court order if authorized in writing by the employee.

(3) If the subpoena calls for employee records involving a job-connected injury, the records are under the exclusive jurisdiction of the Bureau of Employees' Compensation, Department of Labor. Such records may not be produced without the prior consent of that Department even though a subpoena or court order is served. Requests for authorization for the production of these records shall be addressed to: Bureau of Employees' Compensation, U.S. Department of Labor, Washington, D.C. 20210. The attorney responsible for the issuance of the subpoena or court order should be so notified.

(4) If the subpoena calls for employee medical records, they may not be released except as stated herein. These records are primarily under the exclusive jurisdiction of the U.S. Civil Service Commission. The Civil Service Commission has delegated authority to this Department and to the Commission's Regional Directors to release medical information, in response to proper requests and upon competent medical advice, in accordance with the following criteria which have been prescribed to adequately safeguard the interests of the Government and the employee:

(i) Except in response to a subpoena, or court order, no medical information about an employee will be released to any non-Federal entity or individual without authorization from the employee.

(ii) With authorization from the employee, this Department's Regional Directors, Postal Data Center Directors, or regional counsels will respond as follows to a request from a non-Federal source for medical information:

(a) If in the opinion of a Federal Medical Officer the medical information indicates the existence of a malignancy, a mental condition, or other condition about which a prudent physician would hesitate to inform a person suffering from such a condition as to its exact nature and probable outcome, the Regional Director, Postal Data Center Director, or regional counsel will not release the medical information to the employee or to any individual designated by him, except to a physician designated by the employee in writing. If a subpoena or court order was issued, the responding official shall caution the moving party as to the possible dangers involved if the medical information is divulged.

(b) If in the opinion of a Federal Medical Officer the medical information does not indicate the presence of any condition which would cause a prudent physician to hesitate to inform a person suffering from such a condition as to its exact nature and probable outcome, the Regional Director, Postal Data Center Director, or Regional Counsel will release it in response to a subpoena, or court order, or to the employee or to any person, firm, or organization he authorizes in writing to have it.

(c) If a Federal Medical Officer is not available, the Regional Director, Postal

Data Center Director, or Regional Counsel should refer the request to the Civil Service Commission regional office with the medical certificates or other medical reports concerned.

(5) In no event shall any records containing information as to the employee's security or loyalty be released.

(6) Subpenas or court orders calling for the production of records may be honored only when disclosure is authorized by these regulations.

(7) When employees are authorized to comply with a subpoena duces tecum, they will not leave the original records with the court, but will leave only copies prepared for that purpose.

(b) *Compliance with summons.* (1) A postmaster or other postal employee will comply with a summons requiring his appearance in court. He will not testify as to any matters for which an exemption under § 113.1(e) may be claimed. As to these matters, he shall call the Assistant General Counsel, Opinions Division, Office of the General Counsel, at Headquarters for instructions.

(2) Postal inspectors and other employees having possession of inspectors' reports or Inspection Service records are prohibited from presenting such reports or records in either State or Federal courts in which the United States is not a party in interest, unless authorized by the Department. (See § 113.1(b)(2).) Should an attempt be made to compel production of matter which could be exempted (see § 113.1(e)), the inspector or employee will decline to produce the information or matter, and state it may be exempted and cannot be disclosed or produced without specific approval of the Department. The Department will offer every possible assistance to the courts, but the question of disclosing information for which an exemption may be claimed is a matter entirely at the discretion of the head of the Department.

NOTE: The corresponding Postal Manual section is 113.6.

VI. For purpose of clarification § 113.7 *Mail covers*, is amended to read as follows:

§ 113.7 Mail covers.

Authority to order a mail cover is restricted to the Chief Postal Inspector or the postal inspector in charge. Upon request of either of these officials, furnish them with information regarding the address, return address, or postmarks on mail. When specifically requested by the Chief Postal Inspector or the inspector in charge furnish such information to the designated postal inspector. Do not give such information to anyone else. Requests for mail covers shall be treated confidentially and there shall be strict compliance with the instructions outlined in the request.

NOTE: The corresponding Postal Manual section is 113.7.

§ 113.8 [Amended]

VII. In § 113.8 *Information concerning employees*, make the following changes:

1. In paragraph (a) make the following changes:

a. Subparagraph (1) through subdivision (1) thereof is amended to read as follows:

(1) Prospective employers of a postal employee or a former postal employee may be furnished tenure of employment; Civil Service status; length of service in the postal service and the Federal Government; and when separated, the date and reason for separation shown on Standard Form 50. Employee names, past and present, position titles, grades, salaries, and duty stations (which include the room number, shop designations or other identifying information regarding the building or place of employment) will be released by installation heads in response to requests unless:

(1) The release is prohibited under law or executive order or in the interest of national defense or foreign policy.

b. Subparagraph (2) is amended to read as follows:

(2) In addition to the information to be made available under subparagraph (1) of this paragraph, the home address of an employee shall be made available to a police or court official on receipt of a proper request stating that an indictment has been returned against the employee or that a complaint, information, accusation, or other writ involving non-support or a criminal offense, has been filed against him and his address is needed for service of a summons, warrant, subpoena, or other legal process. Social security numbers and place of actual residence shall be disclosed to a State or local taxing authority or both, as provided in Bureau of the Budget Circular No. A-38, revised.

c. Delete subparagraph (4).

2. Amend paragraph (c) to read as follows:

(c) *Limitations.* In no event will names be furnished for solicitation purposes, except as authorized by paragraph (a) (1) (ii) of this section.

NOTE: The corresponding Postal Manual sections are 113.81 and 113.83. (5 U.S.C. 301, 39 U.S.C. 501)

DAVID A. NELSON,
General Counsel.

[F.R. Doc. 69-13866; Filed, Nov. 20, 1969; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 4747]

[Idaho 2587; 2508]

IDAHO

Withdrawal for Administrative Site

By virtue of the authority vested in the President and pursuant to Executive Or-

der No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws (30 U.S.C., ch. 2), but not from leasing under the mineral leasing laws, and reserved as follows:

a. As an administrative site for the Boise Interagency Fire Center of the Department of the Interior:

BOISE MERIDIAN

T. 3 N., R. 2 E.,

Sec. 27, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 28, a parcel in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows: Beginning at east quarter corner, thence S. 0°23' E., 753.3 feet to the true point of beginning; thence S. 85°52' W., 640 feet; thence S. 0°23' E., 204 feet; thence S. 64°51' E., 707.8 feet; thence N. 0°23' W., 550.9 feet to the true point of beginning.

b. As an administrative site for the Intermountain Forest and Range Experiment Station of the Department of Agriculture:

T. 3 N., R. 2 E.,

Sec. 27, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate approximately 73.3 acres.

2. The withdrawal made by this order does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or governing the disposal of their mineral or vegetative resources other than under the mining laws.

HARRISON LOESCH,
Assistant Secretary of the Interior.

NOVEMBER 17, 1969.

[F.R. Doc. 69-13844; Filed, Nov. 20, 1969; 8:46 a.m.]

Title 45—PUBLIC WELFARE

Subtitle A—Department of Health, Education, and Welfare, General Administration

PART 85—CONTROL OF AIR POLLUTION FROM NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES

Subpart K—Importation of New Motor Vehicles and New Motor Vehicle Engines

Regulations establishing procedures for the importation of new motor vehicles and new motor vehicle engines subject to the Clean Air Act, as amended, were published on August 18, 1967 (32 F.R. 11947), as a new subpart amending 45 CFR Part 85. The sections included in the subpart were 85.200 through 85.204. Those regulations were issued concurrently with joint Department of the Treasury-Department of Health, Education, and Welfare regulations prescribing requirements for the entry, release, release under bond, and disposition of

motor vehicles and motor vehicle engines (19 CFR 12.73).

The regulations appearing below prescribe procedures for the importation of new motor vehicles and new motor vehicle engines beginning with the 1970 model year. The Department finds that it is in the public interest and that good cause exists for the adoption of these regulations effective immediately upon publication in the FEDERAL REGISTER. To insure that all parties and interests may participate in the further formulation of the regulations, interested persons are invited to submit written data, views, comments, or arguments concerning the regulations hereby promulgated within 30 days after the publication of this document in the FEDERAL REGISTER to the Commissioner, National Air Pollution Control Administration, 801 North Randolph Street, Arlington, Va. 22203. Consideration will be given such submitted materials as fully as though they had been received in response to a proposal.

Sec.

- 85.200 Applicability.
- 85.201 Admission of test vehicles or engines.
- 85.202 Admission of new motor vehicles and new motor vehicle engines covered by a certificate of conformity.
- 85.203 Admission of new motor vehicles and new motor vehicle engines not covered by a certificate of conformity at the time of entry.
- 85.204 Prohibited importations.

AUTHORITY: The provisions of this subpart issued under sec. 301(a), sec. 2, Public Law 90-148; sec. 203, 81 Stat. 499; 42 U.S.C. 1857f-2.

§ 85.200 Applicability.

The provisions of this subpart are applicable to new motor vehicles and new motor vehicle engines which are subject to the standards prescribed in this part and are offered for importation into the United States for sale or resale. As used in this subpart, the term United States means the customs territory of the United States as defined in 19 U.S.C. 1202 and the Virgin Islands, Guam, and American Samoa.

§ 85.201 Admission of test vehicles or engines.

Any new motor vehicle or new motor vehicle engine offered for importation as a test vehicle or engine shall not be refused entry if the entry documents contain a declaration by the importer that such vehicle or engine is being supplied to the Secretary of Health, Education, and Welfare for certification testing pursuant to § 85.51.

§ 85.202 Admission of new motor vehicles and new motor vehicle engines covered by a certificate of conformity.

Any new motor vehicle or new motor vehicle engine which is in all material respects of substantially the same construction as the test vehicle or engine for which a certificate of conformity has been issued under § 85.52 shall not be refused admission into the United States if the entry documents include a declaration by the importer that such certificate of conformity has been issued, giving the

number and date thereof, and that the new motor vehicle or new motor vehicle engine for which entry is requested is in all material respects of substantially the same construction as the test vehicle or engine for which the certificate was issued and is being entered during the period for which the certificate is effective.

§ 85.203 Admission of new motor vehicles and new motor vehicle engines not covered by a certificate of conformity at the time of entry.

(a) Any new motor vehicle or new motor vehicle engine which is in all material respects of substantially the same construction as a test vehicle or engine for which an application for certification is pending before the Secretary may be conditionally admitted in accordance with 19 CFR 12.73, but shall be refused final admission into the United States unless:

(1) Not later than 5 days following such conditional admission the importer has submitted to the Secretary a written request that such vehicle or engine be permitted entry pending certification of the test vehicle or engine to which such vehicle or engine conforms, which request shall contain the following:

(i) A statement that the vehicle or engine is in all material respects of substantially the same construction as a test vehicle or engine for which application for a certificate of conformity is pending before the Secretary;

(ii) Identification of the place where the vehicle or engine will be stored while certification is pending, and an acknowledgement of responsibility for the custody of the vehicle or engine during that period;

(2) The bonding and entry requirements of the Bureau of Customs set forth in 19 CFR 12.73 have been met; and

(3) The Secretary has issued the requested certificate of conformity.

(b) Any new motor vehicle or new motor vehicle engine which is not in all material respects of substantially the same construction as a test vehicle or engine for which a certificate of conformity has been issued may be conditionally admitted in accordance with 19 CFR 12.73, but shall be refused final admission into the United States unless:

(1) Not later than 5 days following such conditional admission the importer has submitted to the Secretary a written request that he be allowed to modify the vehicle or engine to make it conform to applicable standards, which request shall contain the following:

(i) A statement, acceptable to the Secretary, specifying the modifications or alterations which are necessary to render the vehicle or engine in all material respects substantially the same construction as such test vehicle or engine;

(ii) The date by which the modifications or alterations will be accomplished, said date to be not later than 75 days from the date of entry, and the place where the vehicle or engine will be stored pending a determination of conformity under this paragraph;

(iii) An acknowledgement of responsibility for the custody of the vehicle or

engine while the modifications or alterations are being made and while a determination of conformity is pending;

(iv) Authorization for representatives of the Department of Health, Education, and Welfare to inspect the vehicle or engine at any reasonable time for the purpose of making a determination of conformity;

(2) The bonding and entry requirements of the Bureau of Customs set forth in 19 CFR 12.73 have been met; and

(3) The Secretary has issued to the importer a written determination of conformity, stating that the vehicle or engine is in all material respects of substantially the same construction as a test vehicle or engine for which a certificate of conformity has been issued.

§ 85.204 Prohibited importations.

The importation of new motor vehicles and new motor vehicle engines subject to the standards prescribed in this part, otherwise than in accordance with the provisions of this subpart, is prohibited.

Approved: November 17, 1969.

ROBERT H. FINCH,
Secretary.

[F.R. Doc. 69-13852; Filed, Nov. 20, 1969; 8:46 a.m.]

Title 49—TRANSPORTATION

Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-18; Amdt. No. 173-17]

PART 173—SHIPPERS

Benzoyl Peroxide, Wet

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to authorize shipments of benzoyl peroxide, wet, in specification 12B fiberboard boxes having inside polyethylene bags that are at least 0.004-inch thick and that have a capacity of not more than 10 pounds each.

On March 12, 1969, the Hazardous Materials Regulations Board issued a notice of proposed rule making (Docket No. HM-18; Notice No. 69-6) (34 F.R. 5113) requesting public comment on a proposal to authorize shipment of benzoyl peroxide, wet, with not less than 30 percent water in polyethylene bags overpacked in DOT specification 12B fiberboard boxes. Interested persons were afforded an opportunity to participate in this rule making.

Comments were received from three respondents, none of which specifically opposed the basic proposal. One commenter raised several questions concerning the physical characteristics of the composite package as compared to presently authorized packages. This commenter pointed out that (1) depending on manufacturing specifications, a 0.004-inch polyethylene bag could be weaker than a paper bag lined with 0.002-inch polyethylene; (2) the limitation of 10

pounds per inside container is inconsistent with the 1-pound limitation per inside container for wooden boxes; (3) details of the service experience, i.e., one 10-pound bag per box or five 10-pound bags per box, are unknown. With respect to the first comment, the Board considers it unlikely that the difference between the two types would be significant. With respect to the second comment, the authorized capacity of the polyethylene bag is based on satisfactory experience gained under special permit conditions. It may be that, consistent with this amendment, a larger capacity would be warranted for inside containers when wooden boxes are used. However, this is beyond the scope of this rule making action. With respect to the third point, the service experience under special permit has been satisfactory, as previously mentioned. The number of inside bags could vary depending on the size of the bags used, up to the maximum of 10 pounds, and subject to the overall limits of 65 pounds.

In the notice, the Board proposed to amend paragraph (a) (3) of § 173.157. However, it has been decided to add this authorization as a separate paragraph, both for the sake of simplicity and to make it clear that the authorized gross weight is 65 pounds. This is the weight that was authorized in the special permit under which the experience was gained justifying the change and there was no intention to authorize the higher weight specified in paragraph (a) (3).

In consideration of the foregoing, 49 CFR Part 173 is amended effective December 30, 1969, by adding a new paragraph (a) (5) to § 173.157 to read as follows:

§ 173.157 Benzoyl peroxide, chlorobenzoyl peroxide (para), cyclohexanone peroxide, dimethylhexane dihydroperoxide, lauroyl peroxide, or succinic acid peroxide; wet.

(a) * * *

(5) Specification 12B (§ 178.205). Fiberboard boxes having inside polyethylene bags constructed of material having minimum thickness of 0.004 inch. The capacity of each bag must not exceed 10 pounds. Each bag must be surrounded by asbestos, or other fire-resistant cushioning material which will protect the contents with equal efficiency. Gross weight must not exceed 65 pounds. Authorized only for benzoyl peroxide.

(Sec. 831-835, title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657; title VI and sec. 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421-1430, 1472(h))

Issued in Washington, D.C., on November 17, 1969.

SAM SCHNEIDER,
Board Member, for the Federal
Aviation Administration.

F. C. TURNER,
Federal Highway Administrator.

CARL V. LYON,
Acting Administrator,
Federal Railroad Administration.

[P.R. Doc. 69-13847; Filed, Nov. 20, 1969;
8:46 a.m.]

[Docket No. HM-4, Amdt. 174-5, 175-3, 177-9]

PART 174—CARRIERS BY RAIL FREIGHT

PART 175—CARRIERS BY RAIL EXPRESS

PART 177—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIERS BY PUBLIC HIGHWAY

Miscellaneous Restrictions Against Loading and Transporting Poisons (Class A or B) With Foodstuffs

The purpose of these amendments to the Hazardous Materials Regulations is to modify certain restrictions on the loading and transporting of poisons (class A or B) with foodstuffs, feed, or other material intended for consumption by humans or animals.

On May 8, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-4; Notice No. 69-12 (34 F.R. 7456) proposing to modify the existing restrictions against commingling poisons and foodstuffs during shipment. The comments in response to the notice for the most part supported the proposed changes. Several comments raised questions that indicated that the intent of both the present and proposed requirements could be further clarified. One commenter raised numerous objections to both the present and proposed restrictions, most of which had been previously submitted to, and considered by, the Board. The most significant comments and changes to the regulations are as follows:

One commenter indicated that there was still some confusion as to the intent of the words "foodstuffs, feeds, or any other material intended for consumption by humans or animals". This commenter questioned whether these words could be interpreted to cover any materials that normally might come in contact with the human body or did they exclude " * * * clothing, cosmetics, and other consumer items capable of transmitting poisons." as indicated in an advance notice of proposed rule making published by the Director of the Office of Hazardous Materials on May 9, 1969 (34 F.R. 7545). The intent of these words is to cover edibles and the language of the regulation has been clarified in this regard. The Board recognizes that there are many items such as clothing that could become a hazard to human life if contaminated by certain poisons. However, these items were not included in the original amendment adopted in December of 1967 or in the proposal upon which this amendment is based. The need for further rule making in this regard is still being considered based on the response to the aforementioned advance notice of proposed rule making.

Two commenters suggested that the Board require foodstuffs to be marked as such. The Board recognizes that the marking of foodstuffs would greatly enhance both the problems of compliance and the safety benefits resulting from the subject regulation. However, the

Hazardous Materials Regulations Board has no jurisdiction directly over the transportation of foodstuffs. Similarly, the Board does not have the authority, as suggested by one commenter, to prescribe requirements for the safe disposal of the poisonous products resulting from any decontamination.

One commenter suggested that with respect to the car cleaning requirements it would be helpful if acceptable contamination levels could be prescribed. The Department of Health, Education, and Welfare (Public Health Service and Food and Drug Administration) is presently working actively in this field and the Board intends to make use in future regulatory changes of any significant information developed from these studies.

Two commenters suggested that foodstuffs and poisons could be shipped in the same vehicle provided they are separated by airtight and nonpermeable partitions. Such a provision would appear to have all of the inherent problems and confusion that arose from the use of the terms "airtight" and "nonpermeable" in the original amendment. For rail cars and highway vehicles, the Board believes that it is not too much of a burden, considering the potential dangers, to make the prohibition against commingling apply to each car.

One commenter suggested that the inspection of aircraft cargo compartments should only be carried out if a package has been found to be leaking or damaged. The Board has been concerned, however, with the number of instances of contamination of other goods by poisons when it was not immediately known that a package had leaked. By the time the package leakage was noticed, the other freight had been transhipped in many different directions. Therefore, the Board does not consider it appropriate to limit the inspection requirement to cases of known leakage.

One commenter protested the application of the prohibition against mingling to all classes A and B poisons. This commenter indicated that the Board should single out and limit the restriction only to the most dangerous items, such as parathion and other organic phosphates. The Board does not agree. While there is necessarily a difference in the degree of hazard among classes A and B poisons, the Board believes that the leakage of any class A or B poison on edible foodstuffs is so potentially hazardous that no effort should be made at this time to determine "safe" class A or B poisons insofar as shipments with foodstuffs are concerned. This commenter also suggested that the restriction should be imposed only on liquid poisons and not on solid poisons. The Board believes that the restriction should be total regardless of state of the poisonous material. Many food products are shipped in packagings that could be penetrated by dry materials, or which could retain deposits of dry material in or near discharge openings.

One commenter pointed out an inconsistency existing in the present regulations that results from the present exemptions for small quantities of class B poisons when transported by highway.

The Board recognizes that there is no justification for permitting a small quantity of a class B poison in a motor vehicle carrying foodstuffs while the same quantity of class B poison would be barred from a railroad car carrying foodstuffs. The Board is presently reconsidering in toto the authorized small quantity exemptions and intends to include this item for consideration in that study.

One commenter suggested that the rule could be averted by shippers who fail to mark the edible nature of the contents on the package and by originating carriers who fail to carry forward the "poison" notation on the interchange forms. The Board recognizes that these restrictions are not foolproof and that the effectiveness of its regulation is directly related to the ease of identifying foodstuffs. However, as indicated above, solution of this problem is to some extent outside the scope of the Board's authority. This rule, as is any rule, is effective only if complied with. That persons may render regulations ineffective by ignoring them is not valid reason against regulating.

One commenter stated that both the present rule and the proposed changes would disrupt the marketing and distribution of class B poisons by grocery warehouses that reship along with edibles. This commenter made this same point earlier with respect to the Board's first action in this regard in December 1967. The present regulation has been in effect now for over 18 months and the Board has received no evidence that commerce of any kind has been adversely affected thereby to any significant degree. Nor has the Board received any specific evidence that this amendment will have such an effect. Therefore, the Board must conclude that neither the present rule nor the changes adopted herein will adversely affect the grocery industry in the United States.

In consideration of the foregoing, 49 CFR Parts 174, 175, and 177, are amended as follows:

I. Part 174 is amended as follows:

(A) In § 174.532 paragraph (m) is amended to read as follows:

§ 174.532 Loading other dangerous articles.

(m) Material marked as or known to be poison (class A or B) must not be transported in the same car with material which is marked as or known to be foodstuffs, feeds, or any other edible material intended for consumption by humans or animals.

(B) In § 174.566 paragraph (a)(1) is amended to read as follows:

§ 174.566 Cleaning cars.

(a) * * *

(1) A car which has been used to transport material marked as or known to be poison (class A or B) must be inspected for contamination before reuse. A car which has been contaminated must not be returned to service until such contamination has been removed. This subparagraph does not apply to cars used solely for transporting such poisons so long as they are used in that service.

II. Part 175 is amended as follows:

(A) In § 175.655 paragraph (k) and (l) are amended to read as follows:

§ 175.655 Protection of packages.

(k) Material marked as or known to be poison (class A or B) must not be transported in the same car with material which is marked as or known to be foodstuffs, feeds, or any other edible material intended for consumption by humans or animals.

(l) A car which has been used to transport material marked as or known to be poison (class A or B) must be inspected for contamination and must not be returned to service until such contamination has been removed.

III. Part 177 is amended as follows:

(A) In § 177.841 paragraph (e) is amended to read as follows:

§ 177.841 Poisons.

(e) Material marked as or known to be poison (class A or B) must not be transported in the same vehicle with material which is marked as or known to be foodstuffs, feeds, or any other edible material intended for consumption by humans or animals.

(B) In § 177.860 paragraph (a)(1) is amended to read as follows:

§ 177.860 Accidents or leakage; poisons.

(a) * * *

(1) *Leakage.* A vehicle which has been used to transport material marked as or known to be poison (class A or B) must be inspected for contamination before reuse. A vehicle which has been contaminated must not be returned to service until such contamination has been removed. This subparagraph does not apply to vehicles used solely for transporting such poisons so long as they are used in that service.

These amendments are effective December 30, 1969.

(Secs. 831-835, title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657; title VI and sec. 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421-1430, 1472(h))

Issued in Washington, D.C., on November 17, 1969.

SAM SCHNEIDER,
Board Member, for the
Federal Aviation Administration.
F. C. TURNER,
Federal Highway Administrator.
R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

[F.R. Doc. 69-13846; Filed, Nov. 20, 1969; 8:46 a.m.]

[Docket No. HM-25; Amdt. 178-8]

PART 178—SHIPPING CONTAINER SPECIFICATIONS

Special Composite Package for Electrolyte (Acid) or Alkaline Corrosive Battery Fluid

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to au-

thorize a new type of composite package comprised of a specification 12B fiberboard box and an inside plastic bag for electrolyte acid or alkaline corrosive battery fluid.

On May 28, 1969, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-25; Notice No. 69-15 (34 F.R. 8245) which proposed an amendment of 49 CFR 178.205-37 (Specification 12B fiberboard box) to specify packaging requirements for electrolyte (acid) or alkaline corrosive battery fluid consistent with the terms of special permits in existence for several years.

Interested persons were afforded an opportunity to participate in this rule making. Of the comments received, no objections were taken to the basic proposal. One commenter took exception to the requirement of a top and bottom pad for regular slotted style boxes having capacities of 6 quarts or less on the premise that the special permit issued to him by the Department contained no such requirements. The commenter stated that many millions of units of 6 quarts capacity or less have been shipped without pads and with good experience. Reports of shipping experience under the provisions of this permit have been reviewed and the Board has determined that the experience has been satisfactory. In view of this and in view of the requirement specifying fiberboard having strength greater than that prescribed for general application in § 178.205-16, the Board is withdrawing the requirement for top and bottom pads in regular slotted style boxes having capacities of 6 quarts or less.

Another commenter expressed concern over what material would be considered equivalent to fiberboard pads having at least 200 pound test and thus meet the equivalency proviso set forth in proposed § 178.205-37(b) (1) and (2). It was the Board's intent to allow the use of pads made not only of fiberboard but also of other material such as chipboard having the same protective capability as fiberboard. The proposal was vague in this respect and has been clarified in the amendment.

In consideration of the foregoing, 49 CFR Part 178 is amended as follows:

In § 178.205-37 paragraphs (a), (b), (c) (1) and (2) are amended to read as follows:

§ 178.205 Specification 12B; fiberboard boxes.

§ 178.205-37 Special box; authorized polyethylene or other suitable plastic bags for packaging of electrolyte (acid) or alkaline corrosive battery fluid only.

(a) Box must comply with this specification except as follows: Box must be one-piece construction of slotted style and may have die-cut areas of minimum size to provide access to an inside closure part. Box must have two polyethylene or other suitable plastic bags, one within the other, and a closure adequate to prevent leakage under conditions incident to transportation. Each bag must be formed from tubing of virgin plastic material not

less than 0.003-inch thick with joints heat sealed.

(b) Boxes must be center special slotted style, or regular slotted style. If any metal is used in the box construction, full liners and top and bottom pads are required. Any metal closure for a discharge tube must be installed so as to prevent contact with the polyethylene bag. Discharge tubes must be plugged or heat sealed. Maximum volumetric capacity must not exceed 5 gallons (nominal).

(1) For boxes having capacities of 6 quarts (nominal) or less, fiberboard of at least 200-pound test is required for construction.

(2) For boxes having capacities in excess of 6 quarts, fiberboard of at least 350-pound test is required. Pads are required for regular slotted style boxes and must be of fiberboard of at least 350-pound test or other material that will provide equivalent protection.

(c) * * *

(1) Box with inside container filled to shipping capacity with a solution which is compatible with the plastic bags must be dropped twice from a height of 4 feet onto concrete, one drop to be made with the box positioned so as to strike flat on the box bottom, the other drop to be made so box will strike flat on the largest face.

(2) Box with inside container filled to shipping capacity with a solution which is compatible with the plastic bags, and remains liquid at 0° F. or lower shall be dropped once from a height of 4 feet onto concrete, when container and contents are at or below 0° F. Box shall be positioned so as to strike flat on the box bottom.

This amendment is effective November 30, 1969. However, compliance with the regulations as amended herein is authorized immediately.

(Secs. 831-835, title 18, United States Code; sec. 9, Department of Transportation Act, 49 U.S.C. 1657; title VI and sec. 902(h), Federal Aviation Act of 1958, 49 U.S.C. 1421-1430, 1472(h))

Issued in Washington, D.C., on November 17, 1969.

P. E. TRIMBLE,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

SAM SCHNEIDER,
Board Member, for the
Federal Aviation Administration.

F. C. TURNER,
Federal Highway Administrator.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

[F.R. Doc. 69-13848; Filed, Nov. 20, 1969;
8:46 a.m.]

Chapter II—Federal Railroad Administration, Department of Transportation

[Docket No. FRA-LI-1]

PART 230—LOCOMOTIVE INSPECTION

Multiple Operated Electric Units

On pages 14767 and 15845 of the FEDERAL REGISTER of September 25, 1969, and October 15, 1969, respectively, there were published notices of proposed rule making to amend §§ 230.401(b), 230.406, and 230.442(b) pertaining to multiple-operated electric units. Interested persons were given until November 1, 1969, in which to submit such written data, views, or arguments regarding the proposed amendments.

No objections have been received and the proposed amendments are hereby adopted without change and are set forth below.

Effective date. This regulation shall be effective as of December 21, 1969.

R. N. WHITMAN,
Administrator,
Federal Railroad Administration.

Sections 230.401(b), 230.406, and 230.442(b) are amended to read as follows:

§ 230.401 Responsibility of carrier.

(b) The letter "F" shall be legibly shown on each side of every unit near the end, which, for identification purposes, will be known as the front end. The unit number shall be legibly shown on each side of every unit and shall be shown on the specification Form No. 4-A.

§ 230.406 Testing of main reservoirs.

(a) Every main reservoir before being put into service, and at least once every 24 months thereafter, shall be subjected to hydrostatic pressure not less than 25 percent above the maximum working pressure fixed by the chief mechanical officer, and report made on Form No. 1-A.

(b) The entire surface of each main reservoir shall be hammer tested each time the unit is stopped for general repairs, but not less frequently than once every 24 months, and report made on Form No. 1-A. This test shall be made while reservoir is empty.

(c) Each main reservoir of the type described in the note below hereafter put into service may be drilled over its entire surface with telltale holes, made by

a standard $\frac{3}{16}$ -inch drill, which holes shall be spaced not more than 12 inches apart, measured both longitudinally and circumferentially and drilled from the outer surface to an extreme depth determined by the formula.

$$D = \frac{0.6PR}{S - 0.6P}$$

where D=extreme depth of telltale holes in inches but in no case less than one-sixteenth inch; P=certified working pressure in pounds per square inch; S=one-fifth of the minimum specified tensile strength of the material in pounds per square inch; and R=inside radius of the reservoir in inches. One row of holes shall be drilled lengthwise of the reservoir on a line intersecting the drain opening. No reservoir so drilled needs to be subjected to the requirement of paragraph (a) or (b), except the requirement for a hydrostatic test before being put in service. Whenever any such telltale hole shall have penetrated the interior of any such reservoir, the reservoir shall be permanently withdrawn from service. At the option of the carrier, such drilling may be applied to any reservoir now in service, in lieu of the tests provided for by paragraphs (a) and (b) of this section, but not without the said hydrostatic test after first being drilled.

Note: Paragraph (c) applies only to welded reservoirs originally constructed to withstand at least five times the maximum working pressure fixed by the chief mechanical officer of the railroad desiring to come within the terms of such paragraph.

§ 230.442 Jumpers or cable connections.

(b) Cable connections between units and jumpers that carry current having a potential of 600 volts or more shall be thoroughly cleaned, inspected, and tested as often as conditions require to maintain them in safe and suitable condition for service but not less frequently than every 3 months, by immersing the cable portion in water and subjecting such conductor with another, and with the water, to a difference in potential of not less than one and three-fourths times the normal working voltages for not less than 1 minute. Date and place of inspection and test shall be legibly marked on the jumper or cable or on a tag securely attached thereto.

(Secs. 2, 5, 36 Stat. 913, 914; 45 U.S.C. 23, 28; secs. 6 (e), (f), 80 Stat. 939, 940; 49 U.S.C. 1655)

[F.R. Doc. 69-13870; Filed, Nov. 20, 1969;
8:48 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 993]

HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

Notice of Proposed Rule Making

Notice is hereby given of a proposal to amend § 993.159 of the administrative rules and regulations (Subpart—Administrative Rules and Regulations; 7 CFR Part 993). The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The proposal was unanimously recommended by the Prune Administrative Committee to provide certain additional payments to handlers for expenses incurred by them in holding reserve prunes for the account of the Committee. Such payment would be pursuant to § 993.59. Section 993.159 currently provides for the payment of handlers for costs incurred by them in connection with, but not limited to, inspection, receiving, storing, grading, and fumigation of reserve prunes. The additional payments proposed herein are to compensate handlers for expenses incurred by them when they are directed by the Committee to move and dump containers of reserve prunes for inspection purposes and the handler continues to hold the prunes following inspection. The Committee concluded that a rate of \$2.50 per ton (natural condition weight) for such services is reasonable. Other additional payments proposed are to compensate handlers for costs (storage, necessary fumigation, bin rental, insurance) incurred in holding reserve prunes for the account of the Committee beyond the end of the crop year in which such prunes are received from producers or dehydrators. The proposal also includes deletion of obsolete wording from § 993.159.

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

The proposal is as follows:

1. Revise the first two sentences of paragraph (a) of § 993.159 to read as follows:

(a) *Rate of payment for necessary services.* Each handler shall, with respect to reserve prunes held by him for the account of the Committee pursuant to § 993.57, be paid at the rate of \$25 per ton (natural condition weight) for necessary services rendered by him in connection with such prunes so held during all or any part of the crop year in which the prunes were received from producers or dehydrators. Such amount shall, together with the additional payments, as applicable, provided in this section, be in full payment for the costs incurred in connection with but not being limited to, the following services: Inspection, receiving, storing, grading, and fumigation. * * *

2. Amend paragraph (b) by revising the last sentence in that paragraph to read: "The Committee shall reimburse the handler for the actual costs of such insurance."

3. Redesignate paragraph (c) as paragraph (d) and add a new paragraph (c) reading as follows:

(c) *Certain additional payments in connection with the holding of reserve prunes for the committee.* (1) Whenever a handler is directed by the committee to move and dump containers of reserve prunes held by him for the account of the committee for the purpose of causing an inspection to be made of the prunes, as provided in § 993.75, but without taking delivery of the prunes at that time, the handler shall be paid for such services at the rate of \$2.50 per ton (natural condition weight).

(2) Commencing with 1968-69 crop year reserve prunes, each handler holding reserve prunes for the account of the committee beyond the end of the crop year in which such prunes were received from producers or dehydrators shall be paid as follows:

(i) For storage and necessary fumigation:

(a) \$2 per ton during all or any part of the first 3 months of the succeeding crop year;

(b) \$1 per ton during all or any part of the second 3 months of the succeeding crop year;

(c) 25 cents per ton during all or any part of the third 3 months of the succeeding crop year; and

(d) 25 cents per ton during all or any part of the fourth 3 months of the succeeding crop year.

(ii) \$3 per ton for bin rental during all or any part of the succeeding crop year;

(iii) For insurance as prescribed in paragraph (b) of this section.

4. Add a new paragraph (e) reading as follows:

(e) *Authorized payment.* Payments authorized hereunder shall be made to the handler required to hold in his pos-

session or under his control the quantity of prunes necessary to meet his reserve obligation pursuant to § 993.57, and only to the extent of the quantity so held.

Dated: November 17, 1969.

ARTHUR E. BROWNE,

Acting Director,

Fruit and Vegetable Division.

[F.R. Doc. 69-13872; Filed, Nov. 20, 1969; 8:48 a.m.]

DEPARTMENT OF TRANSPORTATION

Office of Pipeline Safety

[49 CFR Part 192]

[Notice 69-3, Docket No. OPS-3]

GAS PIPELINES

Minimum Federal Safety Standards

The Department of Transportation is developing proposals for the comprehensive minimum Federal safety standards for the transportation of gas and pipeline facilities, as required by section 3(b) of the Natural Gas Pipeline Safety Act of 1968. This notice is the first step in the rule making process that will result in the establishment of these standards to replace the interim Federal safety standards now in effect.

The Natural Gas Pipeline Safety Act required the Secretary of Transportation to establish the interim Federal standards within 3 months by adopting the State standards in effect on August 12, 1968. The interim standards were issued as Part 190 of Title 49 of the Code of Federal Regulations on November 7, 1968.

At that time, the Department asked for comment on the advisability of adopting the safety code most widely used by the industry (United States of America Standards Institute Standard Code for Pressure Piping—Gas Transmission and Distribution Systems—USAS B31.8, 1968 edition, referred to hereinafter as the B31.8 Code) as the minimum Federal standards. In addition to the comments received, the Office of Pipeline Safety has sought and considered information and suggestions from several other sources. These included changes under consideration by the USASI B31.8 Code Committee, recommendations of a committee from the National Association of Regulatory Utility Commissioners, and a comparative review of State standards. After considering the information received and consulting with the Technical Pipeline Safety Standards Committee, the Department has decided that the present State standards are the best source for the minimum Federal standards. Since all States that have adopted their own

standards have based them on the B31.8 Code, the proposed Federal standards will also be very similar in substance to that document although many changes in form, style, and language will be made. Since the B31.8 Code is readily available and well understood in the gas pipeline industry, this similarity will permit extensive use of the Code as a reference document in discussing these proposals. However, in adopting their standards, many States have added requirements to strengthen and improve the B31.8 Code. The Department has evaluated these additional requirements and many are being incorporated in the proposed Federal standards for the same reasons.

Due to the length and complexity of the State standards and the Code upon which they are based, the task of converting them into a Federal regulation will require a substantial amount of time to accomplish properly. In the meantime, in order to expedite the rule making process so as to meet the August 12, 1970, date specified in the statute and still provide adequate time for analysis and preparation of comments, the proposed standards will be issued in more than one notice of proposed rule making. This first notice proposes the added requirements that are presently contained in one or more State standards and which exceed the requirements of the B31.8 Code. Since these particular requirements are not universally applicable to the industry, evaluation of their significance will require additional time for most interested persons. These proposals are described in detail but are not set forth in specific regulatory language. This notice will enable interested persons to begin developing their comments on the proposed Federal standards. Subsequently, a series of supplementary notices of proposed rule making containing the specific regulatory language will be issued for evaluation and comment by interested persons. Each one of these supplementary notices will cover a particular area such as welding, maintenance, testing, etc., and each will allow from 60 to 90 days from date of issue for further preparation and actual submission of written comments.

The Department recognizes that there are some areas, such as uprating, corrosion control, and pipeline marking, wherein the existing State standards could be substantially improved. However, changes of this type might unduly complicate the proposals and thereby delay the establishment of the first minimum Federal standards. In addition, the problems and possible solutions in these areas of needed improvement are not sufficiently well defined to permit the making of specific regulatory proposals in this rule making proceeding. The additional study that is required to accomplish this would also result in some delay. Therefore, these proposals will consist of only the existing State standards with those substantive changes as appear necessary. In the meantime, the Department will study and resolve these problems and will initiate separate rule making proceedings to include these needed improvements subsequent to establish-

ment of the minimum Federal standards.

One significant change from existing State standards that is considered necessary is new definitions for class locations. The present definitions for Class 3 and Class 4 areas are too vague to be used as Federal standards. This subject, together with the related subject of the population density index, is presently under study and when the specific regulations are proposed in a subsequent notice, new definitions of class locations will be included.

Effective date of proposed regulations. No effective date is proposed for the various requirements contained in this notice of proposed rule making. Industry would need a reasonable period of time, probably no less than 120 days, to comply with most of the proposed requirements. Some requirements, particularly those relating to design and construction, may require longer lead time. It is probable that the proposed requirements will be made applicable on a phased basis. For example, the operation and maintenance subpart could apply within 120 days while the construction subpart could be delayed for 180 days after adoption. Comments should suggest practical effective dates for the various requirements, indicating the problems that would arise from early compliance and the time required to solve those problems.

Cost/benefit determination. In evaluating these proposals, commenters should bear in mind that every safety regulation has a cost factor, either a direct purchase and operation cost or an indirect cost resulting from operating at less than maximum efficiency. Every safety regulation (if it is justified) also has a benefit factor, the increase in safety to the public and a less noticeable but definable benefit to the pipeline operator in reducing his casualty losses and damage claims to some extent. Although the cost of complying with a regulation (cost to the operator less benefit to the operator) is initially borne by the pipeline operator, this cost is ultimately paid by the public in the higher cost of the delivered product. Thus, from the point of view of the regulatory agency, the cost/benefit determination is whether the safety benefit to the public justifies the monetary cost of compliance to the public. For this reason, the proposals described herein should be evaluated as to cost and benefits. When comments on the specific regulations are submitted, these factors should be discussed fully. The information resulting from these cost/benefit determinations will be most helpful in making decisions with respect to particular proposals.

Proposed minimum Federal standards. The following are the significant provisions of the State gas pipeline safety standards that are not presently contained in the B31.8 Code—1968 but which are hereby proposed for inclusion in the minimum Federal standards. Existing requirements that are referred to are those set forth in the B31.8 Code which was the basis for all State standards. Included with each proposal are questions which should be considered and discussed

when comments are submitted. The responses to these questions, together with the cost/benefit information requested above, will be significant factors in determining the content of the minimum Federal standards.

Welding. Pipeline systems that are to operate at 20 percent or more of specified minimum yield strength (SMYS) would require visual inspection in addition to nondestructive testing. There would be a requirement for 100 percent nondestructive testing of these lines in (1) Class 3 and 4 locations, (2) within railroad or public highway rights-of-way, including tunnels, (3) at tie-ins, (4) at overhead road crossings, and (5) whenever welds are repaired. The testing percentage for Class 1 and 2 locations would remain the same. When conducting nondestructive testing on these lines, each welder's work would be sampled to at least the same percentage as the overall nondestructive testing requirement for the area. All welds tested would be tested over their entire circumference. There would no longer be an option of testing an equivalent length of welds over a part of the circumference.

Records would have to be retained for the life of the facility showing the number of welds made, the number nondestructively tested, the number of rejects, and the disposition of the rejects. In addition, detailed records of testing, including exposed X-ray film, be retained for 3 years after construction.

In discussing these proposals, commenters should provide the following information. Describe the problems in determining that each welder's work is sampled to the percentage required. Should the percentage be based on completed welds or on length of welds? Would it be sufficient to assure that each welder is checked each day and eliminate the fixed percentages? Does a requirement to test the entire circumference present any different problems on larger pipe than on smaller and if so, at what point do these differences become significant? How difficult would 100 percent testing be in Class 3 and 4 locations? What percentage of welds are nondestructively tested today in these locations? As nearly as possible, provide additional cost figures for 90 percent and 95 percent testing in these locations. Specify any problems associated with testing all tie-in welds. What is the present practice as to retention of nondestructive testing records?

Initial test requirements. Strength-proof testing requirements for pipelines and mains that are to operate at 30 percent or more of SMYS would be modified as follows: (1) Minimum test pressure in Class 3 or 4 locations would be 150 percent of maximum operating pressure; (2) test pressure would have to be held for at least 24 consecutive hours after stabilization; (3) exceptions that permit air testing of these pipelines and mains in Class 3 or 4 locations would be eliminated; (4) the test medium would have to be disposed of in a manner that is not detrimental to the environment. Pipelines or mains to be operated at less

than 1 p.s.i. would have to be tested to at least 10 p.s.i. and those operated at more than 1 p.s.i. would be required to be tested to at least 100 p.s.i. Pipelines and mains with a coating capable of sealing a leak would be tested to at least 125 p.s.i.

With respect to these proposals, discuss the difficulties that might result from eliminating air testing in Class 3 and 4 locations. Would test equipment now in use be able to meet these requirements? Is 125 p.s.i.g. test pressure sufficient to determine whether the coating is sealing a leak?

Bends, elbows, and miters. On pipelines and mains operated at a hoop stress of 30 percent or more of the specified minimum yield strength, bends would not be made within $1\frac{1}{2}$ pipe diameters of a circumferential weld. In addition, miter bends that produce an angle of 3° or more would not be permitted on these pipelines and mains.

Can bends be made closer than $1\frac{1}{2}$ pipe diameters to the circumferential weld without having a detrimental effect on the weld? If so, are there any special methods or techniques that should be used?

Cover requirements. The cover requirements for buried distribution mains would be increased to a minimum of 30 inches. However, whenever a local law or regulation (either a State or subdivision thereof) required distribution mains to be placed in a common trench with other utilities, the local requirements would govern the depth of cover. Buried transmission pipelines would have to be installed with a minimum cover as set forth in the following table:

Location	Cover in inches	
	Normal excavation	Excavation of rock by blasting
Class 1 Locations.....	30	18
Class 2, 3, and 4 Locations.....	36	30
Drainage ditches of public roads and railroad crossings.....	36	36

These minimums would apply to all types of materials. All other cover requirements remain unchanged.

These proposals are intended to provide additional safety for buried pipelines and mains to reduce the risk of damage by external forces. Does increased depth contribute significantly towards reducing this risk? What other industry practices are used today? Are there any other methods that could be used to minimize damage from external forces and if so, how do they compare in relative cost effectiveness?

Underground clearance. The underground clearance required between buried pipelines or mains and other underground structures would be raised from present requirements of 6 inches for

pipelines and 2 inches for mains to 12 inches for both. If this clearance were not attainable, other protective measures would have to be taken. Additional clearance would still be required for plastic piping near sources of heat.

Cast iron pipe. Bell and spigot joints would be prohibited both in new construction and the reinstallation of used pipe, unless these joints were clamped with mechanical clamps or otherwise reinforced or reconditioned. Threaded cast iron joints would be prohibited in both new construction and reinstallation of used pipe.

In cast iron pipe 6 inches in nominal diameter or smaller, threaded taps would be prohibited unless they are (1) reinforced taps, (2) existing taps that are free of cracks and have good threads, or (3) taps that are used for gas control equipment and are closed after use by means of a threaded plug or reinforcing sleeve. In cast iron pipe larger than 6 inches nominal diameter, threaded taps would have to be reinforced with sleeves if the taps are larger than 25 percent of the nominal diameter of the pipe. How much and what sizes of threaded cast iron pipe are presently in operation?

Pressure control and relief. Low pressure distribution systems would be required to maintain a minimum operating pressure high enough for the safe and continuous operation of any properly adjusted low pressure gas burning equipment that is connected to the system. Discuss low pressure service interruptions with reference to causes, adverse effects, and other possible solutions, and indicate the number of customers affected by such interruptions during the past year.

When more than one pressure regulating station or compressor station feeds into a pipeline or distribution system, each such station would be required to have a relief valve or other protective device installed to insure that the complete failure of the largest capacity regulator or compressor, or any single run of lesser capacity regulators or compressors, in that station, would not impose pressures on any part of the pipeline or distribution system in excess of those that it was designed for or that it is protected against, whichever is lower. In low pressure distribution systems, relief valves or other pressure limiting devices would have to have the capacity to limit the maximum pressure in the mains to 2 p.s.i.g. Supports for pressure relief or pressure limiting devices would have to be made of noncombustible materials.

Is relief capacity of 100 percent of the capacity of the largest single source of supply in a regulator station or compressor station sufficient to protect a distribution or pipeline system or should a larger relief capacity be required?

All pressure limiting and pressure regulating stations, other than house

regulators, and all relief valves would have to be inspected and tested at least once a year. If the capacity of a relief valve cannot be tested in place, an annual review and calculation of the required capacity of the relieving equipment at that station could be made in lieu of testing. Is annual inspection and testing sufficient to insure safe operation of this equipment?

Upgrading. Present standards do not require leakage surveys when qualifying existing steel pipelines or mains for higher operating pressures that will produce a hoop stress of 30 percent or more of SMYS. When qualifying for increased pressures of less than 30 percent on steel pipelines, mains, and distribution systems and all plastic pipe distribution systems, leakage surveys are required only if past maintenance records indicate that such a survey is advisable. These proposals would require that a leakage survey must be conducted before upgrading any part of a pipeline system and further, that all leaks discovered must be repaired before the higher pressures are applied.

Discuss present practices as to if, when, and how leakage surveys are made, with some emphasis on techniques and instruments used.

Odorization. Operators would be required to odorize gas in transmission systems as well as in distribution systems. Gas en route to storage fields would be exempt from this requirement. Have any leaks been discovered as a result of odorant being added to transmission lines? If so, how many and under what circumstances? What effect does the loss of odorant in the line have on the pipeline system? What effect does odorization of gas have on industrial users?

Interested persons should begin to develop their comments on the proposals and questions contained in this notice. However, since it is the Department's intention to propose specific rules for public comment at a later date, comments should not be submitted until that time. When specific rules have been proposed, comments should be submitted in accordance with directions set forth with those specific proposals.

This notice is issued pursuant to the authority of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1671 et seq.), Part 1 of the Regulations of the Office of the Secretary of Transportation (49 CFR Part 1), and the delegation of authority to the Director, Office of Pipeline Safety, dated November 6, 1968 (33 F.R. 16468).

Issued in Washington, D.C., on November 14, 1969.

W. C. JENNINGS,
Acting Director,
Office of Pipeline Safety.

[P.R. Doc. 69-12850; Filed, Nov. 20, 1969; 8:46 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Internal Revenue Service

MELVIN WEINTRAUB

Notice of Granting of Relief

Notice is hereby given that Mr. Melvin Weintraub, 119 Longview Terrace, Yonkers, N.Y., has applied for relief from disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms incurred by reason of his conviction on January 22, 1968, by the U.S. District Court, Southern District of New York of a crime punishable by imprisonment for a term exceeding 1 year. Unless relief is granted, it will be unlawful for Melvin Weintraub because of such conviction, to ship, transport or receive in interstate or foreign commerce any firearm or ammunition, and he would be ineligible for a license under Chapter 44, title 18, United States Code as a firearms or ammunition importer, manufacturer, dealer, or collector. In addition, under Title VII of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (82 Stat. 236; 18 U.S.C., Appendix), because of such conviction, it would be unlawful for Melvin Weintraub to receive, possess, or transport in commerce or affecting commerce, any firearm.

Notice is hereby given that I have considered Melvin Weintraub's application and:

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

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

Therefore, pursuant to the authority vested in the Secretary of the Treasury by section 925(c), title 18, United States Code and delegated to me by 26 CFR 178.144, it is ordered that Melvin Weintraub be, and he hereby is, granted relief from any and all disabilities imposed by Federal laws with respect to the acquisition, receipt, transfer, shipment, or possession of firearms and incurred by reason of the conviction hereinabove described.

Signed at Washington, D.C., this 14th day of November 1969.

[SEAL] RANDOLPH W. THROWER, -
Commissioner of Internal Revenue.

[P.R. Doc. 69-13867; Filed, Nov. 20, 1969; 8:47 a.m.]

Office of the Secretary

AMINOACETIC ACID (GLYCINE) FROM FRANCE

Determination of Sales at Less Than Fair Value

NOVEMBER 12, 1969.

Information was received on March 1, 1968, that Aminoacetic Acid (Glycine) from France was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

A "Withholding of Appraisalment Notice" issued by the Commissioner of Customs was published in the FEDERAL REGISTER of August 28, 1969.

I hereby determine that for the reasons stated below, Aminoacetic Acid (Glycine) from France is being, or likely to be, sold at less than fair value within the meaning of section 201(a) of the Act.

Statement of reasons on which this determination is based. Aminoacetic Acid (Glycine) from France was sold to the United States to a purchaser not related within the meaning of section 207 of the Antidumping Act.

Sufficient quantity of such or similar merchandise was sold in the home market to afford a proper basis of comparison. Therefore, for fair value purposes, comparison was made between purchase price and home market price.

Purchase price was based on the c.i.f. price, duty not paid, to the United States, from which was deducted ocean freight, marine insurance and selling commission. As required by the statute, to this was added the amount of a refund of value added tax, and the amount of French import duties, not collected.

Home market price was calculated by deducting inland freight, selling commission and packing cost differential from the weighted-average price to purchasers in the country of exportation. An adjustment was made for difference in cost of assay certificate between home market and the United States.

Purchase price was found to be less than the home market price.

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[P.R. Doc. 69-13869; Filed, Nov. 20, 1969; 8:48 a.m.]

BARBERS' CHAIRS FROM JAPAN

Determination of Sales at Not Less Than Fair Value

NOVEMBER 6, 1969.

On August 28, 1969, there was published in the FEDERAL REGISTER a "Notice

of Tentative Negative Determination" that barbers' chairs from Japan are not being sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as the "Act").

The statement of reasons for the tentative determination was published in the above-mentioned notice and interested parties were afforded an opportunity to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

No persuasive evidence or argument to the contrary having been presented, I hereby determine that for the reasons stated in the tentative determination, barbers' chairs from Japan are not being, nor likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)) and § 53.33(c), Customs Regulations (19 CFR 53.33(c)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[P.R. Doc. 69-13923; Filed, Nov. 20, 1969; 8:48 a.m.]

PIG IRON FROM SWEDEN

Notice of Tentative Negative Determination

NOVEMBER 6, 1969.

Information was received on January 30, 1969, that pig iron from Sweden is being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of September 6, 1969, on page 14136.

I hereby make a tentative determination that pig iron from Sweden is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. There have been no sales of pig iron from Sweden to the United States since September 1968. There is no information indicating that pig iron will be shipped to the United States from Sweden in the near future.

In accordance with § 53.33(b), Customs Regulations (19 CFR 53.33(b)) interested parties may present written views or arguments, or request in writing, that the Secretary of the Treasury afford an opportunity to present oral views.

Any such written views, arguments, or requests should be addressed to the Commissioner of Customs, 2100 K Street

NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 53.33 of the Customs Regulations (19 CFR 53.33).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[P.R. Doc. 69-13924; Filed, Nov. 20, 1969;
8:48 a.m.]

PIG IRON FROM THE UNITED KINGDOM

Notice of Tentative Negative Determination

NOVEMBER 6, 1969.

Information was received on January 30, 1969, that pig iron from the United Kingdom is being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of September 6, 1969, on page 14137.

I hereby make a tentative determination that pig iron from the United Kingdom is not being, nor likely to be, sold at less than fair value within the meaning of section 201 (a) of the Act (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. There have been no sales of pig iron from the United Kingdom to the United States since April 1968. There is no information indicating that pig iron will be shipped to the United States from the United Kingdom in the near future.

In accordance with § 53.33(b), Customs Regulations (19 CFR 53.33(b)) interested parties may present written views or arguments, or request in writing, that the Secretary of the Treasury afford an opportunity to present oral views.

Any such written views, arguments, or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 53.33 of the Customs Regulations (19 CFR 53.33).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[P.R. Doc. 69-13925; Filed, Nov. 20, 1969;
8:48 a.m.]

PIG IRON FROM BRAZIL

Notice of Tentative Negative Determination

NOVEMBER 6, 1969.

Information was received on January 30, 1969, that pig iron from Brazil is being sold at less than fair value within

the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of September 6, 1969, on page 14136.

I hereby make a tentative determination that pig iron from Brazil is not being, nor likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. There have been no sales of pig iron from Brazil to the United States since May 1968. There is no information indicating that pig iron will be shipped to the United States from Brazil in the near future.

In accordance with § 53.33(b), Customs Regulations (19 CFR 53.33(b)) interested parties may present written views or arguments, or request in writing, that the Secretary of the Treasury afford an opportunity to present oral views.

Any such written views, arguments, or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 53.33 of the Customs Regulations (19 CFR 53.33).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[P.R. Doc. 69-13926; Filed, Nov. 20, 1969;
8:48 a.m.]

TETRACYCLINE PRODUCTS FROM ITALY

Determination of Sales at Not Less Than Fair Value

NOVEMBER 6, 1969.

On September 18, 1969, there was published in the FEDERAL REGISTER a "Notice of Tentative Negative Determination" that tetracycline products manufactured by Carlo Erba, S.p.A., Milan, Italy, are not being sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)) (referred to in this notice as "the Act").

The statement of reasons for the tentative determination was published in the above-mentioned notice and interested parties were afforded until October 18, 1969, to make written submissions or requests for an opportunity to present views in connection with the tentative determination.

No written submissions or requests having been received, I hereby determine that, for the reasons stated in the tentative determination, tetracycline products manufactured by Carlo Erba, S.p.A., Milan, Italy, are not being, nor likely to be, sold at less than fair value (section 201(a) of the Act; 19 U.S.C. 160(a)).

This determination is published pursuant to section 201(c) of the Act (19

U.S.C. 160(c)) and § 53.33(c), Customs Regulations (19 CFR 53.33(c)).

[SEAL] EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[P.R. Doc. 69-13927; Filed, Nov. 20, 1969;
8:48 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

OHIO STATE UNIVERSITY ET AL.

Notice of Applications for Duty-Free Entry of Scientific Articles

Correction

In F.R. Doc. 69-13568 appearing at page 18320 in the issue of Saturday, November 15, 1969, in column 2, third paragraph, the reference to "Docket No. 70-00274-00-46040" should read "Docket No. 70-00275-00-46040".

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 2-0136 NV]

STREPTOMYCIN SULFATE FOR WATER MEDICATION

Drugs for Veterinary Use; Drug Efficacy Study Implementation

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

1. Vet Strep Solution 25 percent containing streptomycin sulfate equivalent in activity to 250 milligrams of streptomycin base per cubic centimeter; by Merck and Co., Inc., Rahway, N.J. 07065.
2. Aqua-Strep containing streptomycin sulfate equivalent in activity to 100 grams of streptomycin base per pound; by The Gland-O-Lac Co., 1818 Leavenworth, Omaha, Nebr. 68101.

The Academy evaluated these products as probably effective for the treatment of bacterial diseases involving the gastrointestinal tract in poultry, swine, and calves.

The Academy stated that:

1. Each disease claim should be properly qualified as "appropriate for use in (name of disease) caused by pathogens sensitive to (name of drug)." If the disease cannot be so qualified, the claim must be dropped.

2. Label claims for these preparations must be restricted to diseases involving the gastrointestinal tract because of the chemical and pharmacological properties of the streptomycin sulfate.

3. The label should warn that treated animals must actually consume sufficient medicated water to provide a therapeutic dose under the conditions that prevail. As a precaution, the label should declare

[Docket No. FDC-D-136]

**PHENYRAMIDOL HYDROCHLORIDE,
PHENYRAMIDOL SALICYLATE, AND
PHENYRAMIDOL HYDROCHLORIDE
WITH ALUMINUM ASPIRIN****Notice of Withdrawal of Approval of
New-Drug Applications**

In an announcement published in the FEDERAL REGISTER of February 14, 1969 (34 F.R. 2213), the Commissioner of Food and Drugs, pursuant to evaluation of reports received from the National Academy of Sciences-National Research Council, gave notice that the following drugs are possibly effective for the relief of pain in a variety of acute, recurring, and chronic painful conditions, including those conditions specifically cited in the announcement:

1. Analgin 400 Capsules; 400 milligrams of phenylramidol hydrochloride per capsule (NDA 11-946).
2. Analgin-AF Tablets; 100 milligrams of phenylramidol hydrochloride and 300 milligrams of aluminum aspirin per tablet (NDA 12-146).
3. Analgin Tablets; 200 milligrams of phenylramidol hydrochloride per tablet (NDA 11-946).
4. Analgin Syrup; 100 milligrams of phenylramidol salicylate per 5 cubic centimeters (NDA 12-584).

The announcement stated that the holder of the approved new-drug applications, and any person marketing these drugs without approval, would be allowed 6 months after its publication to obtain and submit data in a supplemental or original new-drug application to provide substantial evidence of effectiveness of the drugs for those indications for which the drugs have been classified as possibly effective.

The present holder of the above approved new-drug applications is Mallinckrodt Chemical Works, Second and Mallinckrodt Streets, St. Louis, Mo. 63160 (Nelsler Laboratories, subsidiary of Union Carbide Corp., was the former holder). The holder of the approved new-drug applications has requested withdrawal of approval of said applications by letter dated September 4, 1969. No other interested person has submitted data to provide substantial evidence of effectiveness of the drugs for those indications for which the drugs have been classified as possibly effective.

The Commissioner, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)) and under authority delegated to him (21 CFR 2.120), finds on the basis of new information evaluated with the evidence available when the applications were approved that substantial evidence is lacking that the subject drugs will have the effects they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in their labeling.

Therefore, pursuant to the foregoing finding, approval of new-drug applications Nos. 11-946, 12-146, and 12-584,

the desired oral dose in terms of the amount of drug per pound of animal weight per day for each species as a guide to effective use of the preparation in drinking water.

4. Label claims made "for prevention of" or "to prevent" should be replaced with "as an aid in the control of" or "to aid in the control of."

5. Labeling should carry a warning pertaining to the development of streptomycin resistant organisms.

6. Dosage levels recommended in the labeling are low.

The Food and Drug Administration concurs with the Academy's evaluation.

This evaluation is concerned only with the drugs' effectiveness and safety to the animal to which administered. It does not take into account the safety for food use of food derived from drug-treated animals. Nothing herein will constitute a bar to further proceedings with respect to questions of safety of these drugs or their metabolites as residues in food products derived from treated animals.

This announcement is published (1) to inform the holders of new animal drug applications of the findings of the Academy and of the Food and Drug Administration and (2) to inform all interested persons that such articles to be marketed must be the subject of approved new animal drug applications and otherwise comply with all other requirements of the Federal Food, Drug, and Cosmetic Act.

Holders of new animal drug applications are provided 6 months from the publication hereof in the FEDERAL REGISTER to submit adequate documentation in support of the labeling used.

Written comments regarding this announcement, including request for an informal conference may be addressed to the Bureau of Veterinary Medicine, 200 C Street SW., Washington, D.C. 20204.

The holders of the applications for the subject drugs have been mailed a copy of the NAS-NRC report. Any manufacturer, packer, or distributor of a drug of similar composition and labeling to the listed drugs or any other interested person may also obtain a copy by writing to the Food and Drug Administration, Press Relations Office, 200 C Street SW., Washington, D.C. 20204.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 512, 52 Stat. 1050-51, 82 Stat. 343-51; 21 U.S.C. 352, 360b) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: November 14, 1969.

J. K. Kirk,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-13826; Filed, Nov. 20, 1969;
8:45 a.m.]

and all amendments and supplements thereto, is withdrawn effective on the date of signature of this document. Accordingly, phenylramidol, alone or in combination with other active ingredients labeled for human use, will be regarded as a new drug for which no approved new-drug application is in effect.

Dated: November 10, 1969.

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

[F.R. Doc. 69-13843; Filed, Nov. 20, 1969;
8:46 a.m.]

Office of the Secretary
**SOCIAL AND REHABILITATION
SERVICE**

**Statement of Organization, Functions,
and Delegations of Authority**

Part 7 of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (34 F.R. 1279, Jan. 25, 1969) is hereby amended to reflect the establishment and functions of the Community Services Administration in the Social and Rehabilitation Service, and the transfer of functions from the Social and Rehabilitation Service to the Office of Child Development and the Health Services and Mental Health Administration pursuant to the Reorganization Order of September 17, 1969 (34 F.R. 14700, Sept. 23, 1969). For such purposes, Part 7 of the Statement is amended as follows:

1. Section 7-A is amended by striking out "maternal and child health."
2. Section 7-B is amended:
 - (a) By inserting in the first sentence of the first paragraph under the heading "Immediate Office of the Administrator," the words "juvenile delinquency;" after the words "medical assistance;"
 - (b) By striking out, in the introductory text under the heading "Social and Rehabilitation Service Program Bureaus," the words "the Children's Bureau," and inserting in lieu thereof "the Community Services Administration;"
 - (c) By striking out, in the first paragraph under the heading "Administration on Aging," the words "and Titles I, XVI, and XIX of the Social Security Act";
 - (d) By striking out, in the first sentence under the heading "Division of Older Americans Service," the words "and the provision of public social services to maintain independent living and promote self-care for older persons eligible under Titles I, XVI, XIX, and related provisions of the Social Security Act";
 - (e) By striking out, in the first sentence under the heading "Assistance Payments Administration," the words "the Work Incentive programs, and the Work Experience programs";
 - (f) By striking out, in the first sentence of the second paragraph under the heading "Assistance Payments Administration," the words "and work";
 - (g) By striking out under the heading "Assistance Payments Administration,"

the paragraph headed "Division of Work and Training Programs."

(h) By striking out the heading "Children's Bureau" and all that follows thereunder and inserting in lieu thereof the following:

COMMUNITY SERVICES ADMINISTRATION

Provides leadership in the planning, development, and coordination of those Social and Rehabilitation Service programs which provide services to improve the capability of disadvantaged families and individuals for self-support, making maximum use of the resources and skills available under the Vocational Rehabilitation program, utilization of the WIN program (Work Incentive program), rehabilitation and other education and training programs; provides services for the welfare of children, to strengthen family life for disadvantaged families with children; furnishes assistance in family planning; and provides services for disadvantaged aged, blind, or permanently and totally disabled individuals to improve their social functioning; and keeps the Administrator informed as to objectives, goals, and progress.

Within the authorities delegated to it, the Administration: establishes program goals and objectives; develops standards, program policies, criteria, and guidelines; provides professional consultation to the Regional Office staff and assists it in the guidance and leadership of State and local agencies and groups; cooperates with the Office of Research, Demonstrations, and Training in the promotion of demonstration programs to evolve new and more effective approaches and methods in the organization and delivery of services; conducts administrative management activities, and coordinates its activities and programs with other concerned Social and Rehabilitation Service organizations, the Office of Child Development, and other Department of Health, Education, and Welfare agencies, as well as other public and private organizations.

The Community Services Administration has assigned its functional responsibilities to the various divisions and offices as follows:

Office of Service Development. Promotes and provides leadership to a nationwide development program to improve the organization and delivery of this Administration's services and related services provided by State and local agencies. With the cooperation of the Office of Research, Demonstrations, and Training, innovates, develops, and tests models for the improvement of services on a comprehensive basis in different geographic and socio-economic settings, and in cooperation with other broad systems such as Model Cities, utilizing the authority and funds available under section 1115 of the Social Security Act and other sources. Coordinates with the Social and Rehabilitation Service, Office of Research, Demonstrations, and Training in the evaluation, interpretation, and application of research findings to the service programs, and in the development and evaluation of training pro-

grams. Coordinates with the Social and Rehabilitation Service, Office of Program Planning and Evaluation in the evaluation of service programs. Maintains relationships with public and private agencies in relevant areas of research, experimentation, and evaluation of service programs.

Division of Self-Support Programs. Plans, coordinates, directs, and evaluates activities in carrying out departmental responsibilities in the Work Incentive Program (Title IV, Part C, Social Security Act), and other work experience, education, and training programs. Maintains liaison and cooperative relationships with the Department of Labor and the Office of Economic Opportunity. Provides technical advice and assistance to regional office staffs to assist them in maintaining effective Federal-State-local relationships and to encourage maximum realization of the public welfare objectives to improve the capability of disadvantaged families and individuals to achieve self-support. Participates in program analysis, evaluates practices and effectiveness of services, and takes action to promote improvement. Cooperates in the development of inter- and intra-departmental programs relating to individual and family services. Serves as Social and Rehabilitation Service liaison with the Office of Child Development on day-care policies, regulations, and standards.

Division of Child and Family Services. Plans, provides leadership, administers, and promotes the national program of comprehensive individual, family, and social services (Title IV, Parts A and B, of the Social Security Act), and formulates policies and guidelines for these services. Provides professional consultation and assistance to regional office staff and assists it in the guidance and leadership of State public welfare agencies and other public and voluntary agencies in development, extension, and improvement of quality programs offering social and family planning services for individuals and families. Participates in program analysis, evaluates practices and effectiveness of services, and takes action to promote improvement. Cooperates in the development of inter-departmental and intradepartmental programs relating to individual and family services. Serves as Social and Rehabilitation Service liaison with the Office of Child Development on child welfare policies, regulations, and standards (except for day-care).

Division of Services to the Aged and Handicapped. Plans, provides leadership, administers, and promotes the national program of social services to the aged and the handicapped under the provisions of Titles I, X, XIV, and XVI of the Social Security Act, and formulates policies and guidelines for these services. Provides professional consultation and assistance to the regional office staff in these areas, and assists it in the guidance and leadership of State agencies, and national public and voluntary agencies in the development, implementation, extension, and improvement of programs offering social services to the aged and

the handicapped. Provides program analysis, to include the evaluation of both its efficiency and effectiveness, and takes action to promote necessary improvements. Participates in the development of programs, both within the Department and with other Governmental agencies which relate to aged and handicapped services. Is the Social and Rehabilitation Service liaison with other Departmental offices and other Governmental agencies on policy, regulations and standards.

(i) By amending the first sentence under the heading "Rehabilitation Services Administration" to read as follows: "Provides leadership in the planning, development and coordination of those SRS programs which provide rehabilitation services for the handicapped, including disabled social security applicants and beneficiaries and the mentally retarded, in accordance with the provisions of the Vocational Rehabilitation Act, as amended, Title II of the Social Security Act, as amended, title I, parts B, C, and D of Public Law 88-164, as amended, and sections 301 and 303 of the Public Health Service Act."

(j) By striking out, in the first sentence under the heading "Division of Services to the Blind," the words "aid to the blind"; and

(k) By striking out, in the first paragraph under the heading "Regional Organization," the words "Child Health and Welfare," and inserting in lieu thereof "Community Services."

3. Section 7-D(a) (1) is amended to read as follows:

(1) The functions vested in the Secretary by:

(i) Titles I, X, XIV, and XVI of the Social Security Act (42 U.S.C. 301 et seq., 1201 et seq., 1351 et seq., 1381 et seq.);

(ii) Title IV of the Act (42 U.S.C. 601 et seq.), except for the functions under Parts A and B thereof administered by the Office of Child Development as set forth in section 2(a) (2) and (3) of the Reorganization Order of September 17, 1969 (34 F.R. 14700, Sept. 23, 1969);

(iii) Title XIX of the Act (42 U.S.C. 1396 et seq.), subject to section 1-965.30 of this statement;

(iv) Title XVIII of the Act (42 U.S.C. 1395 et seq.), to the extent of the responsibilities assigned by section 1-965.20 (c) of this statement; and

(v) Titles VII and XI of the Act (42 U.S.C. 902 et seq., 1301 et seq.), insofar as the provisions of such titles pertain to the mission of the Social and Rehabilitation Service as described in section 7-A of this statement.

4. Section 7-D(a) (6) is amended by striking out all beginning with the words "Provided, however," and ending with the words "Provided further," and inserting in lieu thereof "Provided, however,".

5. Section 7-D(a) is amended by re-voking item (19) thereof and redesignating item (20) as item (19).

Approved: November 14, 1969.

ROBERT H. FINCH,
Secretary.

[P.R. Doc. 69-13854; Filed, Nov. 20, 1969;
8:46 a.m.]

CHILD HEALTH AND WELFARE PROGRAM

Reorganization

The Reorganization of the Child Health and Welfare Program (34 F.R. 14700, Sept. 23, 1969) is hereby amended as follows:

1. Section 2(a)(3) is amended as follows:

(3) Such functions with respect to research, demonstration and training projects under title IV, Part B, section 426 of the Social Security Act as are agreed to by the Administrator of SRS and the Assistant Secretary for Administration.

2. Section 3(b)(5) is amended as follows:

(5) Administration of such research, demonstration, and training projects under title IV, Part B, section 426 of the Social Security Act as are agreed to by the Administrator of SRS and the Assistant Secretary for Administration.

Dated: October 10, 1969.

ROBERT H. FINCH,
Secretary.

[F.R. Doc. 69-13855; Filed, Nov. 20, 1969;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 20291; Order 69-11-63]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Fare Matters

Issued under delegated authority November 17, 1969.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act), and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 2-3 and 1-2-3 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB Agreement number.

The agreement would amend the existing resolution governing group inclusive tour fares established for travel between Europe/Africa/Middle East and the Australasian area so as to permit the combination of such fares with fares within the area comprised of India/Pakistan/Nepal/Ceylon.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the following resolutions, which are incorporated in Agreement CAB 21381, are adverse to the public interest or in violation of the Act:

IATA Resolutions

JT23 (Mail 230) 0811.

JT123 (Mail 622) 0811.

Accordingly, it is ordered, That:

Action on Agreement CAB 21381 be and hereby is deferred with a view toward eventual approval.

Persons entitled to petition the Board for review of this order, pursuant to the

Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL]

MABEL McCART,
Acting Secretary.

[F.R. Doc. 69-13863; Filed, Nov. 20, 1969;
8:47 a.m.]

[Docket No. 20093; Order 69-11-64]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Issued under delegated authority November 14, 1969.

An agreement has been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA). The agreement, which relates to specific commodity rates applicable within the Western Hemisphere, was adopted by the 25th meeting of the Traffic Conference 1 Specific Commodity Rates Board held October 7, 1969, in New York and has been assigned the above-designated CAB Agreement number.

The agreement, in general terms as it applies in air transportation, extends for a further period of effectiveness certain specific commodity rates, under current descriptions, adopted since the last meeting of the Rates Board held in New York on January 14, 1969. In addition to naming several rates to added points under existing commodity descriptions and rates from Kingston to Miami under a new description (Item 0837—Cucumbers and "Ugli" Fruits), the agreement makes a number of adjustments in existing rates, the most substantial of which involves increasing several minimum weight requirements generally from 200 to 300 kilograms. Also, "press photographs" would be deleted from Commodity Item 7103.

We propose to approve the agreement except insofar as it would establish certain specific commodity rates for household goods and personal effects to/from or between Miami and a number of points within Central and South America at levels higher than the Board-approved IATA general cargo rates. These rates were among those which earlier were disapproved by the Board in Order 69-6-75, dated June 13, 1969, and eventual disapproval is contemplated for the same reasons as set forth in that order.

Pursuant to authority duly delegated by the Board in the Board's regulations, 14 CFR 385.14, it is not found, on a tentative basis, that the subject agreement is adverse to the public interest or in violation of the Act, provided that ap-

proval shall be subject to the following conditions:

(a) Approval shall not extend to the specific commodity rates listed in the attachment hereto;¹ and

(b) Approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Accordingly, it is ordered, That:

Action on Agreement CAB 21379 be and hereby is deferred with a view toward eventual approval, subject to the conditions set forth in the finding paragraph above.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL]

MABEL McCART,
Acting Secretary.

[F.R. Doc. 69-13864; Filed, Nov. 20, 1969;
8:47 a.m.]

[Dockets Nos. 20781, 20291; Order 69-11-64]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Fare Matters

Issued under delegated authority November 17, 1969.

An agreement has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act), and Part 261 of the Board's economic regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of the Traffic Conferences of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated CAB agreement number.

The agreement amends a number of fare resolutions applicable within the area comprised of Europe/Africa/Middle East, and across the Atlantic, by the inclusion of Liege in the list of cities for which fares are specified.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. It is not found that the following resolutions, which are incorporated in the agreement indicated, affect air transportation within the meaning of the Act:

Agreement CAB: IATA Resolutions
21367

R-1	200 (Mail 952) 070j.
	200 (Mail 952) 070m.
	200 (Mail 952) 070r.
	200 (Mail 952) 070rr.
	200 (Mail 952) 070s.
R-2	200 (Mail 925) 072b.

2. It is not found, on a tentative basis, that the following resolutions, incorporated in the agreement indicated, are adverse to the public interest or in violation of the Act:

¹ Filed as part of the original document.

Agreement CAB: IATA Resolutions

21367

R-3 ----- JT12(Mail 717) 054a.
JT12(Mail 717) 064a.
JT12(Mail 717) 070d.
JT12(Mail 717) 076e.
JT12(Mail 717) 083a.
JT12(Mail 717) 084a.
R-4 ----- JT12(Mail 717) 054b.
JT12(Mail 717) 064b.
JT12(Mail 717) 070f.

3. It is not found that the following resolutions, which are incorporated in the agreement indicated, and which do not directly affect air transportation, are adverse to the public interest or in violation of the Act:

Agreement CAB: IATA Resolutions

21367

R-4 ----- JT12(Mail 717) 054c.
JT12(Mail 717) 064c.
R-5 ----- JT123(Mail 623) 057.
JT123(Mail 623) 057.

Accordingly, it is ordered, That:

1. Jurisdiction is disclaimed with respect to those portions of Agreement CAB 21367 as set forth in finding paragraph 1;

2. Action on those portions of Agreement CAB 21367 as set forth in finding paragraph 2 is deferred with a view toward eventual approval; and

3. Those portions of Agreement CAB 21367 as set forth in finding paragraph 3 be and hereby are approved.

Persons entitled to petition the Board for review of this order, pursuant to the Board's regulations, 14 CFR 385.50, may, within 10 days after the date of service of this order, file such petitions in support of or in opposition to our proposed action herein.

This order will be published in the FEDERAL REGISTER.

[SEAL]

MAHEL MCCART,
Acting Secretary.

[F.R. Doc. 69-13865; Filed, Nov. 20, 1969;
8:47 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Report 466]

COMMON CARRIER SERVICES INFORMATION

Domestic Public Radio Services Appli- cations Accepted for Filing

NOVEMBER 17, 1969.

Pursuant to §§ 1.227(b)(3) and 21.26 (b) of the Commission's rules, an application, in order to be considered with any domestic public radio services applica-

¹ All applications listed in the appendix are subject to further consideration and review and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

² The above alternative cutoff rules apply to those applications listed in the appendix as having been accepted in Domestic Public Land Mobile Radio, Rural Radio, Point-to-Point Microwave Radio, and Local Television Transmission Services (Part 21 of the rules).

tion appearing on the attached list, must be substantially complete and tendered for filing by whichever date is earlier: (a) The close of business 1 business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which subsequent applications are in conflict) as having been accepted for filing. An application which is subsequently amended by a major change will be considered to be a newly filed application. It is to be noted that the cutoff dates are set forth in the alternative—applications will be entitled to consideration with those listed in the appendix if filed by the end of the 60-day period, only if the Commission has not acted

upon the application by that time pursuant to the first alternative earlier date. The mutual exclusivity rights of a new application are governed by the earliest action with respect to any one of the earlier filed conflicting applications.

The attention of any party in interest desiring to file pleadings pursuant to section 309 of the Communications Act of 1934, as amended, concerning any domestic public radio services application accepted for filing, is directed to § 21.27 of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Secretary.

[SEAL]

APPENDIX

APPLICATIONS ACCEPTED FOR FILING

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE

File No., applicant, call sign and nature of application

- 2530-C2-P-70—Econocom, Inc. (New), C.P. for new 2-way station to be located at 800 feet east of Prairie Du Chien Road and 1000 feet north of Interstate Highway, Iowa City, Iowa, to operate on frequency 152.18 MHz.
- 2531-C2-P-70—Econocom, Inc. (New), C.P. for new 1-way station to be located at 800 feet east of Prairie Du Chien Road and 1000 feet north of Interstate Highway, Iowa City, Iowa, to operate on frequency 152.24 MHz.
- 2532-C2-P-70—Ruth Harper, doing business as Kalamazoo Telephone Answering Service (New), C.P. for new 1-way station to be located at 136 East Michigan Avenue, Kalamazoo, Mich., to operate on frequency 152.24 MHz.
- 2533-C2-P-70—Joseph N. Thomason (New), C.P. for new 2-way station to be located at Beezley Hills, 2 miles west of Ephrata, Wash., to operate on frequency 152.18 MHz.
- 2534-C2-P-(2)-70—Charles F. Read, doing business as Mobilphone of Baton Rouge (KKX707), C.P. to change transmission line and replace transmitter operating on frequency 152.15 MHz at its station located at 844 Government Street, Baton Rouge, La.
- 2535-C2-P-70—Mobile Radio Dispatch Service, Inc. (KEA256), C.P. to add transmitter to operate on frequency 454.025 at a new site to be identified as location No. 4: End of Freehold Street, Asbury Park, N.J.
- 2536-C2-P-70—Central Telephone Co. (KOH273), C.P. for additional channel to operate on frequency 152.60 MHz at its station located at Fifth and Garson Streets, Las Vegas, Nev.
- 2537-C2-P-70—Illinois Bell Telephone Co. (KSJ773), C.P. to change transmitter type number and antenna system operating on frequency 152.75 MHz at its station located at 221 15th Street, Cairo, Ill.
- 2538-C2-MP-70—The Bell Telephone Co. of Pennsylvania (KGA474), Modification of C.P. to add isolators to transmitters operating on base frequency 152.78 MHz and auxiliary test frequency 158.04 MHz at its station located at 1.9 miles north of Wyoming, Pa.
- 742-C2-R-70—The Bell Telephone Co. of Pennsylvania (KC7944), Renewal of license expiring December 1, 1969.
- 2539-C2-MP-(4)-70—Southwestern Bell Telephone Co. (KAA818), Modification of C.P. to make antenna changes for base frequencies 454.375, 454.425, 454.450, 454.550 MHz at its station located at 2651 Olive Street, St. Louis, Mo.
- 2545-C2-P-70—Pacific Northwest Bell Telephone Co. (New), C.P. for new Developmental air-ground station. Frequencies 454.675 MHz (signaling) and 454.950 MHz (base). Location: Gold Mountain, 7.4 miles west of Bremerton, Wash.
- 2546-C2-P-70—Northwestern Bell Telephone Co. (New), C.P. for new Developmental air-ground station. Frequencies 454.675 MHz (signaling) and 454.850 MHz (base). Location: 6002 28th Avenue South, Minneapolis, Minn.
- 2547-C2-P-70—Southern Communications, Inc., doing business as Mobilphone of Tyler (New), C.P. for a new 1-way station to be located at 2.5 miles east of Tyler on Glasgow Road, Tyler, Tex., to operate on frequency 152.24 MHz.
- 2548-C2-ML-70—The Bell Telephone Co. of Pennsylvania (KGA585), Modification of license to substitute the 35.50 MHz (base), 43.50 MHz (test) frequency pair for the presently used 35.66 MHz (base), 43.66 MHz (test) pair at location No. 1: 1631 Arch Street, Philadelphia, Pa.
- 2549-C2-P-70—General Communications, Inc. (KEC737), C.P. to add transmitter to operate on frequency 152.09 MHz at a new site to be identified as location No. 2: 50 Presidentia Plaza, Syracuse, N.Y.
- 2579-C2-AL-70—McCall Telephone Answering Service (KEC513), Consent to assignment of license from: McCall Telephone Answering Service, Assignor to: Aisignal International, Inc., Assignee.
- 2581-C2-P-70—Pond Branch Telephone Co., Inc. (New), C.P. for a new 2-way station to be located on U.S. Route 178 approximately one-half mile northwest of Pellon, S.C., to operate on frequency 152.78 MHz.
- 2580-C2-P-(3)-70—RAM Broadcasting Corp. (New), C.P. for a new 2-way station to be located at corner of Griswold and Fort Streets, Detroit, Mich., to operate on frequencies 454.125, 454.175, and 454.275 MHz.

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE—Continued

- 2582-C2-P-70—The Ohio Bell Telephone Co. (KQA653), C.P. for additional facilities to operate on base frequency 152.69 MHz at station located at Walters Road, East Canton, Ohio. Also add auxiliary test frequency to operate on 157.95 MHz located at 401 Cleveland Avenue NW., Canton, Ohio.
- 2589-C2-P-12)—70—Sawnee Message Service (New), C.P. for new 2-way station. Frequency: 454.100 MHz (base). Location: Sawnee Mountain, 2.3 miles north-northwest from Cumming, Ga. Frequency: 459.100 MHz (control). Location: 301 West Washington Street, Gainesville, Ga.
- 2612-C2-P-70—Southern Bell Telephone & Telegraph Co. (KIX443), C.P. to change antenna system and replace transmitter operating on frequency 152.81 MHz at station located at 819 Main Street, Palatka, Fla.
- 2613-C2-P-70—Telephone Answering Service, Inc. (ESA265), C.P. for additional channel to operate on frequency 152.06 MHz at a new site to be identified as location No. 3; Steward and Leonard Streets, Creve Coeur, Ill.
- 2614-C2-P-70—L. C. McCall (KIM900), C.P. to change antenna system and replace transmitter operating on frequency 152.18 MHz at location No. 1: Dug Gap Mountain, approximately 4 miles southwest of Dalton, Ga.
- 2615-C2-MP-70—New England Telephone & Telegraph Co. (KCA671), Modification of C.P. to add a test station to be located at 6 Bowdoin Square, Boston, Mass., to operate on frequencies 459.475, 459.500, 459.525, 459.550 MHz.
- 2623-C2-P-70—Mobile Radiotelephone Corp. (KIX725), C.P. to change antenna system and replace transmitter operating on frequency 152.21 MHz at station located on Highway No. 118, 2.1 miles east of Grifton, N.C.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)

- 2541-C1-P/ML-70—American Telephone & Telegraph Co. (KHG27), C.P. and modification of license to add frequency 4130 MHz toward Garden City, Va. Location: 735 13th Street NW., Washington, D.C.
- 2542-C1-P/ML-70—American Telephone & Telegraph Co. (KIB27), C.P. and modification of license to add frequency 4170 MHz toward Washington, D.C., and 3910 MHz toward Gambrills, Md. Location: Garden City, 5301 22d Street, North Arlington, Va.
- 2543-C1-P/ML-70—American Telephone & Telegraph Co. (KGO88), C.P. and modification of license to add frequency 3550 MHz toward Randallstown, Md. Location: 2 miles southeast of Odenton, Md.
- 2544-C1-P-70—General Telephone Co. of Kentucky (KYC83), C.P. to add frequencies 6286.2 and 11,285 MHz toward Mountain Rural West Liberty Terminal Station, West Liberty, Ky. Location: Intersection of U.S. Highway No. 60 and State Highway No. 32, 1.7 miles east of Morehead, Ky.
- 2550-C1-P-70—South Central Bell Telephone Co. (KIX57), C.P. to add frequency 6315.9 MHz toward Irondale, Ala., via passive reflector. Location: 1715 Sixth Avenue North, Birmingham, Ala.
- 2551-C1-P-70—South Central Bell Telephone Co. (KJN23), C.P. to add frequency 6063.8 MHz toward Elbow Gap, Ala., and toward Birmingham, Ala., via passive reflector. Location: Corner of Reamer Street and Claremont Avenue, Irondale, Ala.
- 2552-C1-P-70—South Central Bell Telephone Co. (KJN54), C.P. to add frequency 6315.9 MHz toward Coldwater and Irondale, Ala. Location: Approximately 3 miles south of Odenville, Ala.
- 2553-C1-P-70—South Central Bell Telephone Co. (KIB84), C.P. to add frequency 6063.8 MHz toward Elbow Gap, Ala. Location: Approximately 1.5 miles southwest of Anniston, Ala.
- 2554-C1-MP-70—Southwestern Bell Telephone Co. (KIV29), Modification of C.P. to add frequencies 6049.0 and 6167.6 MHz toward Amarillo, Tex. Location: Amarillo Junction, 10th and Jackson Streets, Amarillo, Tex.
- 2555-C1-MP-70—Southwestern Bell Telephone Co. (KIV30), Modification of C.P. to add frequencies 6226.9 and 6345.3 MHz toward Dumas, Tex., and 6301.0 and 6419.5 MHz toward Amarillo Junction, Tex. Location: 24 miles north of Amarillo, Tex.
- 2556-C1-P-70—Southwestern Bell Telephone Co. (New), C.P. for a new fixed station to be located near Ninth and Porter Streets, Dumas, Tex., to operate on frequencies 5974.8 and 6093.5 MHz toward Amarillo, Tex.

POINT-TO-POINT MICROWAVE RADIO SERVICE (TELEPHONE CARRIER)—Continued

- 2557-C1-P-70—Siskiyou Telephone Co. (KMZ31), C.P. to add frequencies 6189.3 and 6412.3 MHz toward Yreka, Calif., and 6349.1 and 6374.4 MHz toward Oak Knoll, Calif., and change the antenna system. Location: Main Street, Fort Jones, Calif.
- 2559-C1-P-70—Siskiyou Telephone Co. (KMZ36), C.P. to delete frequency 6215.0 MHz toward Gunsight Peak, Calif., and frequencies 6113.7 and 5997.1 MHz toward Fort Jones, Calif. Location: 220 Pine Street, Yreka, Calif.
- 2561-C1-P-70—Siskiyou Telephone Co. (KMZ85), C.P. to add frequencies 6056.4 and 5937.8 MHz toward Hamburg, Calif.; change the antenna system and relocate facilities to near State Highway No. 96, Happy Camp, Calif.
- 2562-C1-P-70—Siskiyou Telephone Co. (KMZ82), C.P. to delete frequency 6255.0 MHz toward Slater Butte, Calif., and add frequencies 6338.1 and 6189.3 MHz toward Oak Knoll, Calif., and 6307.4 and 6249.1 MHz toward Happy Camp, Calif.
- 2563-C1-P-70—Siskiyou Telephone Co. (New), C.P. for a new station to be located at 0.25 mile northwest of Oak Knoll Ranger Station, Oak Knoll, Calif., to operate on frequencies 6056.4 and 5937.8 MHz toward Fort Jones and 6115.7 and 5997.1 MHz toward Hamburg, Calif.
- 2563-C1-P-70—Lee Telephone Co. (KJH24), C.P. to change frequencies from 6028.7 and 6086.0 MHz to 6019.8 and 10,955 MHz toward Fork Mountain, Va. Location: 127 East Church Street, Martinsville, Va.
- 2564-C1-P-70—Lee Telephone Co. (KJH25), C.P. to change frequencies from 6273.8 and 6338.1 MHz to 6241.7 and 11,405 MHz toward Martinsville, Va., and change frequencies 6249.1 and 6308.4 MHz to 6271.4 and 11,685 MHz toward Green's Knob, Va. Location: Fork Mountain, 2.2 miles north-northwest of Figsboro, Va.
- 2565-C1-P-70—The Mountain States Telephone & Telegraph Co. (KPY63), C.P. to add frequencies 6197.3 and 10,875 MHz toward Pine, Ariz., and 6375.2 and 10,785 MHz toward Tonto Creek, Ariz. Location: Mount Ord, 23 miles south-southwest of Payson, Ariz.
- 2566-C1-P-70—The Mountain States Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at 0.2 mile south of Pine, Ariz., to operate on frequencies 5945.2 and 11,565 MHz toward Pine, Ariz.
- 2567-C1-P-70—The Mountain States Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at Tonto Creek, 15.3 miles east-northeast of Payson, Ariz., to operate on frequencies 6123.1 and 11,245 MHz toward Tonto Creek, Ariz.
- 2607-C1-JC-(290)—70—The Western Union Telegraph Co. Consent to transfer of control from The Shareholders of The Western Union Telegraph Co., Transferees, To: Western Union Corp., Transferees (280 stations throughout the United States).

Major Amendment

- 5732-C1-P-68—South Central Bell Telephone Co. (KJN23), Add frequency 5093.8 MHz toward Birmingham and Elbow Gap, Ala. Location: Red Mountain, 1815 11th Place South, Birmingham, Ala. All other particulars same as reported in public notice dated May 20, 1968. Report No. 388.
- 2608-C1-MP-70—Pacific Northwest Bell Telephone Co. (KOA98), Modification of C.P. to change frequencies from 4050 and 4130 MHz to 4030 and 4110 MHz toward Peola, Wash. Location: 528 Sixth Avenue, Lewiston, Idaho.
- 2609-C1-MP-70—Pacific Northwest Bell Telephone Co. (KOA99), Modification of C.P. to change frequencies from 3770 and 3850 MHz to 3750 and 3830 MHz toward Lewiston, Idaho. Location: 2.1 miles east-northeast of Peola, Wash.
- 2610-C1-P-70—The Mountain States Telephone & Telegraph Co. (KPN88), C.P. to add frequencies 6108.3 and 11,565 MHz toward Hayden, Ariz. Location: Final Peak, 8.3 miles south-southwest of Globe, Ariz.
- 2611-C1-P-70—The Mountain States Telephone & Telegraph Co. (New), C.P. for a new fixed station to be located at 235 Fourth Street, Hayden, Ariz., to operate on frequencies 6260.3 and 11,115 MHz toward Hayden, Ariz.
- 2622-C1-MP-70—Mountain Microwave Corp. (KIB22), Modification of C.P. to replace transmitters and change frequencies to: 6019.3, 6049.0, 6108.9, 6137.6 MHz on azimuth 150°28', 72°33', and 171°38' and frequency 5974.8 MHz on azimuth 253°28'. Location: Almagre Mountain, 8 miles west of Broadmoor, Colo., at lat. 38°46'35" N., long. 104°59'30" W.

(F.R. Doc. 69-13833; Filed Nov. 20, 1969; 8:45 a.m.)

POINT-TO-POINT MICROWAVE RADIO SERVICE (NONTELEPHONE)

[Dockets Nos. 18737, 18738; FCC 69-1226]

MEYER BROADCASTING CO. AND HARRISCOPE BROADCASTING CORP.**Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues**

In regard applications of Meyer Broadcasting Co., Glendive, Mont., Docket No. 18737, File No. BPTTV-3723, and Harriscope Broadcasting Corp., Glendive, Mont., Docket No. 18738, File No. BPTTV-3758, for construction permit for new television broadcast translator station.

1. The Commission has before it for consideration the above-captioned applications of Meyer Broadcasting Co., licensee of Station KUMV-TV, Channel 8, Williston, N. Dak., and Harriscope Broadcasting Corp., licensee of Station KULR-TV, Channel 8, Billings, Mont., each requesting a construction permit for a new 100-watt VHF television broadcast translator station to operate on assigned and unused Channel 9, Glendive, Mont. The Commission also has before it for consideration petitions to deny filed against both applications by Glendive Broadcasting Corp., licensee of Station KXGN-TV, Channel 5, Glendive, Mont., and various pleadings filed in connection therewith.¹ Meyer Broadcasting Co. (Meyer) would operate by picking up the signals of Station KUMV-TV off-the-air; Harriscope Broadcasting Corp. (Harriscope) would operate via translator Station K13IK, Terry and Fallon, Mont. Glendive is outside the predicted service contour of any television broadcast station except Station KXGN-TV.

2. Television service is provided to Glendive by Station KXGN-TV and a CATV system (Glendive Cable TV) which is owned 50 percent by the principals of Glendive Broadcasting Corp., the licensee of Station KXGN-TV. The CATV system, which has approximately 1,020 subscribers, carries the signals of Stations KUMV-TV, Channel 8, Williston, N. Dak. (NBC/ABC), which is a satellite of Meyer Broadcasting's Station KFYR-TV, Channel 5, Bismarck, N. Dak., and KXGN-TV, Glendive, by off-the-air pickup, and Stations KUTV-TV, Channel 2 (NBC) and KCPX-TV, Channel 4 (ABC), both Salt Lake City, Utah, by common carrier microwave.

3. Both applications propose operation of a 100-watt VHF translator on assigned and unused Channel 9, Glendive, Mont., pursuant to § 74.702(g) of the Commission's rules. The applications are, therefore, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive in-

terference. The applications must be designated for hearing in a consolidated proceeding to determine, on a comparative basis, which should be granted.

4. A brief resume of the background of this matter will be instructive in considering petitioner's arguments against grant of either application. On July 3, 1968, the Commission adopted a notice of proposed rule making (RM-1291, FCC 68-798) in response to a petition by Meyer Broadcasting Co., proposing to add Channel 9 to Glendive. The petition was opposed by Glendive Broadcasting. On February 26, 1969, the Commission adopted a report and order (16 FCC 2d 733, 15 RR 2d 1559) amending the Television Table of Assignments (§ 73.606 of the Commission's rules) to add Channel 9 to Glendive, giving that city channels 5, 9, and *16. Channel 5 is licensed to KXGN-TV; channel *16 is reserved for noncommercial educational use and has not been applied for. In the rule-making proceeding, KXGN-TV presented the economic arguments which it now offers against grant of either application and the Commission held that its showing was insufficient to withhold allocation of a channel, but that these arguments are more properly presented in connection with any specific application which may be filed for a construction permit for a broadcast station to operate on the channel. The decision went no further, for the mere allocation of a channel can, of itself, cause no economic injury.

5. Petitioner claims standing, pursuant to section 309(d) of the Communications Act of 1934, as amended, on the grounds that grant of either application would cause it economic injury by diverting viewership and advertising revenues. We find that petitioner has standing. Federal Communications Commission v. Sanders Brothers Radio Station, 309 U.S. 470, 69 S.Ct. 693, 9 RR 2008.

6. Petitioner raises three main questions: grant of either application would result in a concentration of control of broadcasting by either applicant in a manner inconsistent with the public interest; if either application is granted, it should be subject to a same-day non-duplication condition and a condition which will guarantee that KXGN-TV will carry any network program first in Glendive where the broadcast is delayed for reasons beyond KXGN-TV's control; and that grant of either application would inflict such severe economic injury upon petitioner as to result in injury to the public interest (the so-called "Carroll" question).²

7. Concentration of control: In connection with the Harriscope application, petitioner has recited Harriscope's interests in the various media of communications, but has not made an effort to show that the effect of these interests is inimical to the public interest; it has done the same with respect to the Meyer application. Neither applicant has any interest in any mean of mass com-

munication in Glendive. Meyer's only interests in the State of Montana are as licensee of Stations KOYN and KOYN-FM, Billings, Mont., some 200 miles from Glendive. Harriscope is the licensee of Station KULR-TV, Billings, Mont.; KFBB-TV, and KFBB(AM), Great Falls, Mont. (320 miles from Glendive); and KTWO-TV, Casper, Wyo. (310 miles from Glendive). Harriscope has a 25 percent interest in Montana Video, Inc., a CATV system in Billings, and it has translators in Miles City, Mont. (K06FE, 85 miles from Glendive), Forsyth, Mont. (K75CL, 110 miles from Glendive), Lewistown, Mont. (K74BL, 220 miles from Glendive), Havre, Mont. (K09HZ, 250 miles from Glendive), Helena, Mont. (K10FI, 350 miles from Glendive), and Sheridan, Wyo. (K12FN, 200 miles from Glendive). Out of a total 1960 population of 674,767 persons in Montana, the Harriscope stations serve communities whose population total 158,280. Glendive's 7,058 persons (1960) would bring that total to 165,338, or about one-quarter of the State's population. Such a percentage is not inordinately high in the western States.³

8. Petitioner's Station KXGN-TV is the only television station in Glendive. In addition to the television station, the community has two standard radio stations (KXGN and KGLE), one of which is licensed to the petitioner, a newspaper published twice weekly, and the CATV system which is half-owned by petitioner's principals. There is also a construction permit outstanding for a new FM radio station authorized to Christian Enterprises, Inc. Although, as noted, petitioner has interests in three of the above, neither of the applicants has any interest in any of them. In view of these facts, we find no basis for specifying an issue with respect to concentration of control.

9. The Carroll question: Glendive had a population of 7,058 in 1960 and Dawson County, in which Glendive is located, had a population in 1960 of 12,314. According to petitioner, there are 85 retail establishments in Glendive with total annual sales of \$14 million and Dawson County has 104 retail establishments with total annual sales of \$16 million. Petitioner claims net profit of \$3,137 from its combined radio and television operations in the 10-month period from October, 1967 to July, 1968, and has detailed its sources of income. It has combined its expenses and alleges that it is unable to break out the expenses attributable to the television operation from those attributable to the radio operation. Its net profit figure is, therefore, meaningless, since the radio operation could represent a substantial loss and the television operation a substantial profit. It has not furnished cash

¹ The petition to deny the Meyer application was filed June 4, 1969. Meyer filed an opposition on June 17, 1969; KXGN-TV filed an Erratum to the petition on June 19, 1969; Meyer filed an opposition to the Erratum on June 24, 1969; KXGN-TV filed a reply to both oppositions on July 7, 1969. The petition to deny the Harriscope application was filed July 22, 1969; an opposition was filed by Harriscope on Sept. 5, 1969. KXGN-TV did not file a reply thereto.

² Carroll Broadcasting Company v. Federal Communications Commission, 103 U.S. App. D.C. 346, 258 F.2d 440, 17 RR 2066.

³ For example, each of the Las Vegas stations serves about 1/3 of the population of Nevada; the Phoenix stations serve about 1/3 of the population of Arizona; the Denver stations serve about 1/4 of the population of Colorado; the Salt Lake City stations serve about 1/3 of the population of Utah; and the Albuquerque stations serve about 1/3 of the population of New Mexico.

flow figures nor has it shown its allowance for depreciation or payments to principals. It has not shown the effect of the operation of the CATV system on its viability. Petitioner asserts that it will lose its NBC and/or ABC affiliations in the event of a grant of either application, but it has furnished no facts to support this assertion.⁴ From this premise, petitioner concludes that when it loses one or both affiliations, it will be financially unable to purchase other programming to replace the lost programs and it will then be required to curtail its operating hours. Petitioner has furnished no information as to its program costs, the size or composition of its staff, salary expenses, or, in fact, any of its expenses. It has furnished no evidence to indicate that any of the networks would cancel their agreements. Moreover, the projected loss of revenues is based upon the assumption that local advertisers⁵ will shift their business to the primary station of which ever applicant obtains a grant for the translator. There is no support for this assumption. In fact, we find it unreasonable to believe that merchants in Glendive would switch their advertising from a Glendive station to a Billings, Mont., station (KULR-TV), some 200 miles away, or to a Williston, N. Dak., station (KUMV-TV), 90 miles away, solely for the purpose of having their advertising messages rebroadcast locally on a Glendive translator. This view is reinforced by petitioner's own contention that local merchants now complain of the high costs of television advertising, although KXGN-TV's rates are much lower than those of either applicant's primary station. In short, the facts do not support petitioner's conclusions. Petitioner has failed to furnish that modicum of economic facts which the Court of Appeals indicated, in *Folkways Broadcasting Company, Inc. v. Federal Communications Commission*, 126 U.S. App. D.C. 123, 375 F. 2d 299, 8 RR 2d 2089, was required to warrant specification of a "Carroll issue." The requested issue will not, therefore, be specified.

10. Each applicant estimates that its proposed translator would serve approximately 7,150 persons. Since the 1960 census figures show fewer than that within the city limits of Glendive,⁶ it is obvious that the translator would serve some homes in the outlying areas—areas not reached by the Glendive CATV system. Petitioner concedes that about half the persons in Glendive are connected to the CATV system and urges that the translator would, therefore, serve fewer than 4,000 persons not connected to the

cable system. We cannot regard this as an insubstantial figure.⁷ The translator would provide a second off-the-air television service to these people, offering a wider variety of television fare than is now available off-the-air from Station KXGN-TV. Station KXGN-TV's network programming is, as in the case of any station carrying all three networks, necessarily limited and to the extent that either applicant would provide network programming not carried by KXGN-TV, the public interest would be enhanced. This is particularly important where, as here, we are concerned with a small community whose only off-the-air television service is a single local station providing only a selection of available network programs. While we are, of course, concerned with the viability of Station KXGN-TV, our touchstone is the public interest and, in the absence of a persuasive showing that Station KXGN-TV's operations would be adversely affected, grant of one of the applications appears warranted.

11. Question has been raised by Meyer Broadcasting as to the procedural sufficiency of the petition to deny filed by Glendive Broadcasting because the petition was not supported by the required affidavit. In response to the Opposition filed by Meyer against the petition, Glendive filed an affidavit (the "erratum" referred to in footnote 1, supra) 15 days after its petition was filed, well beyond the time specified in the Commission's Rules for the filing of a petition to deny or any supplement thereto.⁸ This lapse is not necessarily fatal to the petition, for we can accept the affidavit *nunc pro tunc*. *Berwick et al (KTAG Associates) v. Federal Communications Commission*, 109 U.S. App. D.C. 241, 286 F. 2d 97, 20 RR 2118; *Sunset Broadcasting Corporation*, 5 FCC 2d 321, 8 RR 2d 821; *Finer Living, Inc.*, 5 FCC 2d 984, 8 RR 2d 1160. In the exercise of our discretion, we accept the affidavit.

12. Because the applications are mutually exclusive, a comparative hearing is necessary. The issues and conduct of the hearing are to be governed by the principles which we set out in *The Montana Network*, 9 FCC 2d 705, 10 RR 2d 1104 and *WLUC, Incorporated*, 13 FCC 2d 406, 13 RR 2d 508. As in those proceedings, the preferences of the residents of the area are to be accorded great weight and a determination is to be made, in the light of the off-the-air television service presently available, with respect to which of the competing services will fill a greater need.

13. We find that the petitioner has raised no substantial or material questions of fact. We further find that the

applicants are qualified⁹ to construct, own and operate the new translator station proposed by each. The Commission, however, is unable to make the statutory finding that grant of the applications would serve the public interest, convenience and necessity and is of the opinion that the applications must be designated for hearing in a consolidated proceeding upon the issues set forth below. We direct the presiding officer and the applicants to explore every possibility for the submission of the case in written form, including the use of a stipulated statement of the facts and of the testimony and other evidence with respect to the issues specified herein. We are also ordering an expedited proceeding, consistent with our policy where applications for new high-power translator to operate on assigned channels are designated for hearing.

14. Accordingly, it is ordered, That the petitions to deny filed herein by Glendive Broadcasting Corp. are granted to the extent indicated and otherwise are denied.

15. It is further ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of Meyer Broadcasting Co. and Harriscope Broadcasting Corp. are designated for hearing in a consolidated proceeding upon the following issues:

(1) To determine, on a comparative basis, which of the proposals would better meet the programming tastes, needs and interests of the community.

(2) To determine which of the applicants offers the better prospect for eventual construction and operation of a regular television broadcast station on the channel in Glendive.

(3) To determine which of the proposals would better serve the public interest, convenience, and necessity.

(4) To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

16. It is further ordered, That the hearing hereby ordered shall be held at a time and before a Hearing Examiner to be specified in a subsequent order.

17. It is further ordered, That this proceeding shall be expedited to the extent possible consistent with the requirements of procedural due process.

18. It is further ordered, That grant of either application shall be made subject to the following condition: *Provided, however*, That the condition shall not become effective until Glendive Broadcasting Corp. notifies the Commission, in writing, that identical program exclusivity is being provided to Station KXGN-TV by Glendive Cable TV, together with

⁴There appears to be no danger of the loss of the CBS affiliation. Petitioner states: "While Glendive Broadcasting Corp. concedes that there is no concrete evidence to the effect that it will lose its CBS affiliation, it is not unreasonable to consider this as a possibility."

⁵Petitioner states that 70 percent of local revenues are derived from advertisers in the city of Glendive.

⁶It is estimated that the current population of Glendive is about 10,000.

⁷See *Marsh Media, Ltd.*, 19 FCC 2d 444, where we held that even 1,000 TV homes in a community of 7,820 television homes would be a substantial number of homes.

⁸The Commission gave public notice of the acceptance of the Meyer application for filing on May 5, 1969. The petition was timely filed on June 4, 1969, but the affidavit was not filed until June 19, 1969.

⁹Petitioner alleges that neither applicant has made financial provision for the costs of equipment required to provide nonduplication protection. Before imposition of such a condition, provision for such costs are not necessary. Moreover, petitioner does not challenge the financial ability of either applicant to purchase and install equipment if required.

certification that a copy of such notification has been served upon the permittee of the translator station: "The television broadcast station herein authorized, upon the request of any television broadcast station within whose principal community it operates, shall not duplicate simultaneously or on the same day any program broadcast by such television broadcast station."

19. *It is further ordered*, That, to avail themselves of the opportunity to be heard, the applicants herein, 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.

20. *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 rules, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: November 7, 1969.

Released: November 14, 1969.

FEDERAL COMMUNICATIONS
COMMISSION,³⁰

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-13839; Filed, Nov. 20, 1969;
8:45 a.m.]

³⁰ Chairman Burch abstaining from voting; Commissioner Cox dissenting and issuing a statement which is filed as part of the original document; Commissioner Wells not participating.

[Canadian List 260]

CANADIAN BROADCAST STATIONS

List of New Stations, Proposed Changes in Existing Stations, Deletions, and Corrections in Assignments

OCTOBER 24, 1969.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of commencement of operation
							Number of radials	Length (feet)	
CKTS (now in operation with increased power).	Sherbrooke, Quebec, N. 45°26'28", W. 72°00'35".	10. <i>900 kilocycles</i>	DA-2	U	II				
CJRP (change of call letters from CJLR).	Quebec, Quebec, N. 46°41'08", W. 71°19'54".	10. <i>1000 kilocycles</i>	DA-2	U	II				
CBA (now in operation at new location).	Moncton, New Brunswick, N. 46°02'02", W. 64°41'10".	50. <i>1070 kilocycles</i>	ND	U	I-B				
CFFB (now in operation)	Frobisher, Northwest Territory, N. 63°43'47", W. 68°22'34".	0.25. <i>1500 kilocycles</i>	ND	U	II				
CKGN (now in operation)	Ste. Anne des Monts, Quebec, N. 49°07'48", W. 66°27'40".	1D/0.25N. <i>1350 kilocycles</i>	ND	U	IV				
CFLV (now in operation with increased power).	Valleyfield, Quebec, N. 45°12'50", W. 74°09'20".	10D/5N. <i>1370 kilocycles</i>	DA-1	U	III				
CKVN (change in call letters from CFUN).	Vancouver, British Columbia, N. 49°07'41", W. 123°01'41".	50. <i>1410 kilocycles</i>	DA-2	U	III				
CHBT (now in operation)	St. Eleuthere, Quebec, N. 47°28'48", W. 69°16'35".	0.25. <i>1550 kilocycles</i>	ND	U	IV				

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Assistant Chief, Broadcast Bureau.

[F.R. Doc. 69-13840; Filed, Nov. 20, 1969; 8:45 a.m.]

[Canadian List 261]

CANADIAN BROADCAST STATIONS

List of New Stations, Proposed Changes in Existing Stations, Deletions and Corrections in Assignments

NOVEMBER 5, 1969.

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Antenna height (feet)	Ground system		Proposed date of commencement of operation
							Number of radials	Length (feet)	
New	Carleton Place, New Brunswick, N. 47°45'40", W. 65°03'45"	810 kilocycles 10D/5N	DA-N ND-D-180	U	III				11-1-70.
CKQB (correction of nighttime radiation).	Castlegar, British Columbia, N. 49°18'4.8", W. 117°36'30"	1890 kilocycles 1D/Q.25N	DA-D ND-N-242	U	IV	415	120	320	
CKLS (correction of coordinates. Now in operation with increased daytime power).	La Sarre, Quebec, N. 48°49'46", W. 79°12'09"	1230 kilocycles 1D/0.25N	ND-180	U	IV	133	120	320	
CHAD (correction of coordinates. Now in operation with increased daytime power).	Amos, Quebec, N. 48°53'48", W. 78°08'18"	1530 kilocycles 1D/0.25N	ND-185	U	IV	150	120	294	
CKRN (correction of coordinates. Now in operation with increased daytime power).	Roslyn, Quebec, N. 48°13'15", W. 79°03'30"	1400 kilocycles 1D/0.25N	ND-183	U	IV	150	120	282	
CHEF (correction of nighttime coordinates).	Granby, Quebec, Day: N. 45°19'03", W. 72°41'43", Night: N. 45°24'58", W. 72°45'13"	1450 kilocycles 10D/0.25N	DA-D ND-N-182	U	IV				
New	Vancouver, British Columbia, N. 49°11'30", W. 123°00'30"	1470 kilocycles 10.	DA-2	U	III				11-1-70.
New (delete assignment)	New Westminster, British Columbia.	1480 kilocycles 5.	DA-1	U	III				

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Assistant Chief, Broadcast Bureau.

[P.R. Doc. 69-13841; Filed, Nov. 20, 1969; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RI70-458 etc.]

AMERICAN PETROFINA COMPANY OF TEXAS ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates¹

NOVEMBER 14, 1969.

The respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, un-

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

duly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

(A) Under the Natural Gas Act, particularly sections 4 and 15, the regulations pertaining thereto (18 CFR Ch. I), and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred

until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

(C) Until otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before January 1, 1970.

By the Commission.

[SEAL]

GORDON M. GRANT,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI70-458	American Petrofina Co. of Texas, Post Office Box 2159, Dallas, Tex. 75221.	35	19	El Paso Natural Gas Co. (Spraberry Field, Reagan, Glasscock, Midland, and Upton Counties, Tex.) (RR. District 7-C).	\$300	10-22-69	* 11-30-69	4-30-70	11.0	* 19.3278	
RI70-459	Bradley Drilling, Inc., 1620 Wichita Plaza Bldg., Wichita, Kans. 67202.	8	5	Cities Service Gas Co. (Davis Ranch Area, Barber County, Kans.).	1,500	10-16-69	* 12-23-69	5-23-70	* 14.0	* 15.0	RI65-598.
RI70-460	Gulf Oil Corp., Post Office Box 1589, Tulsa, Okla. 74102.	340	5	Cities Service Gas Co. (Euroka Field, Grant County, Okla.) (Oklahoma "Other" Area).	855	10-20-69	* 1-1-70	6-1-70	* 12.0	* 15.0	
	do.	137	5	Cities Service Gas Co. (North Medicine Lodge Field, Barber County, Kans.).	1,220	10-20-69	* 12-23-69	5-23-70	* 14.0	* 15.0	RI65-599.
RI70-461	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	192	8	Cities Service Gas Co. (Hardtner Field, Barber County, Kans.).	583	10-20-69	* 12-23-69	5-23-70	* 14.0	* 15.0	
RI70-462	Robert F. White (Operator), et al., 714 Union Center Bldg., Wichita, Kans.	5	* 5	Cities Service Gas Co. (Traffas Field, Barber County, Kans.).		10-20-69	* 11-20-69	(Accepted)			
	do.	5	6		400	10-20-69	* 12-23-69	5-23-70	* 14.0	* 15.0	RI67-61.
RI70-463	Mobil Oil Corp., Post Office Box 1774, Houston, Tex. 77001.	246	5	Panhandle Eastern Pipe Line Co. (Mocane Field, Beaver County, Okla.) (Panhandle Area).	504	10-16-69	* 11-16-69	4-16-70	* 17.0	* 20.0	
	do.	301	* 9	Panhandle Eastern Pipe Line Co. (Guymon-Hugoton (Deep) Field, Texas County, Okla.) (Panhandle Area).	33,390 53,174	10-16-69	* 11-16-69	4-16-70	* 17.6 * 18.7	* 20.515 * 21.515	RI69-444.
	do.	94	14	Colorado Interstate Gas Co. (Sparks Field, Morton County, Kans.).	3,208	10-16-69	* 11-16-69	4-16-70	* 17.374	* 20.396	RI67-272.
	do.	274	5	Michigan Wisconsin Pipe Line Co. (Laverne Field, Beaver and Harper Counties, Okla.) (Panhandle Area).	2,708	10-16-69	* 11-16-69	4-16-70	* 18.0	* 20.0	RI69-490.
RI70-464	Mobil Oil Corp. (Operator) et al.	266	16	Natural Gas Pipeline Co. of America (North Custer Field, Custer County, Okla.) (Oklahoma "Other" Area).	223,044	10-16-69	* 11-16-69	4-16-70	* 17.0	* 20.0	RI67-270.
	do.	414	14	Texas Eastern Transmission Corp. (Waskom Field, Harrison County, Tex.) (RR. District No. 6).	1,565	10-20-69	* 11-20-69	4-20-70	16.1	* 16.3713	RI69-189.
	do.	380	4	Michigan Wisconsin Pipe Line Co. (Northwest Quinlan, Woodward County, Okla.) (Panhandle Area).	1,194	10-16-69	* 11-16-69	4-16-70	* 18.0	* 20.515	RI69-472.
	do.	170	13	Michigan Wisconsin Pipe Line Co. (Laverne Field, Beaver and Harper Counties, Okla.) (Panhandle Area).	39,070	10-16-69	* 11-16-69	4-16-70	* 18.0	* 20.0	RI69-498.
	do.	232	13	Transwestern Pipeline Co. (Ellis County Area, Ellis County, Okla.) (Panhandle Area).	17,213	10-16-69	* 11-16-69	4-16-70	* 17.0	* 20.0	RI69-556.
	do.	240	11	Transwestern Pipeline Co. (West Shattuch Field, Ellis County, Okla.) (Panhandle Area).	4,932	10-16-69	* 11-16-69	4-16-70	* 17.6	* 20.0	RI69-556.
	do.	295	5	Michigan Wisconsin Pipe Line Co. (Laverne Field, Beaver County, Okla.) (Panhandle Area).	5,862	10-16-69	* 11-16-69	4-16-70	* 18.0	* 20.0	RI69-498.
	do.	322	16	Michigan Wisconsin Pipe Line Co. (Cederdale Field, Major, Woodward and Dewey Counties, Okla.) (Oklahoma "Other" Area).	16,939	10-16-69	* 11-16-69	4-16-70	* 18.015	* 20.0	RI69-476.
RI70-465	Northern Natural Gas Producing Co., Post Office Box 1774, Houston, Tex. 77001.	16	2	Northern Natural Gas Co. (Hugoton Field, Finney County, Kans.).	695	10-16-69	* 11-16-69	4-16-70	* 12.0	* 12.5	
RI70-466	Shell Oil Co. (Operator), 50 West 50th St., New York, N.Y. 10020.	10	30	Texas Eastern Transmission Corp. (Provident City Field, Lavaca County, Tex.) (RR. District No. 2).	198,922	10-15-69	* 1-1-70	6-1-70	* 15.6683	* 16.6726	
RI70-467	do.	29	13	Texas Gas Pipe Line Corp. (Noma Field, Jefferson County, Tex.) (RR. District No. 3).	7,103	10-15-69	* 1-1-70	6-1-70	* 15.2003	* 16.2136	
RI70-468	Shell Oil Co. (Operator) et al.	143	6	Tennessee Gas Pipeline Co., a division of Tenneco (Mercy Field, San Jacinto County, Tex.) (RR. District No. 3).	642	10-15-69	* 1-1-70	6-1-70	* 15.5581	* 16.5619	

* The stated effective date is the effective date requested by Respondent.

* Renegotiated rate increase.

* Pressure base is 14.65 p.s.i.a.

* Periodic rate increase.

* Subject to a downward B.t.u. adjustment.

* Three-step periodic rate increase.

* Buyer deducts 0.75-cent dehydration charge and 1.50 cents compression charge from prices shown.

* The stated effective date is the first day after expiration of the statutory notice.

* Letter agreement dated Oct. 7, 1969, which provides for increased rate.

* "Fractured" rate increase. Respondent contractually due 22 cents per Mcf.

* Gathered gas.

* Wellhead gas.

* Applicable to all acreage except acreage added by Supplement No. 6 in which a 17.6 cents rate is suspended in Docket No. RI69-842 until Dec. 5, 1969.

* Subject to upward and downward B.t.u. adjustment.

* Includes base rate of 17 cents plus upward B.t.u. adjustment before increase and base rate of 18 cents plus upward B.t.u. adjustment after increase.

* "Fractured" rate increase. Respondent contractually due a base rate of 22 cents. Proposed rate includes tax reimbursement.

* "Fractured" rate increase. Respondent contractually due 21.5 cents per Mcf.

* "Fractured" rate increase. Respondent contractually due 16.8 cents per Mcf plus tax reimbursement.

* Filing to initial contract rate plus tax reimbursement.

* "Fractured" rate increase. Respondent contractually due a base rate of 22 cents. Proposed rate includes tax reimbursement.

* "Fractured" rate increase. Respondent contractually due a base rate of 26 cents. Proposed rate includes tax reimbursement.

* Includes 0.015-cent tax reimbursement.

* "Fractured" rate increase. Respondent contractually due 14 cents per Mcf.

* Last effective rate was 15.6 cents. Shell filed a rate increase to reflect increase in Texas tax. 15.6 cents rate effective subject to refund in Docket No. RI65-478.

* Last effective rate was 15.144 cents. Shell filed a rate increase to reflect increase in Texas tax. 15.144 cents rate effective subject to refund in Docket No. RI67-426.

* Last effective rate was 15.5 cents. Shell filed a rate increase to reflect increase in Texas tax. 15.5 cents rate effective subject to refund in Docket No. RI65-480.

Concurrently with the filing of their rate increase, Robert F. White (Operator) et al. (White), filed a letter agreement dated October 7, 1969, designated as Supplement No. 5 to White's FPC Gas Rate Schedule No. 5, which provides the basis for their proposed rate increase. We believe that it would be in the public interest to accept for filing White's letter agreement to become effective as of November 20, 1969, the expiration date of the statutory notice, but not the proposed rate contained therein which is suspended as hereinafter ordered.

All of the producers' proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR 2.56).

[F.R. Doc. 69-13762; Filed, Nov. 20, 1969; 8:45 a.m.]

[Docket No. G-7193 etc.]

UNION OIL COMPANY OF CALIFORNIA ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

NOVEMBER 12, 1969.

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

Any person desiring to be heard or to make any protest with reference to said applications should on or before December 5, 1969, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal

hearing is required, further notice of such hearing will be duly given: *Provided, however*, That pursuant to § 2.56 of the Commission's General Policy and Interpretations, as amended, all permanent certificates of public convenience and necessity granting applications, filed after July 1, 1967, without further notice, will contain a condition precluding any filing of an increased rate at a price in excess of that designated for the particular area of production for the period prescribed therein unless at the time of filing such certificate application, or

within the time fixed for filing protests or petitions to intervene, the applicant indicates in writing that it is unwilling to accept such a condition. In the event applicant is unwilling to accept such condition the application will be set for formal hearing.

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

GORDON M. GRANT,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field, and location	Price per Mcf	Pressure base
G-7193 D 10-24-69	Union Oil Co. of California, Union Oil Center, Los Angeles, Calif. 90017.	Mobil Oil Corp., West Gueydan Field, Vermilion Parish, La.	(?)	-----
G-7241 C 10-24-69	Artec Oil & Gas Co. (Operator) et al., 2000 First National Bank Bldg., Dallas, Tex. 75202.	El Paso Natural Gas Co., Blanco-Mesa Verde Field, San Juan County, N. Mex.	13.0	15.025
G-7517 D 10-23-69	Pan American Petroleum Corp., Post Office Box 821, Tulsa, Okla. 74102 (partial abandonment).	H. L. Hunt et al., Whelan Field, Harrison County, Tex.	Depleted	-----
G-7517 D 10-27-69	do	do	(?)	-----
G-18371 C 10-24-69	Aztec Oil & Gas Co. (Operator) et al.	El Paso Natural Gas Co., Basin Dakota Pool, San Juan County, N. Mex. (Supp. No. 14).	13.0	15.025
G-18371 C 10-24-69	do	El Paso Natural Gas Co., Basin Dakota Pool, San Juan County, N. Mex. (Supp. No. 15).	13.0	15.025
C162-825 D 10-24-69	Mobil Oil Corp. (Operator) et al., Post Office Box 1774, Houston, Tex. 77001.	El Paso Natural Gas Co., Rojo Caballero Field, Pecos County, Tex.	(?)	-----
C162-1357 E 10-20-69	L. E. Mosser (successor to Thomas J. Blaho, Jr. d.b.a. Blaho Oil & Gas Co.) 407 Penn Ave., Harrisville, W. Va. 26362.	Consolidated Gas Supply Corp., Grant District, Ritchie County, W. Va.	25.0	15.325
C164-670 C 10-23-69	Marathon Oil Co., 539 South Main St., Findlay, Ohio 43840.	Arkansas Louisiana Gas Co., Wilburton Field, Haskell, Latimer, LeFlore, and Pittsburg Counties, Okla.	16.015	14.65
C164-699 E 10-27-69	Francis Oil & Gas, Inc., et al. (successor to Shell Oil Co.) c/o David L. Fiet, Attorney, 300 McFarlin Bldg., Tulsa, Okla. 74103.	Cities Service Gas Co., Waynoka Field, Woods County, Okla.	* 14.0	14.65
C164-920 10-20-69	Union Oil Co. of California (Operator) et al.	Northern Natural Gas Co., Farnsworth Field, Ochiltree County, Tex.	15.0	14.65
C165-767 C 10-27-69	Southern Union Production Co., Fidelity Union Tower, Dallas, Tex. 75201.	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	13.0	15.025
C167-248 10-9-69	Beacon Gasoline Co., Post Office Box 396, Minden, La. 71055.	Bodcaw Co., acreage in Webster Parish, La.	* 1.5 * 1.0	15.025
C168-156 D 10-27-69	Mobil Oil Corp.	Natural Gas Pipeline Co. of America, Northeast Custer City Field, Custer County, Okla.	(?)	-----
C168-679 C 10-27-69	Southern Union Production Co.	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	13.0	15.025
C168-1148 C 10-27-69	Appalachian Exploration & Development, Inc., Post Office Box 1473, Charleston, W. Va. 25325.	United Fuel Gas Co., acreage in Kanawha and Putnam Counties, W. Va.	28.0	15.325
C168-1291 D 10-27-69	Smith Operating and Management Co. (Operator) et al., c/o John M. Shuey, Attorney, 604 Johnson Bldg., Shreveport, La. 71101 (partial abandonment).	United Gas Pipe Line Co., Bethany Field, Panola County, Tex.	Depleted	-----
C168-1384 C 10-27-69	James F. Scott et al. d.b.a. Hershberger-Scott, 124 Valley St., Salem, W. Va. 26426.	Consolidated Gas Supply Corp., Grant District, Doddridge County, W. Va.	25.0 * 28.0	15.325
C169-538 C 10-28-69	Roy G. Hildreth et al. d.b.a. Roy G. Hildreth & Son, Box 118, Spencer, W. Va. 25276.	Consolidated Gas Supply Corp., Lee District, Calhoun County, W. Va.	25.0	15.325
C169-551 C 10-23-69	Jones & Pellow Oil Co., 161 Northeast 2nd St., Oklahoma City, Okla. 73105.	Michigan Wisconsin Pipe Line Co., acreage in Woodward County, Okla.	* 17.0	14.65
C170-392 A 10-22-69	Humble Oil & Refining Co., Post Office Box 2180, Houston, Tex. 77001.	Tennessee Gas Pipeline Co., a division of Tenneco Inc., Ship Shoal Block 176 Field, Offshore (Zone 4), Louisiana.	22.25	15.025
C170-393 A 10-22-69	Don O. Chapell, 3500 Republic National Bank Tower, Post Office Box 663, Dallas, Tex. 75221.	Natural Gas Pipeline Co. of America, Buffalo Wallow Field, Hemphill County, Tex.	* 17.0	14.65
C170-394 (C867-36) F 10-20-69	Suburban Propane Gas Corp. (successor to Texas American Oil Corp. (Operator) et al.), Post Office Box 206 Whippany, N.J. 07981.	Northern Natural Gas Co., Osoma (Canyon Sand) Field, Crockett County, Tex.	16.0	14.65
C170-395 A 10-22-69	Arco Petroleum Co., 8300 Santa Monica Blvd., Los Angeles, Calif. 90049.	Equitable Gas Co., Glenville District, Gilmer County; Buckhannon District, Upshur County, W. Va.	25.0	15.325
C170-396 A 10-22-69	R & S Gas & Oil, Inc., c/o Howell & Palermo, Kanawha Valley Bldg., Charleston, W. Va. 25301.	United Fuel Gas Co., Ravenwood District, Jackson County, W. Va.	28.0	15.325

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

See footnotes at end of table.

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

Docket No. and Date Filed	Applicant	Purchaser, Field and Location	Price Per Mcf	Pres- sure Base
CI70-397..... (G-4579) F 10-22-69 A 10-23-69	Prairie Producing Co. (Operator) et al. (successor to Cities Service Oil Co.), 573 The Main Bldg., Houston, Tex. 77002.	Trunkline Gas Co., Ramsey Field, Colorado County, Tex.	15.0	14.65
CI70-398..... A 10-23-69	Shell Oil Co., 50 West 50th St., New York, N.Y. 10020.	Texas Eastern Transmission Corp., West Cameron Block 192 (Deep) Field, Offshore, Louisiana.	21.25	15.025
CI70-399..... A 10-24-69	Husky Oil Co. of Delaware, Post Office Box 380, Cody, Wyo. 82414.	Colorado Interstate Gas Co., a divi- sion of Colorado Interstate Corp., Sand Butte Area, Sweetwater Coun- ty, Wyo.	15.0	14.65
CI70-400..... A 10-24-69	Mutual Oil & Gas Co., c/o Stonestreet Lands Co., Operator, Post Office Box 350, Spencer, W. Va. 25276.	United Fuel Gas Co., Geary District, Roane County, W. Va.	27.0	15.325
CI70-401..... (G-4874) F 10-22-69 A 10-27-69	Adams & McGahey (successor to Pan American Petroleum Corp.) 701 Amarillo Bldg., Amarillo, Tex. 79101.	Phillips Petroleum Co., Oklahoma Hugoton Field, Texas County, Okla.	7.1453	14.65
CI70-402..... (C161-737) F 10-27-69 A 10-27-69	Francis Oil & Gas, Inc., et al. (succe- sor to Shell Oil Co.).	Transwestern Pipeline Co., Arnett Field, Ellis County, Okla.	19.5	14.65
CI70-403..... A 10-27-69	Pan American Petroleum Corp.	Texas Eastern Transmission Corp., Whelan Field, Harrison County, Tex.	15.0	14.65
CI70-404..... (C163-276) F 10-27-69	Francis Oil & Gas, Inc., et al. (succe- sor to Shell Oil Co.).	Northern Natural Gas Co., Bechtold Field, Lipscomb County, Tex.	18.0	14.65
CI70-405..... A 10-27-69 A 10-27-69	Midwest Oil Corp., 1700 Broadway, Denver, Colo. 80202.	Cities Service Gas Co., acreage in Grady County, Okla.	15.0	14.65
CI70-407..... A 10-27-69	L. W. Roche, c/o Hays & Co., Box 590, Spencer, W. Va. 25276.	Cumberland and Allegheny Gas Co., Meade District, Upshur County, W. Va.	27.0	15.325
CI70-408..... B 10-27-69	Jones & Pellow Oil Co. (Operator) et al., 101 Northeast 26th St., Okla- homa City, Okla. 73105.	Panhandle Eastern Pipe Line Co., Valley Center West Area, Dewey County, Okla.	Depleted	
CI70-409..... A 10-27-69	James V. Joyce, Box E, Andover, N.Y. 14806.	Consolidated Gas Supply Corp., Grant District, Ritchie County, W. Va.	27.0	15.325
CI70-410..... A 10-27-69	Drilco Oil Production, c/o Don W. Hardman, agent, 4001 Jefferson St., Parkersburg, W. Va. 26101.	Consolidated Gas Supply Corp., Union District, Ritchie County, W. Va.	27.0	15.325
CI70-411..... A 10-27-69	Hershberger Explorations, Inc., 807 First National Bank Bldg., Wichita, Kans. 67202.	Consolidated Gas Supply Corp., Union District, Harrison County, W. Va.	27.0	15.325
CI70-412..... A 10-27-69	Yale Oil Association, c/o Mack R. Worl, agent, Box 187, Glenville, W. Va. 26351.	Consolidated Gas Supply Corp., Salt Lick District, Braxton County, W. Va.	27.0	15.325
CI70-413..... A 10-27-69	Reeves Lewenthal, 530 Park Ave., New York, N.Y. 10021.	Consolidated Gas Supply Corp., Union District, Barbour County, W. Va.	27.0	15.325
CI70-414..... A 10-27-69	Arlen Carpenter et al., c/o Hays and Co., Box 590, Spencer, W. Va. 25276.	Consolidated Gas Supply Corp., Washington District, Calhoun County, W. Va.	27.0	15.325
CI70-415..... A 10-27-69	Bodew Co., 1300 Mercantile Dallas Bldg., Dallas, Tex. 75201.	Texas Gas Transmission Corp., acre- age in Webster Parish, La.	20.0	15.025
CI70-416..... A 10-28-69	Hewitt B. Fox, Inc. (Operator) et al., Suite 500, Vaughn Plaza Bldg., Corpus Christi, Tex. 78401.	Almos Gas Gathering Co., East Hodges 3600' Field, San Patricio County, Tex.	12.5	14.65
CI70-417..... A 10-28-69	Ritchie Mines Co., c/o James A. McCoy, Partner, Post Office Box 297, Grantsville, W. Va. 26147.	Consolidated Gas Supply Corp., Grant and Murphy Districts, Ritchie County, W. Va.	27.0	15.325

¹ Due to expense and operational problem of extremely small volume of gas, Parties have entered into a letter agreement deleting from contract Union's interest in the Zwan RA SU B Unit.

² Abandon service insofar as it pertains to the Dee Knox Unit and the Dunn Unit No. 1.

³ Delete nonproducing leases.

⁴ Adds acreage acquired from Pan American Petroleum Corp. and Atlantic Richfield Co.

⁵ Rate in effect subject to refund in Docket No. R165-404. Subject to dehydration charge of $\frac{1}{4}$ cent per Mcf.

⁶ Amendment to certificate filed to cover interest of nonsignatory coowners.

⁷ Applicant requests authorization to gather and compress the subject gas; the gas will be processed in applicant's

plant and delivered to Texas Gas Transmission Corp. under agreement with Bodew Co.

⁸ Gathering charge; to be reduced to $\frac{1}{4}$ cent per Mcf after cost of gathering facilities has been recovered or 5 years has elapsed from date of initial delivery, whichever occurs first.

⁹ Compression charge.

¹⁰ Varies depending on volume of gas sold for any given month.

¹¹ Contract provides for rate of 19.5 cents per Mcf; however, applicant states its willingness to accept certificate at

17 cents, including tax reimbursement, plus B.T.U. adjustment.

¹² Subject to upward and downward B.T.U. adjustment.

¹³ Rate in effect subject to refund in Docket No. R165-482. An increase in rate to 23.0175 cents is suspended in Docket No. R170-247.

¹⁴ Contract provides for higher rate; however, Applicant states its willingness to accept certificate at 15 cents per Mcf @ 14.65 p.s.i.a.

¹⁵ Rate in effect subject to refund in Docket No. R167-404.

¹⁶ Applicant proposes 20 cents per Mcf or ceiling rate, whichever is higher.

¹⁷ Subject to deduction for compression if buyer compresses gas.

[F.R. Doc. 69-13764; Filed, Nov. 20, 1969; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[Files Nos. 7-3286-7-3296]

BLACK & DECKER MANUFAC- TURING CO. ET AL.

Notice of Applications for Unlisted Trading Privileges and of Oppor- tunity for Hearing

NOVEMBER 17, 1969.

In the matter of applications of the Boston Stock Exchange for unlisted trading privileges in certain securities.

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

	File No.
The Black & Decker Manufacturing Co.	7-3286
City Investing Co. (Delaware)	7-3287
Digital Equipment Corp.	7-3288
Emerson Electric Co.	7-3289
First National City Corp.	7-3290
Four Seasons Nursing Centers of America, Inc.	7-3291
Fleetwood Enterprises, Inc.	7-3292
Gould, Inc.	7-3293
Hilton Hotels Corp. (Delaware)	7-3294
Kinney National Service, Inc.	7-3295
R. H. Macy & Co., Inc.	7-3296

Upon receipt of a request, on or before December 2, 1969, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-13828; Filed, Nov. 20, 1969;
8:45 a.m.]

[File No. 1-3421]

CONTINENTAL VENDING MACHINE CORP.

Order Suspending Trading

NOVEMBER 17, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, 10 cents par value of Continental Vending Machine Corp., and the 6 percent convertible subordinated debentures due September 1, 1976, 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 November 18, 1969, through November 27, 1969, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-13829; Filed, Nov. 20, 1969;
8:45 a.m.]

[File No. 7-3307]

INTERNATIONAL TELEPHONE AND TELEGRAPH CORP.

Notice of Application for Unlisted Trading Privileges and of Oppor- tunity for Hearing

NOVEMBER 17, 1969.

In the matter of application of the Boston Stock Exchange for unlisted trading privileges in a certain security.

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

International Telephone & Telegraph Corp.,
84 cumulative convertible preferred stock,
Series H, no par value, File No. 7-3307.

Upon receipt of a request, on or before December 2, 1969, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said ap-

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

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-13830; Filed, Nov. 20, 1969;
8:45 a.m.]

[Files Nos. 7-3297—7-3306]

McGraw-Hill Inc. ET AL.

Notice of Applications for Unlisted Trading Privileges and of Oppor- tunity for Hearing

NOVEMBER 17, 1969.

In the matter of applications of the Boston Stock Exchange for unlisted trading privileges in certain securities.

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

	File No.
McGraw-Hill Inc.	7-3297
Mohawk Data Sciences Corp.	7-3298
Morton-Norwich Products, Inc.	7-3299
Reading & Bates Offshore Drilling Co.	7-3300
Rhor Corp.	7-3301
Seaboard Coast Line Industries, Inc. (Delaware)	7-3302
Skyline Corp.	7-3303
Temple Industries, Inc.	7-3304
UAL, Inc.	7-3305
Watkins-Johnson Co.	7-3306

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

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[P.R. Doc. 69-13831; Filed, Nov. 20, 1969;
8:45 a.m.]

[File No. 24D-2852]

RICO ENTERPRISES

Order Temporarily Suspending Ex- emption, Statement of Reasons Therefor and Notice of Oppor- tunity for Hearing

NOVEMBER 13, 1969.

I. Rico Enterprises (Issuer), a Utah corporation, with offices stated to be located at 574 East Second South, Room 104, Salt Lake City, Utah, filed with this Commission on May 9, 1969, a notification and offering circular relating to a proposed offering of 6 million shares of its 1-cent par value stock at 5 cents per share, for an aggregate of \$300,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof, and Regulation A promulgated thereunder. The offering commenced on July 7, 1969, with Dick N. Nielson, president of the Issuer, named as underwriter. Subsequently, the notification and offering circular was amended and Heyman, McCaffree, Christiansen, Inc., Salt Lake City, Utah, was designated as underwriter for the issue and would receive a 13 percent commission. The offering was recommenced on October 29, 1969.

II. The Commission, on the basis of information reported to it by its staff, has reasonable cause to believe that:

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

1. The failure to disclose an agreement or arrangement between management of the Issuer and Darrell W. Jensen whereby in consideration for Rico purchasing 112 unpatented mining claims from Darrell W. Jensen for \$110,000 from the proceeds of the offering, Darrell W. Jensen agreed to arrange the purchase of certain properties in which a member or members of management of Rico have an interest.

2. The failure to disclose that in view of the above-described arrangement substantial moneys to be received from the public would be siphoned off from the company for little or nominal consideration and primarily for the ultimate benefit of certain insiders of the Issuer.

3. The failure to disclose that the principal assets which the Issuer proposes to acquire with the proceeds of this offering have a purchase price which was not determined by arm's-length bargaining between the Issuer's management and Darrell W. Jensen, the seller of those assets.

4. The accuracy and adequacy of the statement found under speculative aspects of the offering circular, which reads as follows:

Although it is customary to follow the recommendations of a qualified mining engineer or geologist relating to the acquisition of mining properties for cash and whether exploratory work is justified, such practice has not been followed by the company and management of the company does not include any such persons.

B. The terms and condition of Regulation A have not been complied with an that:

1. All direct and indirect interests of each of the Issuer's officers and directors in any material transactions within 2 years of the filing of the notification and offering circular and material proposed transactions to which the issuer was to be a party were not fully disclosed.

2. The financial statements included in the offering circular fail to conform to the requirements of Item 11 of Schedule I.

3. The disclosure with respect to the issuer's business fails to conform to the requirements of Item 8A of Schedule I.

C. The offering would be made in violation of section 17(a) of the Securities Act of 1933, as amended, for reasons described above.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the issuer under Regulation A be temporarily suspended.

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the Regulation A exemption of Rico Enterprises be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within 30 days after the entry of this order; that within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBois,
Secretary.

[P.R. Doc. 69-13832; Filed; Nov. 20, 1969;
8:45 a.m.]

[File No. 7-3308]

SEABOARD COAST LINE INDUSTRIES, INC. (DELAWARE)

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

NOVEMBER 17, 1969.

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

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

Seaboard Coast Line Industries, Inc. (Delaware), File No. 7-3308.

Upon receipt of a request, on or before December 2, 1969, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBois,
Secretary.

[P.R. Doc. 69-13833; Filed, Nov. 20, 1969;
8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

LICENSED SMALL BUSINESS INVESTMENT COMPANY

Application for Transfer of Control

Notice is hereby given that an application has been filed with the Small Business Administration (SBA), pursuant to § 107.701 of the Regulations governing Small Business Investment Companies (33 F.R. 326, 13 CFR Part 107), for transfer of control of Business Investors, Inc. (BI), License No. 05/05-0028, 2233 Fourth Avenue North, Birmingham, Ala. 35203, a Federal licensee under the Small Business Investment Act of 1958, as amended (the Act) (15 U.S.C. 661 et seq.).

BI was licensed on May 11, 1961. Its present paid-in capital and paid-in surplus from private sources is \$150,500. It has 150,500 shares of issued and outstanding common stock owned by three stockholders. The licensee currently operates as an approved real estate specialist.

The stockholders of BI entered into an agreement to sell their stock to the Fidelity Mutual Life Insurance Co. (Fidelity Mutual). Fidelity Mutual is a Pennsylvania corporation having its principal place of business at the Parkway at Fairmount Avenue, Philadelphia, Pa. 19101. BI will become a wholly owned subsidiary of Fidelity Mutual. BI will be moved to 290 Interstate North, Suite 115, Atlanta, Ga. 30339, change its name to Fidelity Capital Corp., and remain an approved real estate specialist.

The licensee's new officers and Board of Directors will be:

David H. Daugherty, The Parkway at Fairmount Avenue, Philadelphia, Pa. 19101.

Walter S. Smith, The Parkway at Fairmount Avenue, Philadelphia, Pa. 19101.

Kenneth S. Sweet, Jr., The Parkway at Fairmount Avenue, Philadelphia, Pa. 19101.

Carl Gable, Kilpatrick, Cody, Rogers, McClatchey and Regenstien, 1045 Hurt Building, Atlanta, Ga. 30303.

Wayne J. Haskins, 290 Interstate North, Suite 115, Atlanta, Ga. 30339.

The new management of the licensee proposes, subject to SBA approval pursuant to § 107.809(b), to contract in writing with Cousins Properties Inc. (CPI), 148 Cain Street NE., Atlanta, Ga. 30319, for it to serve as the licensee's investment adviser. CPI is the owner of, and serves as investment adviser for, First American Investment Corp., License No. 05/05-0023, 148 Cain Street NE., Atlanta, Ga. 30319.

Matters involved in SBA's consideration of the proposed transaction include the general business reputation of Fidelity Mutual and CPI as well as the probability of licensee's successful operation as a wholly owned subsidiary of Fidelity Mutual with CPI, acting as licensee's investment adviser, including such factors as adequate profitability and financial soundness, in accordance with the Act and the regulations.

Prior to final action on the request made for SBA approval, consideration will be given to any comments pertaining to the proposed transaction 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.

A copy of this notice will be published by the proposed transferee in a newspaper of general circulation in Birmingham, Ala.; Atlanta, Ga.; and Philadelphia, Pa.

Dated: November 12, 1969.

A. H. SINGER,
Associate Administrator
for Investment.

[P.R. Doc. 69-13845; Filed, Nov. 20, 1969;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 1002; Car Distribution Direction
No. 64-A]

ILLINOIS CENTRAL RAILROAD CO. AND COLUMBUS AND GREENVILLE RAILWAY CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 64, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 64 be, and it is hereby, vacated.

It is further ordered, That this order shall become effective at 10 a.m., November 17, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 17, 1969.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] N. THOMAS HARRIS,
Agent.

[F.R. Doc. 69-13856; Filed, Nov. 20, 1969;
8:47 a.m.]

[S.O. No. 1002; Car Distribution Direction
No. 62-A]

SEABOARD COAST LINE RAILROAD CO. ET AL.

Car Distribution

Seaboard Coast Line Railroad Co., St. Louis-San Francisco Railway Co., and Columbus and Greenville Railway Co. Upon further consideration of Car Distribution Direction No. 62, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 62 be, and it is hereby, vacated.

It is further ordered, That this order shall become effective at 10 a.m., November 17, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 17, 1969.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] N. THOMAS HARRIS,
Agent.

[F.R. Doc. 69-13857; Filed, Nov. 20, 1969;
8:47 a.m.]

[S.O. 1002; Car Distribution Direction
No. 63-A]

SOUTHERN RAILWAY CO. AND CO- LUMBUS AND GREENVILLE RAIL- WAY CO.

Car Distribution

Upon further consideration of Car Distribution Direction No. 63, and good cause appearing therefor:

It is ordered, That:

Car Distribution Direction No. 63 be, and it is hereby, vacated.

It is further ordered, That this order shall become effective at 10 a.m., November 17, 1969, and that it shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 17, 1969.

INTERSTATE COMMERCE
COMMISSION,
[SEAL] N. THOMAS HARRIS,
Agent.

[F.R. Doc. 69-13858; Filed, Nov. 20, 1969;
8:47 a.m.]

[Notice 942]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 18, 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 4687 (Sub-No. 6 TA), filed November 12, 1969. Applicant: BURGESS & COOK, INC., 21 North Second Street, Fernandina Beach, Fla. 32034. Applicant's representative: Sol H. Proctor, 1729 Gulf Life Tower, Jacksonville, Fla. 32207. Authority sought to operate as a common carrier, by motor vehicle, over

irregular routes, transporting: Paper and paper products (except in bulk), from Jacksonville, Fla., to points in Alabama north of U.S. Highway 80, including Montgomery and its commercial zone and Atlanta, Ga., for 180 days. Supporting shipper: Terminal Paper Bag Co., Inc., Yulee, Fla. 32097. Send protests to: District Supervisor G. H. Fauss, Jr., Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay Street, Jacksonville, Fla. 32202.

No. MC 17226 (Sub-No. 37 TA), filed October 24, 1969. Applicant: FRUIT BELT MOTOR SERVICE, INC., 7626 West Madison Street, Forest Park, Ill. 60130. Applicant's representative: Eugene L. Cohn, 1 North La Salle Street, Chicago, Ill. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Machinery and parts, materials, and supplies used in the manufacture, shipping, or operation of air conditioners and machinery and equipment for air conditioning, and parts and accessories thereof when moving in connection with and intended for installation thereon, for the Whirlpool Corp. from Chicago and Rockford, Ill.; Lafayette, McCordsville, and Oakland City, Ind.; Dawson Springs and Louisville, Ky.; Bangor, Detroit, Grand Rapids, Holland, St. Joseph, and Benton Harbor, Mich.; and St. Louis, Mo.; and Jacksonville, Ark.; to the plantsites of Whirlpool Corp. at Marion, Ohio; (2) air conditioners, and machinery and equipment for air conditioning and parts and accessories thereof, when moving in connection with and intended for installation thereon, for the Whirlpool Corp. and Sears, Roebuck & Co., from the plantsites of Whirlpool Corp. at Marion, Ohio, to Chicago, Peoria, Moline, Rockford, and Waukegan, Ill.; Anderson, Evansville, Fort Wayne, Indianapolis, Mishawaka, and South Bend, Ind.; Davenport, Iowa; Kansas City and Olathe, Kans.; Louisville, Ky.; Benton Harbor, St. Joseph, Detroit, Highland Park, Flint, Grand Rapids, Lansing, and Saginaw, Mich.; St. Louis, Mo.; Knoxville, Nashville, and Memphis, Tenn.; and Milwaukee and Wauwatosa, Wis., for 180 days. Supporting shippers: (1) Whirlpool Corp., Benton Harbor, Mich.; (2) Sears, Roebuck & Co., 925 South Homan Avenue, Chicago, Ill. Send protests to: Andrew J. Montgomery, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Chicago, Ill. 60604.

No. MC 48635 (Sub-No. 3 TA), filed November 7, 1969. Applicant: CLOQUET TRANSFER COMPANY, 107 Avenue C, Cloquet, Minn. 55720. Applicant's representative: Arnold Atwood (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Paper, wrapping and printing, other than newsprint: Paper, printing, not printed and materials, supplies, and equipment, between Cloquet, Minn., and Brainerd, Minn., as follows:

From Cloquet, over Minnesota Highway 33 to junction U.S. Highway 210, thence over U.S. Highway 210 to Brainerd and return over the same route, serving no intermediate points, for 180 days. Supporting shipper: Northwest Paper Co., Cloquet, Minn. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 105809 (Sub-No. 12 TA), filed November 6, 1969. Applicant: ROBERT E. MACK, CARL BROWN, SOPHIE R. MACK, ESTELLE M. FUNK AND THERESA MOLLOY, doing business as MACK TRANSPORTATION COMPANY, 4330 Torresdale Avenue, Philadelphia, Pa. 19124. Applicant's representative: Robert E. Mack II (same address as above). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Commodities*, dealt in by hardware stores, from the warehouse site of Cotter & Co. at Philadelphia, Pa., on the one hand, and on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and the District of Columbia, for 150 days. Supporting shipper: Cotter & Co., 1501 Unity Street, Philadelphia, Pa. 19124. Send protests to: F. W. Doyle, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 900 U.S. Customhouse, Second and Chestnut Streets, Philadelphia, Pa. 19106.

No. MC 107227 (Sub-No. 109 TA), filed November 7, 1969. Applicant: INSURED TRANSPORTERS, INC., 1944 Williams Street, San Leandro, Calif. 94577. Applicant's representative: John G. Lyons, Mills Tower, San Francisco, Calif. 94104. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Self-propelled all terrain vehicles*, from Reno, Nev., to Alturas, Auburn, Bakersfield, Chester, Colfax, Fresno, Mammoth Lakes, Marysville, Oakland, Orland, Oroville, Portola, Red Bluff, Redding, Roseville, Sacramento, San Francisco, San Jose, South Lake Tahoe, Susanville, Tahoe Vista, and Vinton, Calif., with no return movements, except as otherwise authorized, for 120 days. Supporting shipper: J. R. Bradley Co., Post Office Box 1671, 1100 East Fourth Street, Reno, Nev. Send protests to: District Supervisor Wm. E. Murphy, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

No. MC 107295 (Sub-No. 235 TA), filed November 5, 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*, from Oshkosh, Wis., to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio,

Oklahoma, Pennsylvania, Tennessee, Texas, Virginia, and West Virginia, for 180 days. Supporting shipper: Pluswood Industries, Post Office Box 1340, Oshkosh, Wis. 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. 242 TA), filed November 12, 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 and related accessories*, from Pittsburg, Kans., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, and Florida, for 180 days. Supporting shipper: Wallace Manufacturing Co., Post Office Box 707, Kansas City, Mo. 64141. 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 112822 (Sub-No. 135 TA), filed November 12, 1969. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little, Cushing, Okla. 74023. Applicant's representative: Joe W. Ballard (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Carpet, carpets, carpeting yarn, floor covering and padding, and materials, supplies, and equipment used in the installation thereof*, from Wilburton, Okla., to points in California, Georgia, Illinois, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Missouri, New York, North Dakota, Ohio, Oregon, Pennsylvania, Texas, and Wisconsin, for 180 days. Supporting shipper: J. J. D'Arcy, Congoleum Industries, Inc., 195 Belgrove Drive, Kearney, N.J. 07032. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 113855 (Sub-No. 209 TA), filed November 3, 1969. Applicant: INTERNATIONAL TRANSPORT, INC., South Highway 52, Rochester, Minn. 55901. Applicant's representative: Gene P. Johnson, 502 First National Bank Building, Fargo, N. Dak. 58102. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle beds, bed frames and fifth wheels), *equipment designed for use in conjunction with tractors, agricultural, industrial, and construction machinery and equipment, trailers designed for the transportation of the above-described commodities* (except those trailers designed to be drawn by passenger automobiles), *attachments for the above-described commodities, internal combustion engines and parts of the*

above-described commodities when moving in mixed loads with such commodities, from the plant and warehouse sites and experimental farms of Deere & Co. in Dodge County, Wis., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Pennsylvania, Vermont, and Virginia, for 150 days. Supporting shipper: Deere & Co., Moline, Ill. 61265. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 127047 (Sub-No. 9 TA), filed November 6, 1969. Applicant: ED RACETTE & SON, INC., 5409 North Broadway, Wichita, Kans. 67219. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Axles, wheels, axle parts, hub and drum assemblies, wheel rims, and related parts and accessories*, from Newton, Kans., to points in Colorado, Nebraska, South Dakota, Minnesota, Missouri, Arkansas, Louisiana, Texas, and Oklahoma, for 150 days. Supporting shipper: Foreman Manufacturing Co., a division of, Newton, Kans.; Motor Wheel Corp., Chicago, Ill. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 128375 (Sub-No. 36 TA), filed November 10, 1969. Applicant: CRETE CARRIER CORPORATION, Crete, Nebr. Applicant's representative: F. J. Coffman, Post Office Box 806, Lincoln, Nebr. 68501. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Equipment, materials, and supplies used in the manufacture of automobile parts, and automobile parts*, between Rushville, Nebr., Wilmington, Del., and points in California, Missouri, and Kansas, on the one hand, and, on the other, points in Illinois, Colorado, Michigan, Indiana, Ohio, Georgia, Pennsylvania; Marianna, Ark.; Cleveland, Miss.; Humboldt, Iowa; Memphis, Tenn.; Columbus, Nebr.; Milwaukee, Wis.; Red Oak, Iowa; St. Paul and Minneapolis, Minn.; and their commercial zones restricted to traffic originating at or destined to facilities used by Douglas & Lomason Co., under continuing contract with Douglas & Lomason, for 180 days. Supporting shipper: Douglas & Lomason Co., Detroit, Mich. Send protests to: District Supervisor Johnston, Interstate Commerce Commission, Bureau of Operations, 315 Post Office Building, Lincoln, Nebr. 68508.

No. MC 134145 TA, filed November 12, 1969. Applicant: NORTH STAR TRANSPORT, INC., Post Office Box 51, Thief River Falls, Minn. 56701. Applicant's representative: Robert P. Sack, Post Office Box 6010, West St. Paul, Minn. 55118. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) *Snowmobiles, boats, motor bikes, and racing vehicles*, from Roseau, Thief River Falls,

and Karlstad, Minn., and Afton, Wyo., to points in the United States (except Hawaii); and (2) materials, supplies, and equipment used in the manufacture of products described in (1) above, from points in California, Colorado, Connecticut, Idaho, Iowa, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, Texas, Washington, and Wisconsin, to Roseau, Thief River Falls, and Karlstad, Minn., and Afton, Wyo., for 180 days. Supporting shippers: Polaris Industries, Division of Textron, Inc., Roseau, Minn. 56751; Arctic Enterprises, Inc., Post Office Box 635, Thief River Falls, Minn. 56701. Send protests to: J. H. Ambs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 268 Federal Building and U.S. Post Office, 657 Second Avenue North, Fargo, N. Dak. 58102.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F. R. Doc. 69-13859; Filed, Nov. 20, 1969;
8:47 a.m.]

[Notice 447]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 18, 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-71128. By order of November 7, 1969, the Motor Carrier Board approved the transfer to Drury's Van Lines, Inc., Mount Clemens, Mich., of certificate No. MC-95131 issued March 25, 1969, to Movers, Inc., Detroit, Mich., authorizing the transportation of: Household goods, as defined by the Commission, and used store fixtures and office fixtures, between points in St. Clair, Sanilac, and Huron Counties, Mich., on the one hand, and, on the other, the United States-Canada boundary line through the ports of entry at Port Huron, Mich., and points in Wisconsin, Illinois, Indiana, Ohio, Kentucky, Pennsylvania, and New York. James F. Schouman, 1910 Penobscot Building, Detroit, Mich. 48226, attorney for applicants.

No. MC-FC-71617. By order of November 4, 1969, the Motor Carrier Board approved the transfer to North East Express, Inc., Wilkes-Barre, Pa., of the

operating rights in certificate No. MC-125687 (Sub-No. 1) issued February 7, 1967, to Eastern States Transportation, Inc., York, Pa., authorizing the transportation of fiber glass materials and products, and material and supplies used in the installation of, or incidental to, fiber glass materials and products, from the plantsite and warehouses of Certain-Teed Saint Gobain Insulation Corp. in Crestwood Industrial Park, Mountaintop, Wright Township, Luzerne County, Pa., to points in Connecticut, Rhode Island, Massachusetts, Maine, New Hampshire, and Vermont. S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. 20005, attorney for applicants.

No. MC-FC-71662. By order of November 3, 1969, the Motor Carrier Board approved the transfer to General Transportation, Inc., Eagar, Ariz., of certificates in Nos. MC-116457 (Sub-No. 2), MC-116457 (Sub-No. 4), and MC-116457 (Sub-No. 7), issued February 7, 1967, July 21, 1967, and July 24, 1969, respectively, to Claude Butler, doing business as Butler Trucking Co., Show Low, Ariz., authorizing the transportation of: Lumber, wood chips, piling, poles, posts, ties and timbers, roofing and roofing products; from, to, or between specified points in Arizona, New Mexico, Texas, and Oklahoma. Dennis I. Davis, Box 886, Show Low, Ariz. 85901, attorney for applicants.

[SEAL] H. NEIL GARSON,
Secretary.

[F. R. Doc. 69-13860; Filed, Nov. 20, 1969;
8:47 a.m.]

[Notice 941]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

NOVEMBER 17, 1969.

The following are notices of filing of applications for temporary authority under section 210(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 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 22278 (Sub-No. 40 TA), filed November 10, 1969. Applicant: TAKIN

BROS. FREIGHT LINE, INC., 2125 Commercial Street, Waterloo, Iowa 50704. Applicant's representative: Paul Rhodes, Post Office Box 5000, Waterloo, Iowa 50704. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving Grundy Center, Iowa, as an off-route point in conjunction with presently authorized regular-route operations as authorized in Docket No. MC 22278, for 180 days. Note: Applicant states he will tack with MC-22278 at all points authorized, MC-127321 at Des Moines, Iowa, and MC-87909 at Waterloo, Iowa. Supporting shippers: Coast to Coast Stores, Grundy Center, Iowa 50638; Plastronics, Inc., Grundy Center, Iowa 50638; Mid Equipment Corp., Grundy Center, Iowa 50638; Frederick Furniture Store, Grundy Center, Iowa 50638. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, Iowa 52801.

No. MC 40898 (Sub-No. 17 TA), filed November 7, 1969. Applicant: S & W MOTOR LINES, INC., Post Office Box 22065 (N.C. Highway 68), Greensboro, N.C. 27420. Applicant's representative: J. R. Brown, Jr. (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Architectural precast stone, from Greensboro, N.C., to New York, N.Y., for 180 days. Supporting shipper: Exposal Industries, Inc., 390 South Stratford Road, Post Office Box 15027, Winston-Salem, N.C. 27103. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 10885, Cameron Village Station, Raleigh, N.C. 27605.

No. MC 88594 (Sub-No. 13 TA), filed November 6, 1969. Applicant: CARLETON G. WHITAKER, INC., Post Office Box 93, Route 17, Deposit, N.Y. 13754. Applicant's representative: Martin Werner, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Yogurt, in vehicles equipped with mechanical refrigeration, moving in the same vehicles and at the same time with milk and milk products destined to points in New Jersey for final delivery, for 180 days. Supporting shipper: Borden Dairy & Services Division, Borden, Inc., 23 West 60th Street, New York, N.Y. 10023. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 104, 301 Erie Boulevard West, Syracuse, N.Y. 13202.

No. MC 102616 (Sub-No. 849 TA), filed November 7, 1969. Applicant: COASTAL TANK LINES, INC., 215 East Waterloo Road, Akron, Ohio 44306. Applicant's representative: James Annand (same address as above). Authority sought to

operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Varnish*, in bulk, in tank vehicles, from South Bend, Ind., to Chicago, Ill., for 180 days. Supporting shipper: The O'Brien Corp., South Bend, Ind. 46621. Send protests to: District Supervisor Baccel, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Building, 1240 East Ninth Street, Cleveland, Ohio 44199.

No. MC 107295 (Sub-No. 243 TA), filed November 12, 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: *Plastic pipe, plastic or iron fittings and connections, valves, hydrants, and gaskets*, from Benton, Ark., to points in Louisiana, Mississippi, Oklahoma, and Texas, for 180 days. Supporting shipper: Pyramid South, Inc., Benton, Ark. Send protests to: Harold C. Joliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 112822 (Sub-No. 136 TA), filed November 12, 1969. Applicant: BRAY LINES INCORPORATED, Post Office Box 1191, 1401 North Little, Cushing, Okla. 74023. Applicant's representative: Joe W. Ballard (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Pine Bluff, Ark., to points in Oklahoma, for 150 days. Supporting shipper: C. C. Wright, Supervisor, Truck TOFC, Barge and Air Freight, Post Office Box 2328, Mobile, Ala. 36601. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, Okla. 73102.

No. MC 113678 (Sub-No. 367 TA), filed November 12, 1969. Applicant: CURTIS, INC., Post Office Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Oscar Mandel (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* (except fats and oils in bulk, and acids and chemicals), from Sterling, Colo., to points in Kansas, Iowa, Missouri, Wisconsin, Illinois, Indiana, Michigan, Ohio, Pennsylvania, Virginia, Maine, Delaware, Rhode Island, District of Columbia, New Jersey, and Kentucky, for 180 days. Supporting shipper: Sterling Colorado Beef Co., Sterling, Colo. Send protests to: District Supervisor Her-

bert C. Ruoff, Interstate Commerce Commission, Bureau of Operations, 2022 Federal Building, Denver, Colo. 80202.

No. MC 117940 (Sub-No. 11 TA), filed November 12, 1969. Applicant: NATION-WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, Minn. 55359. Applicant's representative: M. James Levitus (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and canned goods*, from Duluth, Minn., to points in Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia, for 180 days. Supporting shipper: Jenos, Inc., 525 Lake Avenue South, Duluth, Minn. 55801. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn. 55401.

No. MC 124078 (Sub-No. 406 TA) (corrected amendment), filed September 22, 1969, published FEDERAL REGISTER, issues of September 27, 1969 and October 9, 1969, and republished as corrected this issue. Applicant: SCHWERTMAN TRUCKING CO., 611 South 28th Street, Milwaukee, Wis. 53246. Applicant's representative: Richard H. Prevette (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bentonite*, in bulk, from Schoharie Junction, N.Y., to the Blenheim-Gilboa Pumped Storage Power Project at or near Gilboa, N.Y., for 150 days. NOTE: The purpose of this republication is to show that the origin point has been amended to read Schoharie Junction, N.Y., in lieu of Schoharie, N.Y. Supporting shipper: Perini Corp., 73 Mount Wayte Avenue, Framingham, Mass. 01701. (Fred A. Relf, Chief Engineer). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 125844 (Sub-No. 13 TA), filed November 7, 1969. Applicant: BIOMED-HU, INC., 8603 Preston Highway, Louisville, Ky. 40219. Applicant's representative: Ollie L. Merchant, Suite 202, 140 South Fifth Street, Louisville, Ky. 40202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blood and derivatives of blood, which includes plasma*, from points in California, Colorado, Georgia, Louisiana, New Mexico, Tennessee, and Utah, to Los Angeles,

Calif., for 180 days. Supporting shipper: Edward H. Mealey, Ph. D., Technical Director, Hyland Division Travenol Laboratories, Inc., 4501 Colorado Boulevard, Los Angeles, Calif. 90039. Send protests to: Wayne L. Merlatti, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 126806 (Sub-No. 4 TA), filed November 12, 1969. Applicant: MAR-RONE TRUCK RENTALS, INC., 2568 Route 22, Union, N.J. 07083. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel*, in rods, bars, and coils, for the account of U.N. Alloy Steel Corp., from Hillside, N.J., to Rockford and Chicago, Ill.; Wilkes-Barre, Prospect Park, York, Pleasant Hills, and King of Prussia, Pa.; Buffalo and Syracuse, N.Y.; Cleveland and Mentor, Ohio; Detroit, Mich.; Gary, Ind.; Waltham, Mass.; and Wytheville, Va.; and returned shipments, on return, for 180 days. Supporting shipper: Eastern Cold Drawn Co., a division of U.N.A. Corp., 119 Long Avenue, Hillside, N.J. 07205. Send protests to: District Supervisor Walter J. Grossmann, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 134069 (Sub-No. 1 TA), filed November 12, 1969. Applicant: BILL E. DUPREE, doing business as BILL DUPREE TRANSPORT, 1318 Hickory, Post Office Box 1113, Deming, N. Mex. 88030. Applicant's representative: V. Lee Vesely, 508 West Broadway, Silver City, N. Mex. 88061. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products* (exempt or nonexempt), requiring refrigeration, including but not limited to *butter, oleo, cottage cheese, chocolate milk, ice milk, ice cream, frozen novelties, juices (orange or other citrus), juices (fruit, plain or concentrated), animal fats*, from El Paso, Tex., to points in New Mexico and return with *outdated products and cartons* being returned, for 180 days. Supporting Shipper: Price's Creameries, Inc., Post Office Box 3008, Station A, El Paso, Tex. 79923. Send protests to: Wm. R. Murdoch, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10515 Federal Building, U.S. Courthouse, Albuquerque, N. Mex. 87101.

By the Commission.

[SEAL] H. NEIL GARSON,
Secretary.

[F.R. Doc. 69-13820; Filed, Nov. 19, 1969;
8:50 a.m.]

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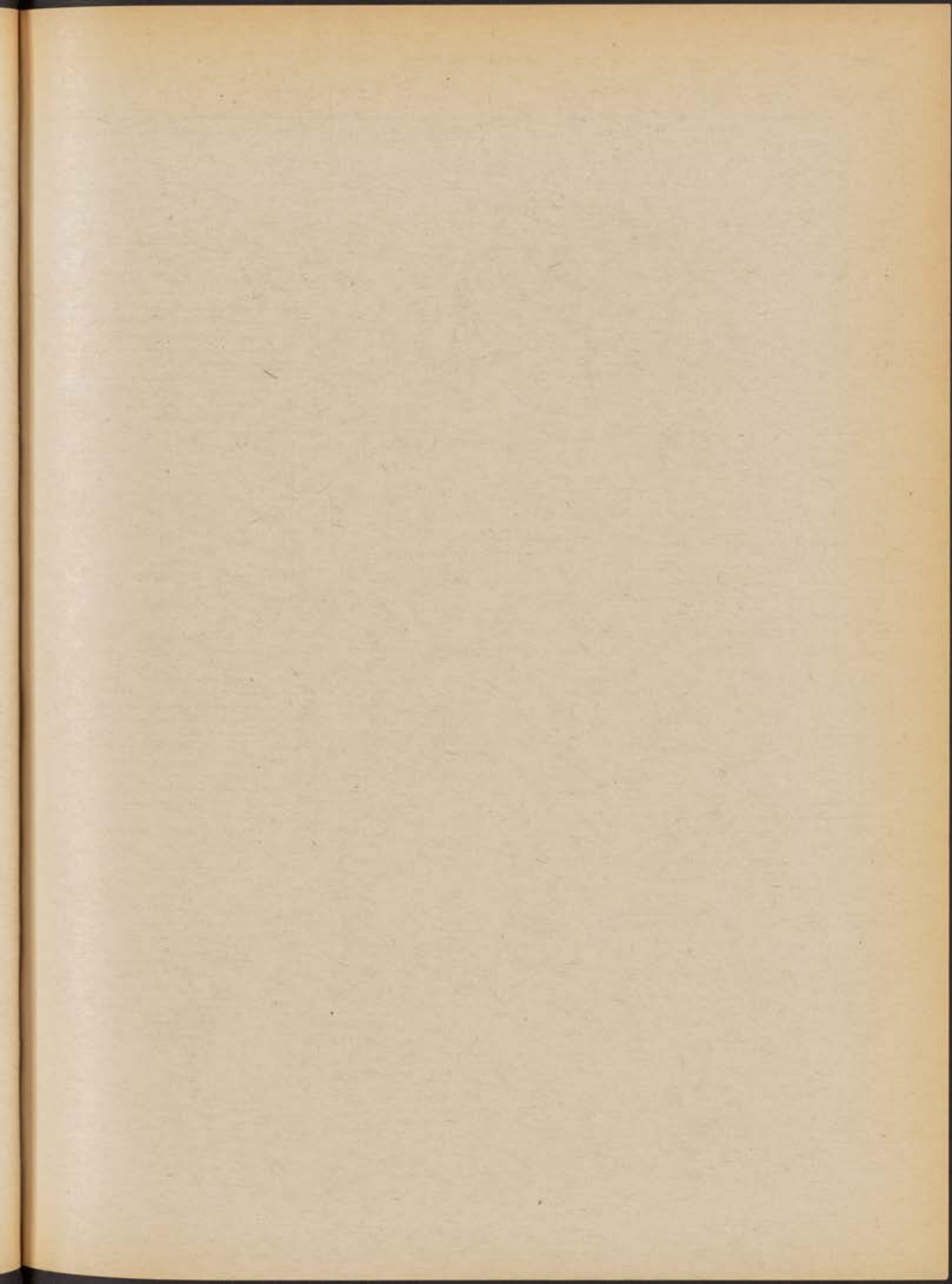
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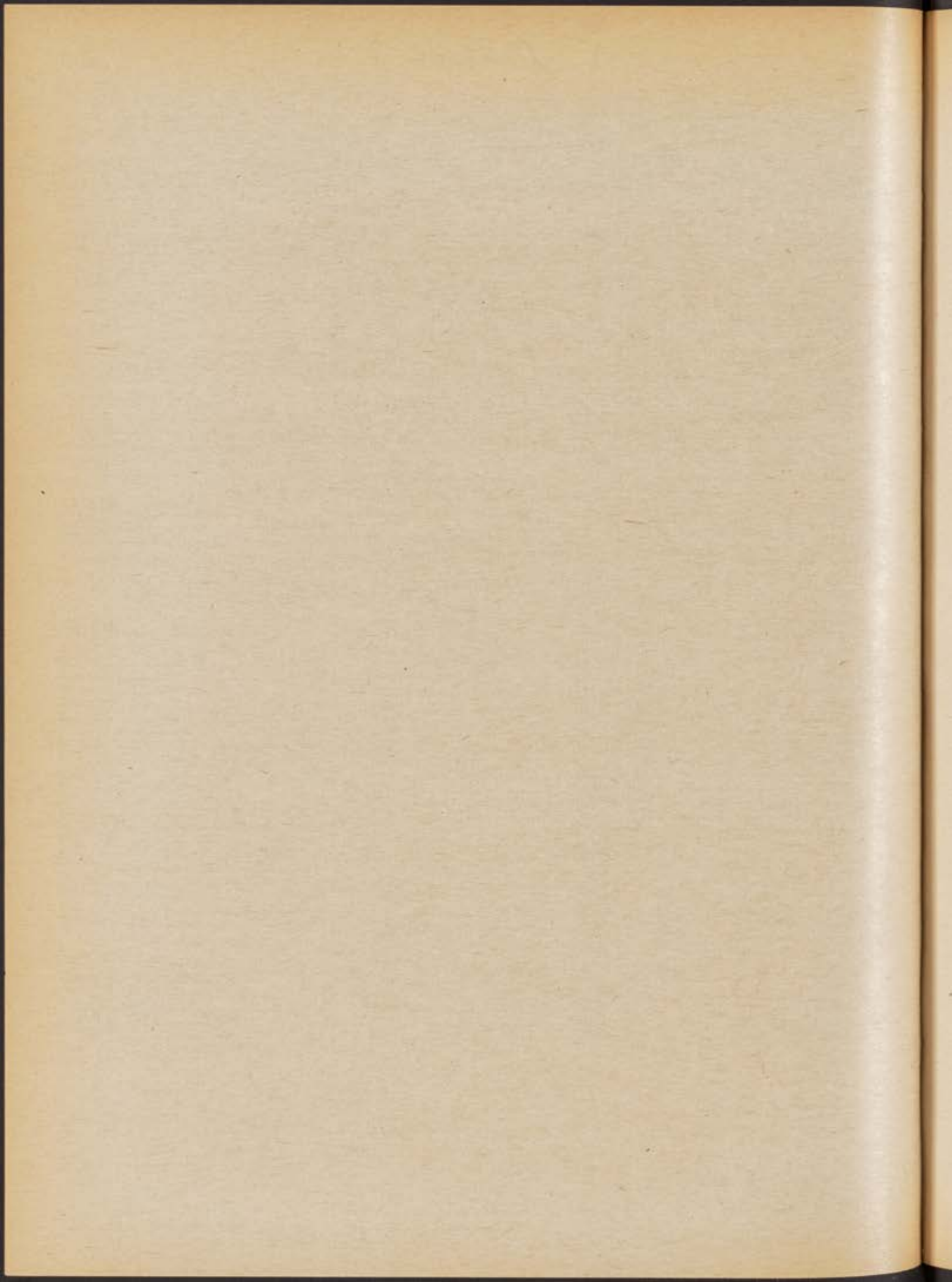
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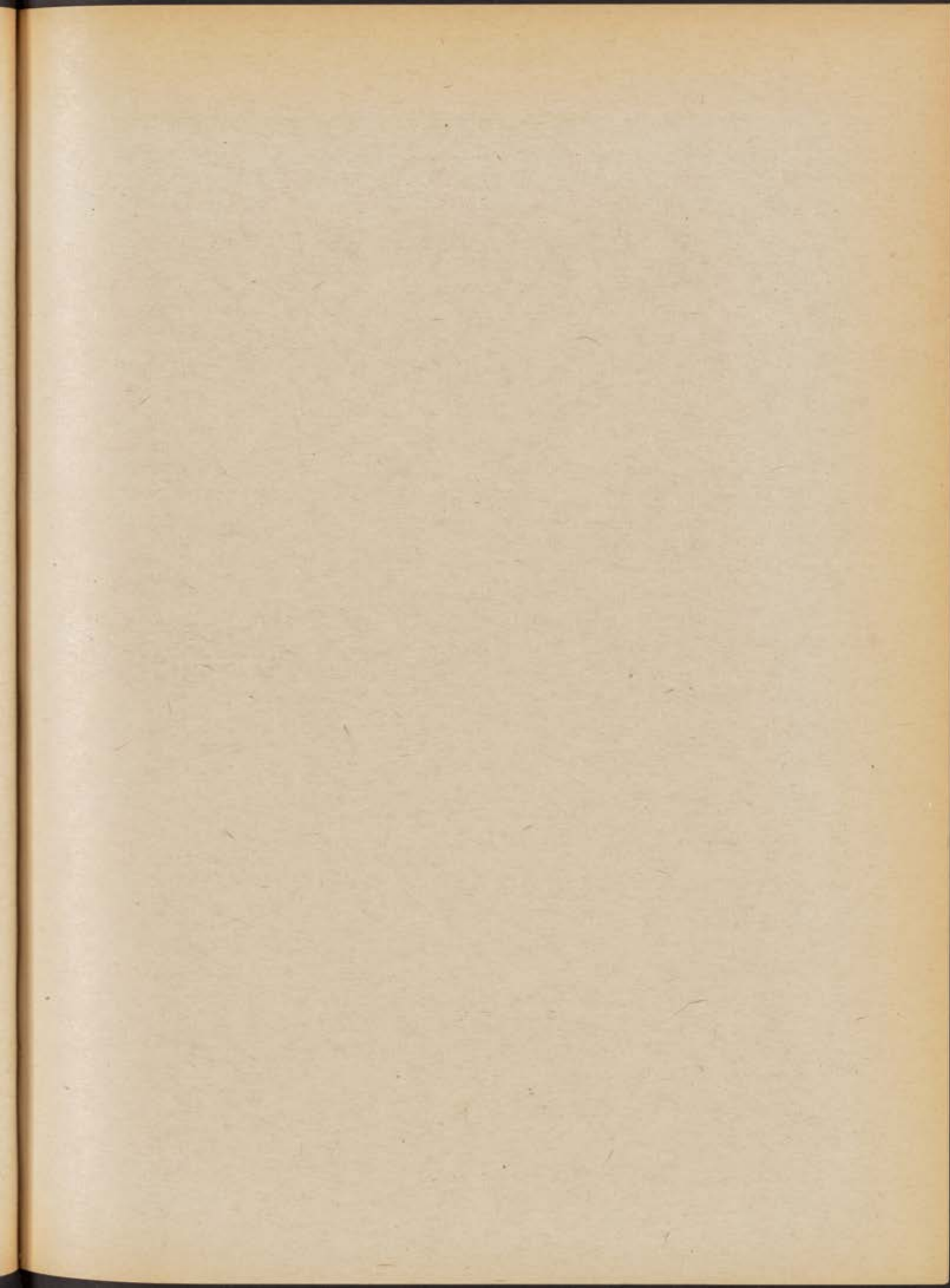
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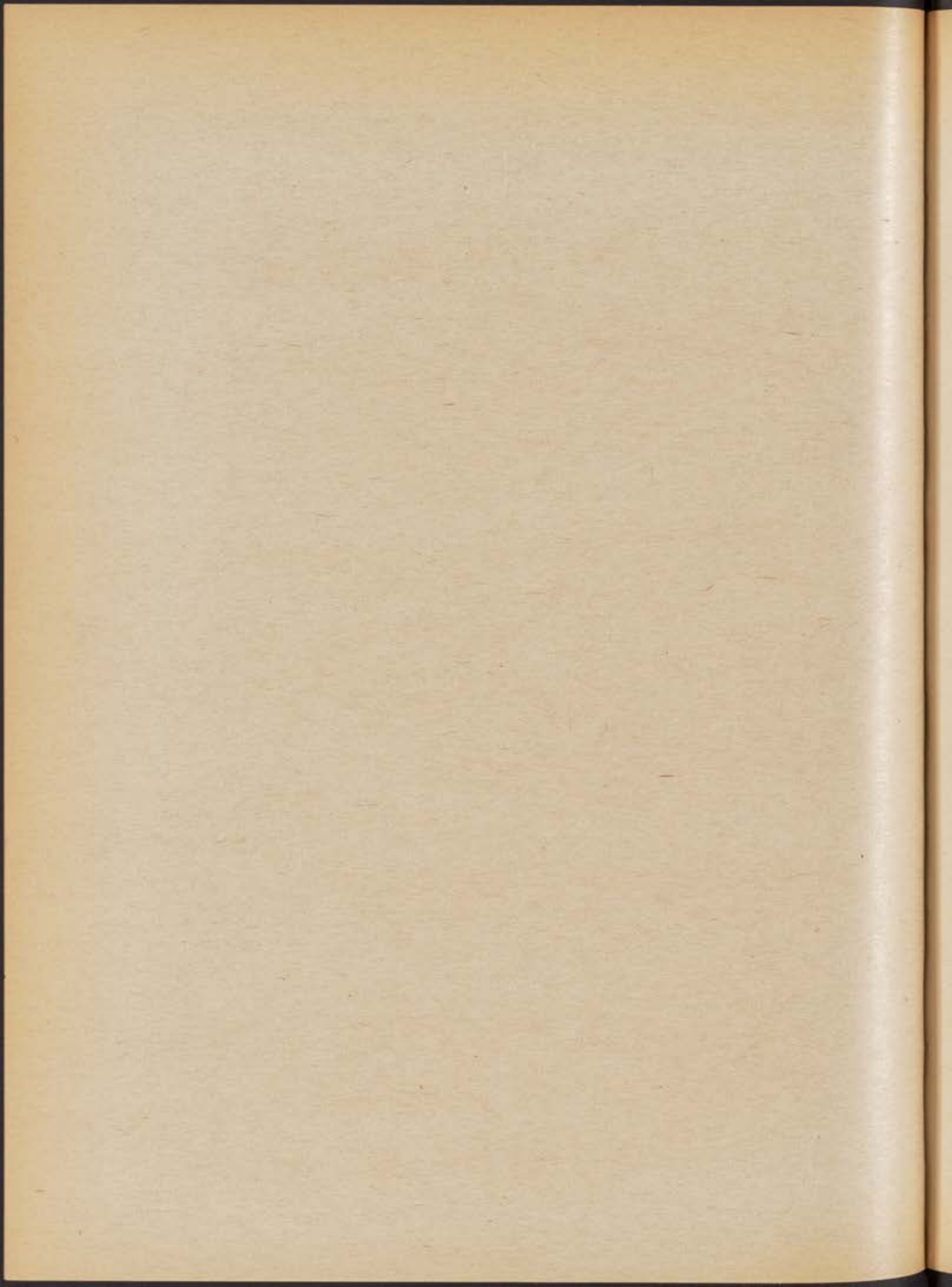
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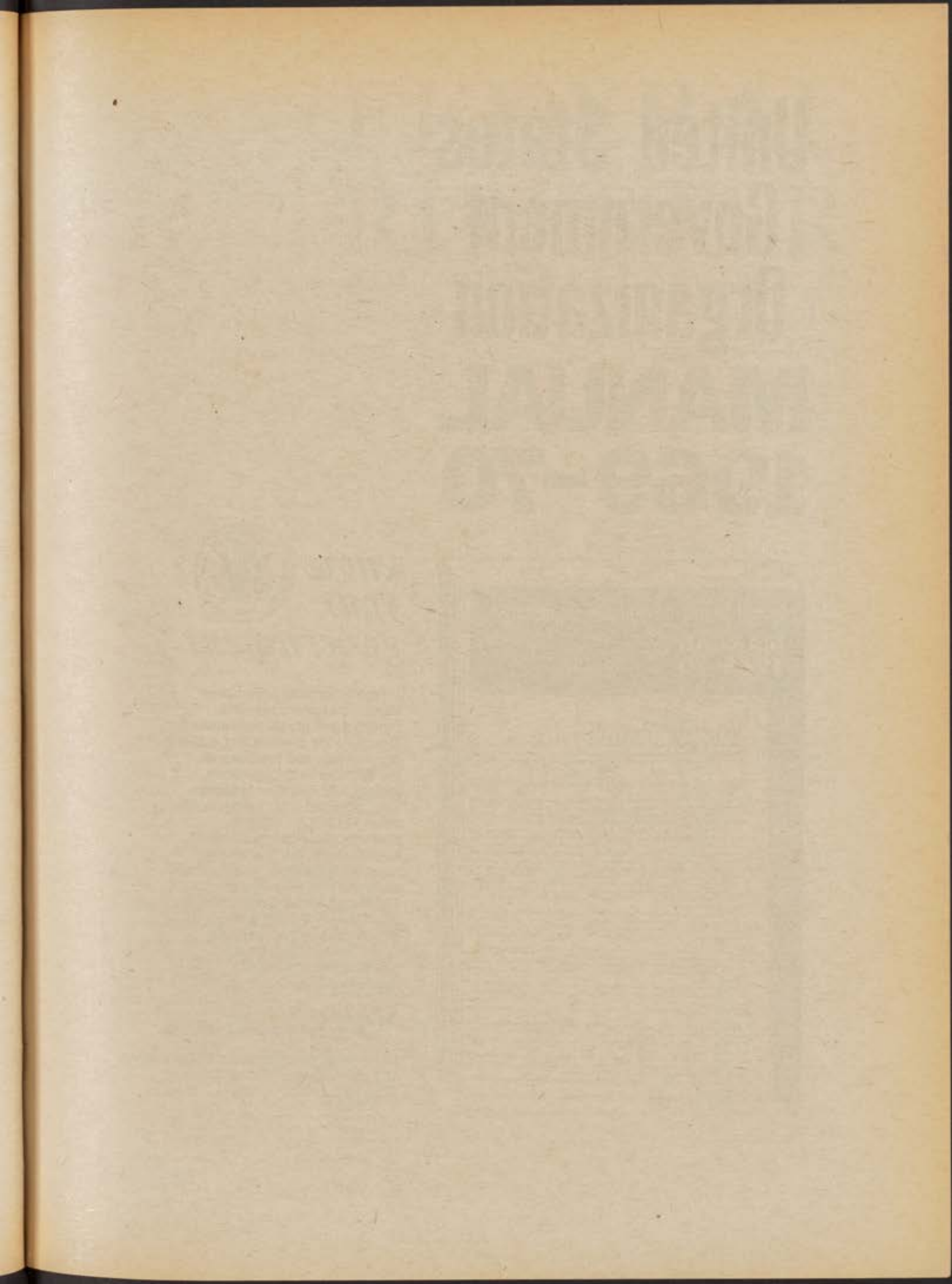
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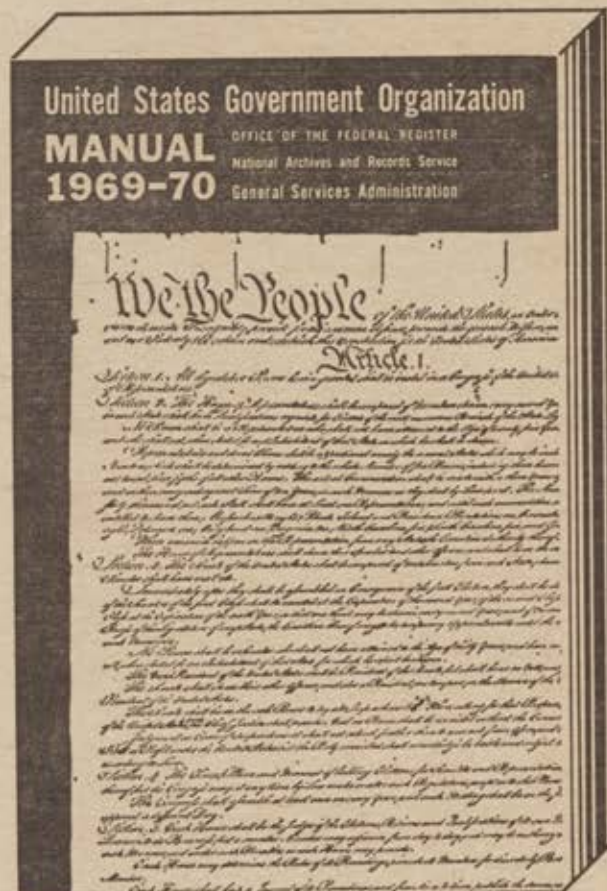








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