

# FEDERAL REGISTER

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## Agencies in this issue—

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Civil Aeronautics Board  
Civil Rights Commission  
Civil Service Commission  
Coast Guard  
Commerce Department  
Consumer and Marketing Service  
Education Office  
Environmental Protection Agency  
Federal Aviation Administration  
Federal Communications Commission  
Federal Highway Administration  
Federal Home Loan Bank Board  
Federal Maritime Commission  
Federal Power Commission  
Federal Reserve System  
Federal Trade Commission  
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Housing and Urban Development Department  
Internal Revenue Service  
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Just Released

## CODE OF FEDERAL REGULATIONS

(Revised as of January 1, 1971)

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# Rules and Regulations

## Title 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 213—EXCEPTED SERVICE

##### Department of Health, Education, and Welfare

Section 213.3316 is amended to show that the Schedule C position of Assistant to the Director of Public Information has been retitled Assistant to the Assistant Secretary for Public Affairs. Effective on publication in the FEDERAL REGISTER (3-26-71), subparagraph (17) of paragraph (a) of § 213.3316 is amended as set out below.

§ 213.3316 Department of Health, Education, and Welfare.

(a) Office of the Secretary. \* \* \*

(17) Assistant to the Assistant Secretary for Public Affairs.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.71-4141 Filed 3-25-71; 8:47 am]

#### PART 213—EXCEPTED SERVICE

##### Environmental Protection Agency

Section 213.3318 is amended to show that the position of Staff Assistant to the Director, Office of Congressional Affairs, is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER (3-26-71), paragraph (k) is added to § 213.3318 as set out below.

§ 213.3318 Environmental Protection Agency.

(k) One Staff Assistant to the Director, Office of Congressional Affairs.

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.71-4140 Filed 3-25-71; 8:47 am]

#### PART 213—EXCEPTED SERVICE

##### Office of Economic Opportunity

Section 213.3373 of Schedule C is amended to reflect the change in organizational title from Office of the Associate Director for Congressional and Govern-

mental Relations to Office of the Associate Director for Congressional Relations. Effective on publication in the FEDERAL REGISTER (3-26-71), the headnote to paragraph (e) of § 213.3373 is amended as set out below.

§ 213.3373 Office of Economic Opportunity.

(e) Office of the Associate Director for Congressional Relations. \* \* \*

(5 U.S.C. 3301, 3302, E.O. 10577; 3 CFR 1954-58 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc.71-4142 Filed 3-25-71; 8:47 am]

## Title 7—AGRICULTURE

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

#### SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

##### PART 29—TOBACCO INSPECTION

###### Subpart C—Standards

##### OFFICIAL STANDARDS FOR CONNECTICUT VALLEY SHADE-GROWN CIGAR-WRAPPER

On February 3, 1971, notice of proposed rule making regarding the issuance of Official Standard Grades for Connecticut Valley Shade-grown Cigar-wrapper Tobacco, U.S. Type 61, was published in the FEDERAL REGISTER (36 F.R. 1904).

*Statement of consideration.* Grade standards for tobacco are issued under the authority of The Tobacco Inspection Act of 1935 which provides for the issuance of official U.S. grades to designate different levels of quality for the use of producers and buyers. Official grading service is also provided under the Act on both a mandatory and a permissive basis.

The current tentative standards for type 61 have been in effect since December 1956. They contain 24 basic grades and eight special factors for natural or air-cured tobacco.

Since 1956 methods of sorting have become less stringent due to changes in the manufacturing process. Also, many producers of type 61 are resorting to a quick curing process known as candela-curing. This method exposes tobacco to artificial atmospheric conditions controlled by regulating heat and humidity. The traditionally used natural or air-cured method subjects tobacco to natural atmospheric conditions with heat

being used only to prevent pole-burn in damp weather.

The grade structure of the official standards is designed to reflect current sorting and curing practices. It provides 22 grades for natural or air-cured tobacco and 10 grades for candela-cured tobacco. Broadened grade specifications for natural or air-cured tobacco describe the tobacco without the use of special factors, thus eliminating the potential for additional grades. Definitions and rules are added, revised, or deleted to implement accurate application of the official grades.

Favorable response to the official standards was received during discussions of the proposed grades with producer and industry representatives.

Interested persons were given 30 days in which to submit written data, views, or arguments regarding the proposed standards. No data have been received. After consideration of all relevant facts, the standards as so proposed are hereby adopted without change and are set forth below.

*Effective date.* These standards shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 23d day of March 1971.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

1. Subpart C of Part 29 is amended by adding the new issuance immediately after § 29.6161 to read as follows:

OFFICIAL STANDARD GRADES FOR CONNECTICUT VALLEY SHADE-GROWN CIGAR-WRAPPER TOBACCO (U.S. TYPE 61)<sup>1</sup>

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<sup>1</sup> These standards provide grades for both air-cured and candela-cured tobacco.



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## SUMMARY OF STANDARD GRADES

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## DEFINITIONS

## § 29.6251 Definitions.

As used in these standards, the words and phrases hereinafter defined shall have the indicated meanings so assigned.

## § 29.6252 Air-cured.

Tobacco cured under natural atmospheric conditions without the use of artificial heat except to prevent pole-burn in damp weather.

## § 29.6253 Body.

The thickness and density of a leaf or the weight per unit of surface. (See chart, § 29.6371.)

## § 29.6254 Brown colors.

A group of natural wrapper colors ranging from a golden brown to reddish brown. The range is expressed as golden brown (L), light brown (F), and reddish brown (R).

## § 29.6255 Candela-cured.

Tobacco cured under controlled artificial atmospheric conditions by regulating the heat and humidity. This process produces a green or greenish color in the cured leaves.

## § 29.6256 Candela-cured green colors.

A group of candela-cured wrapper colors ranging from a yellowish green to dark green. The range is expressed as yellowish green (YG), light green (LG), green (G), and dark green (KG).

## § 29.6257 Class.

A major division of tobacco based on method of cure or principal usage.

## § 29.6258 Color.

The third factor of a grademark based on the relative hues, saturation or chroma, and color values common to the type.

## § 29.6259 Color shade.

The varying strength or weakness of a color or hue.

## § 29.6260 Color symbols.

In this type the color symbols used for naturally cured tobacco are L—golden brown, F—light brown, M—mixed color, V—greenish, FL—fleck, R—reddish brown, K—variegated, and G—green. Color symbols used for candela-cured tobacco are LG—light green, G—green, YG—yellowish green, FL—fleck, and KG—dark green or dark green and variegated mixed.

## § 29.6261 Condition.

The state of tobacco which results from the method of preparation or from the degree of fermentation. Words used to describe the condition of tobacco are undried, air-dried, steam-dried, sweating, sweated, and aged.

## § 29.6262 Crude.

A subdegree of maturity. (See rule 19, § 29.6355.)

## § 29.6263 Cured.

Tobacco dried of its sap by either natural or artificial processes.

## § 29.6264 Damage.

The effect of mold, must, rot, black rot, or other fungous or bacterial diseases which attack tobacco in its cured state. Tobacco having the odor of mold, must, or rot is considered damaged. (See rule 20, § 29.6356.)

## § 29.6265 Dirty.

The state of tobacco containing an abnormal amount of dirt or sand. (See rule 20, § 29.6356.)

## § 29.6266 Elasticity.

The flexible, springy nature of the tobacco leaf to recover approximately its original size and shape after it has been stretched.

## § 29.6267 Elements of quality.

Physical characteristics used to determine the quality of tobacco. Words selected to describe degrees within each element are shown in § 29.6371.

## § 29.6268 Fibers.

Lateral and cross veins in a tobacco leaf. (See chart, § 29.6371.)

## § 29.6269 Fleck (FL).

Spots or dapples on the surface of the tobacco leaf. (See rule 14, § 29.6350.)

## § 29.6270 Foreign matter.

Any extraneous substance or material. (See rule 20, § 29.6356.)

## § 29.6271 Form.

The stage of preparation of tobacco such as stemmed or unstemmed.

## § 29.6272 Grade.

A subdivision of a type according to group and quality and to other characteristics when they are of sufficient importance to be treated separately.

## § 29.6273 Grademark.

A grademark normally consists of three symbols which indicate group, quality, and color. A letter is used to indicate group, a number to indicate quality, and a letter or letters to indicate color. Color symbols are used only in the A group.

## § 29.6274 Green (G).

Green color. In natural wrappers any leaf which has a green color affecting 10 percent or more of its surface may be described as green. (See rule 17, § 29.6353.)

## § 29.6275 Greenish (V).

A color term applied to greenish-tinted air-cured tobacco. Any leaf of natural wrapper tobacco which has a greenish tinge or a pale green color affecting 10 percent or more of its surface may be described as greenish. (See rule 16, § 29.6352.)

## § 29.6276 Group.

A division of a type covering closely related grades. Groups in this type are Wrappers (A), Stained (S), Brokes (X), and Nondescript (N).

## § 29.6277 Injury.

Hurt or impairment. (See rule 13, § 29.6349.)

## § 29.6278 Leaf scrap.

A byproduct of unstemmed tobacco. Leaf scrap results from handling unstemmed tobacco and consists of loose and tangled whole or broken leaves.

## § 29.6279 Leaf structure.

The cell development of a leaf as indicated by its porosity. (See chart, § 29.6371.)



§ 29.6280 Length.

The linear measurement of cured tobacco leaves from the butt of the midrib to the extreme tip. (See chart, § 29.6371.)

§ 29.6281 Lot.

A pile, basket, bulk, package, or other definite unit.

§ 29.6282 Maturity.

The degree of ripeness. (See chart, § 29.6371.)

§ 29.6283 Mixed color (M).

Normal colors of air-cured type 61 mixed in various proportions. Golden brown, light brown, reddish brown, and greenish hues may be included.

§ 29.6284 Nested.

Any tobacco which has been loaded, packed, or arranged to conceal foreign matter or tobacco of inferior grade, quality, or condition. (See rule 20, § 29.6356.)

§ 29.6285 Offtype.

Tobacco of distinctly different characteristics which cannot be classified as type 61. (See rule 20, § 29.6356.)

§ 29.6286 Order (case).

The state of tobacco with respect to its moisture content.

§ 29.6287 Package.

A hogshead, tierce, case, bale, or other securely enclosed parcel or bundle.

§ 29.6288 Packing.

A lot of tobacco consisting of a number of packages submitted as one definite unit for sampling or inspecting. It is represented to contain the same kind of tobacco and has a common identification number or mark on each package.

§ 29.6289 Quality.

A division of a group or the second factor of a grademark based on the relative degree of one or more elements of quality in tobacco.

§ 29.6290 Semicured.

Tobacco in the process of being cured or which is partially but not thoroughly cured. Semicured includes tobacco which contains fat stems, wet butts, swelled stems, or stems that have not been thoroughly dried in the curing process. (See rule 20, § 29.6356.)

§ 29.6291 Side.

A certain phase of quality, color, or length as contrasted with some other phase of quality, color, or length; or any peculiar characteristic of tobacco.

§ 29.6292 Sound.

Free of damage.

§ 29.6293 Special factor.

A symbol or term authorized to be used with specified grades. Tobacco to which a special factor is applied may meet the general specifications but has a peculiar side or characteristic which tends to modify the grade. (See rule 9, § 29.6345.)

§ 29.6294 Stained.

A term applied to tobacco that has been blackened, bruised, or discolored by excessive moisture. (See rules 18 and 20, §§ 29.6354 and 29.6356.)

§ 29.6295 Stem.

The midrib or large central vein of a tobacco leaf.

§ 29.6296 Stemmed.

A form of tobacco, including strips and strip scrap, from which the stems or midribs have been removed.

§ 29.6297 Strips.

The sides of a tobacco leaf from which the stem has been removed or a lot of tobacco composed of strips.

§ 29.6298 Subgrade.

Any grade modified by a special factor symbol.

§ 29.6299 Sweated.

The condition of tobacco which has passed through one or more fermentations natural to tobacco packed with a normal percentage of moisture. This condition is sometimes described as aged.

§ 29.6300 Sweating.

The condition of tobacco in the process of fermentation.

§ 29.6301 Tobacco.

Tobacco as it appears between the time it is cured and stripped from the stalk, or primed and cured, and the time it enters into the different manufacturing processes. The acts of stemming, sweating, and conditioning are not regarded as manufacturing processes. Tobacco, as used in these standards, does not include manufactured or semimanufactured products, stems, cuttings, clippings, trimmings, siftings, or dust.

§ 29.6302 Tobacco products.

Manufactured tobacco, including cigarettes, cigars, smoking tobacco, chewing tobacco, and snuff.

§ 29.6303 Type.

A division of a class of tobacco having certain common characteristics and closely related grades. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths is classified as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 29.6304 Type 61.

That type of shade-grown tobacco known as Connecticut Valley Shade-grown, produced principally in the Connecticut Valley section of Connecticut and Massachusetts.

§ 29.6305 Undried.

The condition of unfermented tobacco which has not been air-dried or steam-dried.

§ 29.6306 Uniformity.

An element of quality which describes the consistency of a lot of tobacco. (See rule 12, § 29.6348.)

§ 29.6307 Unstemmed.

A form of tobacco, including whole leaf and leaf scrap, from which the stems or midribs have not been removed.

§ 29.6308 Variegated.

Two or more contrasting colors or tints within a leaf. (See rule 15, § 29.6351.)

§ 29.6309 Wet.

Any sound tobacco containing excessive moisture to the extent that it is in unsafe or doubtful-keeping order. Wet applies to any tobacco which is not damaged but which is likely to damage if treated in the customary manner. (See rule 20, § 29.6356.)

RULES

§ 29.6336 Rules.

The application of these official standard grades shall be in accordance with the following rules.

§ 29.6337 Rule 1.

Each grade shall be treated as a subdivision of a particular type. When the grade is stated in an inspection certificate, the type also shall be stated.

§ 29.6338 Rule 2.

The determination of a grade shall be based upon a thorough examination of a lot or packing of tobacco or of an official sample of the lot or packing.

§ 29.6339 Rule 3.

The grade assigned to any lot or packing of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot or packing of tobacco does not comply with the specifications of the grade previously assigned, it shall not thereafter be represented as such grade.

§ 29.6340 Rule 4.

Tobacco of the A, X, or S groups shall be placed straight in boxes or bales of normal size, weight, and shape with the butts out and tips overlapping sufficiently to make a level, solid, and uniform pack. All sides of the bales shall be completely covered with paper or other suitable protective material.

§ 29.6341 Rule 5.

A lot or packing of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

§ 29.6342 Rule 6.

Any lot or packing of tobacco which meets the specifications of two grades shall be placed in the higher grade.

§ 29.6343 Rule 7.

A lot or packing of tobacco meets the specifications of a grade when it is not lower in any element of quality than the degree stated in grade specifications and does not exceed the tolerance(s) of such grade.



## § 29.6344 Rule 8.

In determining the grade of a lot or packing of tobacco, the lot or packing as a whole shall be considered. Minor irregularities which do not affect over 1 percent of the tobacco shall be overlooked.

## § 29.6345 Rule 9.

Any special factor approved by the Director of the Tobacco Division, Consumer and Marketing Service, may be used after a grademark to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

## § 29.6346 Rule 10.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards and Testing Branch, and approved by the Director.

## § 29.6347 Rule 11.

The use of any grade may be restricted by the Director during any marketing season when it is found that the grade is not needed or appears in insufficient volume to justify its use.

## § 29.6348 Rule 12.

Uniformity shall be expressed in percentages. These percentages shall govern the portion of a lot or packing which must meet each specification of the grade; the remaining portion must be closely related. Specified percentages of uniformity shall not affect limitations established by other rules.

## § 29.6349 Rule 13.

Injury tolerance shall be expressed in percentages. The appraisal of injury shall be based upon the percentage of affected wrapper cutting area or the degree of injury.

## § 29.6350 Rule 14.

Fleck shall be included only in A2FL, A3FL, N1, and N2.

## § 29.6351 Rule 15.

Any lot or packing of tobacco containing over 10 percent of variegated leaves shall be designated by the color symbol "K" in natural wrappers and "KG" in candela wrappers.

## § 29.6352 Rule 16.

Any lot or packing of L- or F-colored natural wrapper tobacco containing over 10 percent of greenish leaves shall be designated by the color symbol "V".

## § 29.6353 Rule 17.

Any lot or packing of natural wrapper tobacco containing over 10 percent of green leaves shall be designated by the color symbol "G".

## § 29.6354 Rule 18.

Stained tobacco shall be included only in grades of the S and N groups.

## § 29.6355 Rule 19.

Crude leaves shall be included only in N2.

## § 29.6356 Rule 20.

Tobacco shall be designated "N2" when it is crude, damaged, dirty, improperly packed, nested, offtype, semicured, wet,

or when it contains foreign matter, is stained over 20 percent, or has an odor foreign to the type.

## ELEMENTS OF QUALITY

## § 29.6371 Elements of quality and degrees of each element.

These words or terms are used to determine tobacco quality. Characteristics which constitute general quality are designated as elements of quality. The range within each element is expressed by words or terms designated as degrees.

Elements	Degrees
Body.....	Thin..... Medium..... Heavy.
Color shade.....	True..... Dusky..... Dull.
Maturity.....	Ripe..... Unripe..... Immature.
Leaf structure.....	Open..... Firm..... Close.
Fiber size.....	Small..... Medium..... Large.
Fiber color.....	Blending..... Contrasting..... Clashing.
Injury tolerance.....	Expressed in percentages.
Uniformity.....	do.
Length.....	Expressed in inches.

## GRADES FOR NATURAL (AIR-CURED) TOBACCO

## § 29.6386 Wrappers (A Group).

This group consists of tied, elastic tobacco having at least 90 percent of uninjured surface usable for cigar wrappers.

U.S. grades	Grade names, minimum specifications, and tolerances
-------------	-----------------------------------------------------

A1L Choice Golden Brown Natural Wrappers  
Thin, true color shade, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 95 percent; injury tolerance, 5 percent.

A2L Fine Golden Brown Natural Wrappers  
Medium body, true color shade, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 90 percent; injury tolerance, 10 percent.

A3L Good Short Golden Brown Natural Wrappers  
Thin to medium body, true color shade, ripe, open, small and blending fibers, 14 inches or under in length. Uniformity, 95 percent; injury tolerance, 5 percent.

A1F Choice Light Brown Natural Wrappers  
Thin, true color shade, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 95 percent; injury tolerance, 5 percent.

A2F Fine Light Brown Natural Wrappers  
Medium body, true color shade, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 90 percent; injury tolerance, 10 percent.

A3F Good Short Light Brown Natural Wrappers  
Thin to medium body, true color shade, ripe, open, small and blending fibers, 14 inches or under in length. Uniformity, 95 percent; injury tolerance, 5 percent.

A1M Choice Mixed-color Natural Wrappers  
Thin, true color shades, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 95 percent; injury tolerance, 5 percent.

U.S. grades	Grade names, minimum specifications, and tolerances
-------------	-----------------------------------------------------

A2M Fine Mixed-color Natural Wrappers  
Medium body, true color shades, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 90 percent; injury tolerance, 10 percent.

A3M Good Short Mixed-color Natural Wrappers  
Thin to medium body, true color shades, ripe, open, small and blending fibers, 14 inches or under in length. Uniformity, 95 percent; injury tolerance, 5 percent.

A2V Fine Greenish Natural Wrappers  
Thin to medium body, true color shade, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 90 percent; injury tolerance, 10 percent.

A3V Good Greenish Short Natural Wrappers  
Medium body, true color shade, ripe, open, small and blending fibers, 14 inches or under in length. Uniformity, 90 percent; injury tolerance, 10 percent.

A2FL Fine Fleck Natural Wrappers  
Thin to medium body, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 90 percent; injury tolerance, 10 percent.

A3FL Good Fleck Short Natural Wrappers  
Heavy, ripe, firm, 14 inches or under in length. Uniformity, 90 percent; injury tolerance, 10 percent.

A3R Good Reddish Brown Natural Wrappers  
Heavy, ripe, firm. Uniformity, 90 percent; injury tolerance, 10 percent.

A3K Good Variegated Natural Wrappers  
Medium body, unripe, firm. Uniformity, 90 percent; injury tolerance, 10 percent.

A3G Good Green Natural Wrappers  
Heavy, immature, close. Uniformity, 90 percent; injury tolerance, 10 percent.

## § 29.6387 Stained (S Group).

This group consists of tied, stained tobacco from the A group.

U.S. grades	Grade names, minimum specifications, and tolerances
-------------	-----------------------------------------------------

S1 Choice Stained Natural Wrappers  
Thin, true color shades, ripe, open, over 14 inches in length. Uniformity, 85 percent. Tolerances: 5 percent injury, 10 percent stain parallel to the midrib.

S2 Fine Stained Natural Wrappers  
Medium body, ripe, open, over 14 inches in length. Uniformity, 70 percent. Tolerances: 10 percent injury, 20 percent stain.

## § 29.6388 Brokes (S Group).

This group consists of tied, highly injured tobacco from the A group.

U.S. grades	Grade names, minimum specifications, and tolerances
-------------	-----------------------------------------------------

X1 Choice Natural Brokes  
Medium body, true color shades, ripe, open. Minimum wrapper yield, 50 percent.

X2 Fine Natural Brokes  
Medium body, ripe, open. Minimum wrapper yield, 25 percent.



§ 29.6389 Nondescript (N Group).

Tobacco which does not meet the specifications of the lowest grade in any other group. This tobacco may be tied in hands or packed loose.

U.S. grades	Grade names and specifications
N1	Best Natural Nondescript Any tobacco except N2 which does not meet the specifications of the lowest grade in the A, S, or X groups.
N2	Lowest Natural Nondescript Any tobacco classified as crude, damaged, dirty, nested, offtype, semicured, or wet; tobacco that is improperly packed, contains foreign matter, is stained over 20 percent, or has an odor foreign to the type.

U.S. grades	Grade names and specifications
N1	Best Candela Nondescript Any tobacco except N2 which does not meet the specifications of the lowest grades in the A or X groups.
N2	Lowest Candela Nondescript Any tobacco classified as crude, damaged, dirty, nested, offtype, semicured, or wet; tobacco that is improperly packed, contains foreign matter, or has an odor foreign to the type.

SUMMARY OF STANDARD GRADES

§ 29.6406 Summary of standard grades.

NATURAL (AIR-CURED)

Wrappers

A1L	A2F	A3M	A3FL
A2L	A3F	A2V	A3R
A3L	A1M	A3V	A3K
A1F	A2M	A2FL	A3G

Stained

S1 S2

Brokes

X1 X2

Nondescript

N1 N2

CANDELA-CURED

Wrappers

A1LG	A3YG
A1G	A3FL
A2G	A3KG

Brokes

X1 X2

Nondescript

N1 N2

KEY TO STANDARD GRADEMARKS

§ 29.6411 Key to standard grademarks.

Groups

Qualities

A—Wrappers.	1—Choice.
S—Stained.	2—Fine.
X—Brokes.	3—Good.
N—Nondescript.	

Colors

L—Golden brown.	LG—Light green.
F—Light brown.	YG—Yellowish green.
M—Mixed color.	
V—Greenish.	KG—Dark green, or dark green and variegated mixed.
FL—Fleck.	
R—Reddish brown.	
K—Variegated.	
G—Green.	

(49 Stat. 734; 7 U.S.C. 511m)

[FR Doc.71-4213 Filed 3-25-71; 8:52 am]

PART 29—TOBACCO INSPECTION

Subpart C—Standards

OFFICIAL STANDARDS FOR GEORGIA AND FLORIDA SHADE-GROWN CIGAR-WRAPPER

On February 3, 1971, notice of proposed rule making regarding the issuance of Official Standard Grades for Georgia and Florida Shade-grown Cigar-wrapper Tobacco, U.S. Type 62, was published in the FEDERAL REGISTER (36 F.R. 1901).

Statement of consideration. Grade standards for tobacco are issued under the authority of the Tobacco Inspection Act of 1935 which provides for the issuance of official U.S. grades to designate different levels of quality for the use of producers and buyers. Official grading service is also provided under the Act on both a mandatory and a permissive basis.

The notice of proposed rule making provided recommendations to update the existing tentative grades for natural or air-cured tobacco, establish grades for candela-cured tobacco, and issue the grades as official standards.

Present-day market preparation and usage require fewer quality and color distinctions for cigar-wrapper tobacco. Studies reveal that the 12 proposed official grades adequately describe type 62 natural or air-cured tobacco and that special factor application is no longer necessary. The existing standards, which have been in effect since December 1956, contain 35 grades and seven special factors.

Ten grades for candela-cured tobacco are required to describe the portion of type 62 tobacco cured by this process. Increasing numbers of producers are using this relatively new curing practice. Candela-curing exposes tobacco to artificial atmospheric conditions controlled by regulating heat and humidity.

Favorable response to the official standards was received during discussions of the proposed grades with producer and industry representatives.

Interested persons were given 30 days in which to submit written data, views, or arguments regarding the proposed standards. No data have been received. After consideration of all relevant facts, the standards as so proposed are hereby adopted without change and are set forth below.

Effective date. These standards shall become effective 30 days following the date of publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 23d day of March 1971.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

1. Subpart C of Part 29 is amended by adding the new issuance, immediately after § 29.6411, to read as follows:

OFFICIAL STANDARD GRADES FOR GEORGIA AND FLORIDA SHADE-GROWN CIGAR-WRAPPER TOBACCO<sup>1</sup> (U.S. TYPE 62)

DEFINITIONS

Sec.	Definitions.
29.6501	Definitions.
29.6502	Air-cured.
29.6503	Body.
29.6504	Candela-cured.
29.6505	Candela-cured green colors.
29.6506	Class.
29.6507	Color.
29.6508	Color shade.

<sup>1</sup> These standards provide grades for both air-cured and candela-cured tobacco.

§ 29.6398 Nondescript (N Group).

Tobacco which does not meet the specifications of the lowest grade in any other group. This tobacco may be tied in hands or packed loose.

U.S. grades	Grade names and minimum specifications
X1	Choice Candela Brokes Medium body, true color shades, ripe, open. Minimum wrapper yield, 50 percent.
X2	Fine Candela Brokes Medium body, ripe, firm. Minimum wrapper yield, 25 percent.

§ 29.6397 Brokes (X Group).

This group consists of tied, highly injured tobacco from the A group.

U.S. grades	Grade names and minimum specifications
X1	Choice Candela Brokes Medium body, true color shades, ripe, open. Minimum wrapper yield, 50 percent.
X2	Fine Candela Brokes Medium body, ripe, firm. Minimum wrapper yield, 25 percent.



## Sec.

29.6509	Color symbols.
29.6510	Condition.
29.6511	Crude.
29.6512	Cured.
29.6513	Damage.
29.6514	Dirty.
29.6515	Elasticity.
29.6516	Elements of quality.
29.6517	Fibers.
29.6518	Fleck (FL).
29.6519	Foreign matter.
29.6520	Form.
29.6521	Grade.
29.6522	Grademark.
29.6523	Green (G).
29.6524	Greenish.
29.6525	Group.
29.6526	Injury.
29.6527	Leaf scrap.
29.6528	Leaf structure.
29.6529	Length.
29.6530	Lot.
29.6531	Maturity.
29.6532	Mixed color (M).
29.6533	Nested.
29.6534	Offtype.
29.6535	Order (case).
29.6536	Package.
29.6537	Packing.
29.6538	Quality.
29.6539	Semicured.
29.6540	Side.
29.6541	Sound.
29.6542	Special factor.
29.6543	Stained.
29.6544	Stem.
29.6545	Stemmed.
29.6546	Strips.
29.6547	Subgrade.
29.6548	Sweated.
29.6549	Sweating.
29.6550	Tobacco.
29.6551	Tobacco products.
29.6552	Type.
29.6553	Type 62.
29.6554	Undried.
29.6555	Uniformity.
29.6556	Unstemmed.
29.6557	Variegated.
29.6558	Wet.

## RULES

29.6581	Rules.
29.6582	Rule 1.
29.6583	Rule 2.
29.6584	Rule 3.
29.6585	Rule 4.
29.6586	Rule 5.
29.6587	Rule 6.
29.6588	Rule 7.
29.6589	Rule 8.
29.6590	Rule 9.
29.6591	Rule 10.
29.6592	Rule 11.
29.6593	Rule 12.
29.6594	Rule 13.
29.6595	Rule 14.
29.6596	Rule 15.
29.6597	Rule 16.
29.6598	Rule 17.
29.6599	Rule 18.
29.6600	Rule 19.

## ELEMENTS OF QUALITY

29.6616	Elements of quality and degrees of each element.
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## GRADES FOR NATURAL (AIR-CURED) TOBACCO

29.6636	Wrappers (A Group).
29.6637	Stained (S Group).
29.6638	Brokes (X Group).
29.6639	Nondescript (N Group).

## Sec.

29.6646	Wrappers (A Group).
29.6647	Brokes (X Group).
29.6648	Nondescript (N Group).

## SUMMARY OF STANDARD GRADES

29.6656	Summary of standard grades.
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## KEY TO STANDARD GRADEMARKS

29.6661	Key to standard grademarks.
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## DEFINITIONS

## § 29.6501 Definitions.

As used in these standards, the words and phrases hereinafter defined shall have the indicated meanings so assigned.

## § 29.6502 Air-cured.

Tobacco cured under natural atmospheric conditions without the use of artificial heat except to prevent pole-burn in damp weather.

## § 29.6503 Body.

The thickness and density of a leaf or the weight per unit of surface. (See chart, § 29.6616.)

## § 29.6504 Candela-cured.

Tobacco cured under controlled artificial atmospheric conditions by regulating the heat and humidity. This process produces a green or greenish color in the cured leaves.

## § 29.6505 Candela-cured green colors.

A group of candela-cured wrapper colors ranging from a yellowish green to dark green. The range is expressed as yellowish green (YG), light green (LG), green (G), and dark green (KG).

## § 29.6506 Class.

A major division of tobacco based on method of cure or principal usage.

## § 29.6507 Color.

The third factor of a grademark based on the relative hues, saturation or chroma, and color values common to the type.

## § 29.6508 Color shade.

The varying strength or weakness of a color or hue.

## § 29.6509 Color symbols.

In this type the color symbols used for naturally cured tobacco are M—mixed color, FL—fleck, K—variegated, and G—green. Color symbols used for candela-cured tobacco are LG—light green, G—green, YG—yellowish green, FL—fleck, and KG—dark green or dark green and variegated mixed.

## § 29.6510 Condition.

The state of tobacco which results from the method of preparation or from the degree of fermentation. Words used to describe the condition of tobacco are undried, air-dried, steam-dried, sweating, sweated, and aged.

## § 29.6511 Crude.

A subdegree of maturity. (See rule 18, § 29.6599.)

## § 29.6512 Cured.

Tobacco dried of its sap by either natural or artificial processes.

## § 29.6513 Damage.

The effect of mold, must, rot, black rot, or other fungous or bacterial diseases which attack tobacco in its cured state. Tobacco having the odor of mold, must, or rot is considered damaged. (See rule 19, § 29.6600.)

## § 29.6514 Dirty.

The state of tobacco containing an abnormal amount of dirt or sand. (See rule 19, § 29.6600.)

## § 29.6515 Elasticity.

The flexible, springy nature of the tobacco leaf to recover approximately its original size and shape after it has been stretched.

## § 29.6516 Elements of quality.

Physical characteristics used to determine the quality of tobacco. Words selected to describe degrees within each element are shown in § 29.6616.

## § 29.6517 Fibers.

Lateral and cross veins in a tobacco leaf. (See chart, § 29.6616.)

## § 29.6518 Fleck (FL).

Spots or dapples on the surface of the tobacco leaf. (See rule 14, § 29.6595.)

## § 29.6519 Foreign matter.

Any extraneous substance or material. (See rule 19, § 29.6600.)

## § 29.6520 Form.

The stage of preparation of tobacco such as stemmed or unstemmed.

## § 29.6521 Grade.

A subdivision of a type according to group and quality and to other characteristics when they are of sufficient importance to be treated separately.

## § 29.6522 Grademark.

A grademark normally consists of three symbols which indicate group, quality, and color. A letter is used to indicate group, a number to indicate quality, and a letter or letters to indicate color. Color symbols are used only in the A group.

## § 29.6523 Green (G).

Green color. In natural wrappers any leaf which has a green color affecting 10 percent or more of its surface may be described as green. (See rule 16, § 29.6597.)

## § 29.6524 Greenish.

A term applied to greenish-tinged air-cured tobacco. Any leaf of natural wrapper tobacco which has a greenish tinge or a pale green color affecting 10 percent or more of its surface may be described as greenish.



§ 29.6525 Group.

A division of a type covering closely related grades. Groups in this type are Wrappers (A), Stained (S), Brokes (X), and Nondescript (N).

§ 29.6526 Injury.

Hurt or impairment. (See rule 13, § 29.6594.)

§ 29.6527 Leaf scrap.

A byproduct of unstemmed tobacco. Leaf scrap results from handling unstemmed tobacco and consists of loose and tangled whole or broken leaves.

§ 29.6528 Leaf structure.

The cell development of a leaf as indicated by its porosity. (See chart, § 29.6616.)

§ 29.6529 Length.

The linear measurement of cured tobacco leaves from the butt of the midrib to the extreme tip. (See chart, § 29.6616.)

§ 29.6530 Lot.

A pile, basket, bulk, package, or other definite unit.

§ 29.6531 Maturity.

The degree of ripeness. (See chart, § 29.6616.)

§ 29.6532 Mixed color (M).

Normal colors of air-cured type 62 mixed in various proportions. Golden brown, light brown, reddish brown, and greenish hues may be included.

§ 29.6533 Nested.

Any tobacco which has been loaded, packed, or arranged to conceal foreign matter or tobacco of inferior grade, quality, or condition. (See rule 19, § 29.6600.)

§ 29.6534 Offtype.

Tobacco of distinctly different characteristics which cannot be classified as type 62. (See rule 19, § 29.6600.)

§ 29.6535 Order (case).

The state of tobacco with respect to its moisture content.

§ 29.6536 Package.

A hogshead, tierce, case, bale, or other securely enclosed parcel or bundle.

§ 29.6537 Packing.

A lot of tobacco consisting of a number of packages submitted as one definite unit for sampling or inspecting. It is represented to contain the same kind of tobacco and has a common identification number or mark on each package.

§ 29.6538 Quality.

A division of a group or the second factor of a grademark based on the relative degree of one or more elements of quality in tobacco.

§ 29.6539 Semicured.

Tobacco in the process of being cured or which is partially but not thoroughly cured. Semicured includes tobacco which

contains fat stems, wet butts, swelled stems, or stems that have not been thoroughly dried in the curing process. (See rule 19, § 29.6600.)

§ 29.6540 Side.

A certain phase of quality, color, or length as contrasted with some other phase of quality, color, or length; or any peculiar characteristic of tobacco.

§ 29.6541 Sound.

Free of damage.

§ 29.6542 Special factor.

A symbol or term authorized to be used with specified grades. Tobacco to which a special factor is applied may meet the general specifications but has a peculiar side or characteristic which tends to modify the grade. (See rule 9, § 29.6590.)

§ 29.6543 Stained.

A term applied to tobacco that has been blackened, bruised, or discolored by excessive moisture. (See rules 17 and 19, §§ 29.6598 and 29.6600.)

§ 29.6544 Stem.

The midrib or large central vein of a tobacco leaf.

§ 29.6545 Stemmed.

A form of tobacco, including strips and strip scrap, from which the stems or midribs have been removed.

§ 29.6546 Strips.

The sides of a tobacco leaf from which the stem has been removed or a lot of tobacco composed of strips.

§ 29.6547 Subgrade.

Any grade modified by a special factor symbol.

§ 29.6548 Sweated.

The condition of tobacco which has passed through one or more fermentations natural to tobacco packed with a normal percentage of moisture. This condition is sometimes described as aged.

§ 29.6549 Sweating.

The condition of tobacco in the process of fermentation.

§ 29.6550 Tobacco.

Tobacco as it appears between the time it is cured and stripped from the stalk, or primed and cured, and the time it enters into the different manufacturing processes. The acts of stemming, sweating, and conditioning are not regarded as manufacturing processes. Tobacco, as used in these standards does not include manufactured or semimanufactured products, stems, cuttings, clippings, trimmings, siftings, or dust.

§ 29.6551 Tobacco products.

Manufactured tobacco, including cigarettes, cigars, smoking tobacco, chewing tobacco, and snuff.

§ 29.6552 Type.

A division of a class of tobacco having certain common characteristics and closely related grades. Tobacco which has

the same characteristics and corresponding qualities, colors, and lengths is classified as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 29.6553 Type 62.

That type of shade-grown tobacco known as Georgia and Florida Shade-grown, produced principally in southwestern Georgia and in the central part of northern Florida.

§ 29.6554 Undried.

The condition of unfermented tobacco which has not been air-dried or steam-dried.

§ 29.6555 Uniformity.

An element of quality which describes the consistency of a lot of tobacco. (See rule 12, § 29.6593.)

§ 29.6556 Unstemmed.

A form of tobacco, including whole leaf and leaf scrap, from which the stems or midribs have not been removed.

§ 29.6557 Variegated.

Two or more contrasting colors or tints within a leaf. (See rule 15, § 29.6596.)

§ 29.6558 Wet.

Any sound tobacco containing excessive moisture to the extent that it is in unsafe or doubtful-keeping order. Wet applies to any tobacco which is not damaged but which is likely to damage if treated in the customary manner. (See rule 19, § 29.6600.)

RULES

§ 29.6581 Rules.

The application of these official standard grades shall be in accordance with the following rules.

§ 29.6582 Rule 1.

Each grade shall be treated as a subdivision of a particular type. When the grade is stated in an inspection certificate, the type also shall be stated.

§ 29.6583 Rule 2.

The determination of a grade shall be based upon a thorough examination of a lot or packing of tobacco or of an official sample of the lot or packing.

§ 29.6584 Rule 3.

The grade assigned to any lot or packing of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot or packing of tobacco does not comply with the specifications of the grade previously assigned, it shall not thereafter be represented as such grade.

§ 29.6585 Rule 4.

Tobacco of the A, X, or S groups shall be placed straight in boxes or bales of normal size, weight, and shape with the butts out and tips overlapping sufficiently to make a level, solid, and uniform pack.



All sides of the bales shall be completely covered with paper or other suitable protective material.

§ 29.6586 Rule 5.

A lot or packing of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

§ 29.6587 Rule 6.

Any lot or packing of tobacco which meets the specifications of two grades shall be placed in the higher grade.

§ 29.6588 Rule 7.

A lot or packing of tobacco meets the specifications of a grade when it is not lower in any element of quality than the degree stated in grade specifications and does not exceed the tolerance(s) of such grade.

§ 29.6589 Rule 8.

In determining the grade of a lot or packing of tobacco, the lot or packing as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

§ 29.6590 Rule 9.

Any special factor approved by the Director of the Tobacco Division, Consumer and Marketing Service, may be used after a grademark to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

§ 29.6591 Rule 10.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards and Testing Branch and approved by the Director.

§ 29.6592 Rule 11.

The use of any grade may be restricted by the Director during any marketing season when it is found that the grade is not needed or appears in insufficient volume to justify its use.

§ 29.6593 Rule 12.

Uniformity shall be expressed in percentages. These percentages shall govern the portion of a lot or packing which must meet each specification of the grade; the remaining portion must be closely related. Specified percentages of uniformity shall not affect limitations established by other rules.

§ 29.6594 Rule 13.

Injury tolerance shall be expressed in percentages. The appraisal of injury shall be based upon the percentage of affected wrapper cutting area or the degree of injury.

§ 29.6595 Rule 14.

Fleck shall be included only in A3FL, N1, and N2.

§ 29.6596 Rule 15.

Any lot or packing of tobacco containing over 10 percent of variegated leaves

shall be designated by the color symbol "K" in natural wrappers and "KG" in candela wrappers.

§ 29.6597 Rule 16.

Any lot or packing of natural wrapper tobacco containing over 10 percent of green leaves shall be designated by the color symbol "G."

§ 29.6598 Rule 17.

Stained tobacco shall be included only in grades of the S and N groups.

§ 29.6599 Rule 18.

Crude leaves shall be included only in N2.

§ 29.6600 Rule 19.

Tobacco shall be designated "N2" when it is crude, damaged, dirty, improperly packed, nested, offtype, semicured, wet, or when it contains foreign matter, is stained over 20 percent, or has an odor foreign to the type.

ELEMENTS OF QUALITY

§ 29.6616 Elements of quality and degrees of each element.

These words or terms are used to determine tobacco quality. Characteristics which constitute general quality are designated as elements of quality. The range within each element is expressed by words or terms designated as degrees.

Elements	Degrees
Body.....	Thin..... Medium.... Heavy.
Color shade..	True..... Dusky.... Dull.
Maturity.....	Ripe..... Unripe.... Immature.
Leaf.....	Open..... Firm..... Close.
structure.	
Fiber size....	Small..... Medium.... Large.
Fiber color....	Blending.... Contrasting. Clashing.
Injury.....	Expressed in percentages.
Uniformity.....	do.....
Length.....	Expressed in inches.

GRADES FOR NATURAL (AIR-CURED) TOBACCO

§ 29.6636 Wrappers (A Group).

This group consists of tied, elastic tobacco having at least 90 percent of uninjured surface usable for cigar wrappers.

U.S. Grade names, minimum specifications, and tolerances

A1M	Choice Mixed-color Natural Wrappers Thin, true color shades, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 95 percent; injury tolerance, 5 percent.
A2M	Fine Short Mixed-color Natural Wrappers Thin, true color shades, ripe, open, small and blending fibers, 14 inches or under in length. Uniformity, 95 percent; injury tolerance, 5 percent.
A3M	Good Mixed-color Natural Wrappers Medium body, true color shades, ripe, open, medium-sized and contrasting fibers, over 14 inches in length. Uniformity, 90 percent; injury tolerance, 10 percent.

U.S. Grade names, minimum specifications, and tolerances

A3FL	Good Fleck Natural Wrappers Medium body, ripe, firm, over 14 inches in length. Uniformity, 90 percent; injury tolerance, 10 percent.
A3K	Good Variegated Natural Wrappers Medium body, unripe, firm. Uniformity, 90 percent; injury tolerance, 10 percent.
A3G	Good Green Natural Wrappers Heavy body, immature, close. Uniformity, 90 percent; injury tolerance, 10 percent.

§ 29.6637 Stained (S Group).

This group consists of tied, stained tobacco from the A group.

U.S. Grade names, minimum specifications, and tolerances

S1	Choice Stained Natural Wrappers Thin, true color shades, ripe, open, over 14 inches in length. Uniformity, 85 percent. Tolerances: 5 percent injury, 10 percent stain parallel to the midrib.
S2	Fine Stained Natural Wrappers Medium body, ripe, open, over 14 inches in length. Uniformity, 70 percent. Tolerances: 10 percent injury, 20 percent stain.

§ 29.6638 Brokes (X Group).

This group consists of tied, highly injured tobacco from the A group.

U.S. Grade names and minimum specifications

X1	Choice Natural Brokes Medium body, true color shades, ripe, open. Minimum wrapper yield, 50 percent.
X2	Fine Natural Brokes Medium body, ripe, open. Minimum wrapper yield, 25 percent.

§ 29.6639 Nondescript (N Group).

Tobacco which does not meet the specifications of the lowest grade in any other group. This tobacco may be tied in hands or packed loose.

U.S. Grade names and specifications

N1	Best Natural Nondescript Any tobacco except N2 which does not meet the specifications of the lowest grade in the A, S, or X groups.
N2	Lowest Natural Nondescript Any tobacco classified as crude, damaged, dirty, nested, offtype, semicured, or wet; tobacco that is improperly packed, contains foreign matter, is stained over 20 percent, or has an odor foreign to the type.

GRADES FOR CANDELA-CURED TOBACCO

§ 29.6646 Wrappers (A Group).

This group consists of tied, elastic tobacco having at least 90 percent of uninjured surface usable for cigar wrappers.

U.S. Grade names, minimum specifications, and tolerances

A1LG	Choice Light Green Candela Wrappers Thin, true color shade, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 95 percent; injury tolerance, 5 percent.
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U.S. grades	Grade names, minimum specifications, and tolerances
A1G	Choice Green Candela Wrappers Medium body, true color shade, ripe, open, small and blending fibers, over 14 inches in length. Uniformity, 95 percent; injury tolerance, 5 percent.
A2G	Fine Green Short Candela Wrappers Medium body, true color shade, ripe, open, small and blending fibers, 14 inches or under in length. Uniformity, 95 percent; injury tolerance, 5 percent.
A3YG	Good Yellowish Green Candela Wrappers Thin to medium body, ripe, open, medium-sized and contrasting fibers. Uniformity, 90 percent; injury tolerance, 10 percent.
A3FL	Good Fleck Candela Wrappers Thin to medium body, ripe, firm. Uniformity, 90 percent; injury tolerance, 10 percent.
A3KG	Good Dark Green and Variegated Candela Wrappers Heavy, unripe, close. Uniformity, 90 percent; injury tolerance, 10 percent.

§ 29.6647 Brokes (X Group).

This group consists of tied, highly injured tobacco from the A group.

U.S. grades	Grade names and minimum specifications
X1	Choice Candela Brokes Medium body, true color shades, ripe, open. Minimum wrapper yield, 50 percent.
X2	Fine Candela Brokes Medium body, ripe, firm. Minimum wrapper yield, 25 percent.

§ 29.6648 Nondescript (N Group).

Tobacco which does not meet the specifications of the lowest grade in any other group. This tobacco may be tied in hands or packed loose.

U.S. grades	Grade names and specifications
N1	Best Candela Nondescript Any tobacco except N2 which does not meet the specifications of the lowest grades in the A or X groups.
N2	Lowest Candela Nondescript Any tobacco classified as crude, damaged, dirty, nested, offtype, semicured, or wet; tobacco that is improperly packed, contains foreign matter, or has an odor foreign to the type.

SUMMARY OF STANDARD GRADES

§ 29.6656 Summary of standard grades.

NATURAL (AIR-CURED)

Wrappers

A1M	A3FL
A2M	A3K
A3M	A3G

Stained

S1	S2
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Brokes

X1	X2
----	----

Nondescript

N1	N2
----	----

CANDELA-CURED

Wrappers

A1LG	A3YG
A1G	A3FL
A2G	A3KG

Brokes

X1	X2
----	----

Nondescript

N1	N2
----	----

KEY TO STANDARD GRADEMARKS

§ 29.6661 Key to standard grademarks.

Groups	Qualities
A—Wrappers.	1—Choice.
S—Stained.	2—Fine.
X—Brokes.	3—Good.
N—Nondescript.	

Colors

M—Mixed color.	YG—Yellowish green.
FL—Fleck.	KG—Dark green, or dark green and variegated mixed.
K—Variegated.	
G—Green.	
LG—Light green.	

(49 Stat. 734; 7 U.S.C. 511m)

[FR Doc.71-4212 Filed 3-25-71;8:52 am]

## Title 12—BANKS AND BANKING

### Chapter II—Federal Reserve System

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

#### PART 250—MISCELLANEOUS INTERPRETATIONS

##### Undivided Profits

Effective immediately, § 250.162 is revised to read as follows:

§ 250.162 Undivided profits as "capital stock and surplus".

(a) The Board of Governors has reexamined the question whether a member bank's undivided profits may be considered as part of its "capital stock and surplus", as that or a similar term is used in provisions of the Federal Reserve Act that limit member banks with respect to the following: loans to affiliates (12 U.S.C. 371c), purchases of investment securities (12 U.S.C. 335), loans on stock or bond collateral (12 U.S.C. 248(m)), deposits with nonmember banks (12 U.S.C. 463), bank acceptances (12 U.S.C. 372, 373), investments in and by Edge and Agreement corporations (12 U.S.C. 601, 615, 618), and the amount of paper of one borrower that may be discounted or accepted as collateral for an advance by a Federal Reserve Bank (12 U.S.C. 330, 345, 347).

(b) Upon such reexamination the Board concludes that its negative view expressed in 1964 is unnecessarily restrictive in the light of the Congressional purpose in establishing limitations on bank activities in terms of a bank's capital structure. Accordingly, the Board has decided that, for the purposes of the limitations set forth above, undivided profits may be included as part of "capital stock and surplus".

(c) As used herein, the term "undivided profits" includes paid-in or earned profits (unearned income must be deducted); reserves for loan losses or bad debts, less the amount of tax which would become payable with respect to the tax-free portion of the reserve if such portion were transferred from the reserve; valuation reserves for securities; and reserves for contingencies. It does not include reserves for dividends declared or reserves for taxes, interest and expenses.

(Interprets and applies 12 U.S.C. 24, 84, 248(m), 330, 335, 345, 347, 371c, 372, 373, 463, 601, 615, 618)

By order of the Board of Governors,  
March 11, 1971.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[FR Doc.71-4206 Filed 3-25-71;8:52 am]

## Title 14—AERONAUTICS AND SPACE

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

[Airworthiness Docket No. 71-WE-5-AD;  
Amdt. 39-1180]

#### PART 39—AIRWORTHINESS DIRECTIVES

##### Certain AiResearch Engines

Amendment 39-1166 (36 F.R. 4478), AD 71-5-7, requires a repetitive 50-hour oil filter inspection. In addition, a revision to the Airplane Flight Manuals is required to advise the pilot to shut down the engine if torque fluctuation or loss of torque pressure occurs on AiResearch Model TPE331-1, -2, -25, -29, -43, -45, -47, -49, -51, -55, -57, -61, and -71 series engines.

After issuing this Amendment 39-1166, due to additional service experience, the agency determined that extending the oil filter inspection interval from 50 to 100 hours based on the use of a chip detector continuity check is not appropriate for engines other than the TPE-331-1 and -2. Therefore, the AD is being amended to restrict the use of a chip detector continuity check as a basis for extending the oil filter inspections to the Model TPE331-1 and -2 only.

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

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-1166 (36 F.R. 4478), AD 71-5-7, is amended by revising paragraph (a)(2), in pertinent part, to read: " \* \* \* oil filter inspections may be increased to 100 hours for only



Model TPE331-1 and -2 engines if a suitable means of checking continuity of the engine chip \* \* \*

This amendment becomes effective on April 6, 1971.

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

Issued in Los Angeles, Calif., on March 16, 1971.

LEE E. WARREN,  
Acting Director,  
FAA Western Region.

[FR Dec.71-4174 Filed 3-25-71;8:49 am]

[Docket No. 71-EA-24; Amdt. 39-1178]

## PART 39—AIRWORTHINESS DIRECTIVES

### Sikorsky Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to issue an amendment to AD 66-22-5 which will increase the life limit of the main rotor blades of Sikorsky S-61 type helicopters.

As a result of an engineering review of the specifications of the main rotor blades by Sikorsky aircraft, it is found that the life limit of the blades may be increased from 7,000 hours to 9,400 hours in service.

Since the foregoing is a relaxation of a rule and will not burden any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.89 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding an amendment to AD 66-22-5 as follows:

Amend AD 66-22-5 by deleting in paragraph (d) the figures "7000" and insert in lieu thereof "9400".

This amendment is effective March 26, 1971.

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

Issued in Jamaica, N.Y., on March 9, 1971.

ROBERT M. BROWN,  
Acting Director, Eastern Region.

[FR Doc.71-4175 Filed 3-25-71;8:49 am]

[Airspace Docket No. 70-WE-100]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND RE- PORTING POINTS

### Alteration of Control Zone and Transition Area

On February 10, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 2789) stating that the Federal Aviation Administra-

tion was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the descriptions of the Corvallis, Oreg., control zone and transition area.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections. No valid aeronautical objections have been received and the proposed amendments are hereby adopted without change.

**Effective date.** This amendment shall be effective 0901 G.m.t., May 27, 1971.

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

Issued in Los Angeles, Calif., on March 17, 1971.

LEE E. WARREN,  
Acting Director, Western Region.

In § 71.171 (36 F.R. 2055) the description of the Corvallis, Oregon, control zone is amended to read as follows:

#### CORVALLIS, OREG.

Within a 5-mile radius of Corvallis Municipal Airport (latitude 44°29'50" N., longitude 123°17'10" W.), within 3 miles each side of the Corvallis VOR 090° radial, extending from the 5-mile-radius zone to 8 miles east of the VOR and within 3.5 miles each side of the Corvallis VOR 180° radial extending from the 5-mile-radius zone to 10 miles south of the VOR. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

In § 71.181 (36 F.R. 2140) the description of the Corvallis, Oreg., transition area is amended to read as follows:

#### CORVALLIS, OREG.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Corvallis Municipal Airport (latitude 44°29'50" N., longitude 123°17'10" W.) within 4.5 miles each side of the Corvallis VOR 029° radial, extending from the 7-mile-radius area to 14 miles northeast of the VOR, within 5 miles each side of the Eugene, Oreg., VORTAC 345° radial, extending from 10 to 17 miles north of the VORTAC, and within 5 miles each side of the Corvallis VOR 180° radial, extending from the 7-mile-radius area to 11 miles south of the VOR excluding that portion overlying the Eugene, Oreg., transition area; that airspace extending upward from 1,200 feet above the surface within 6 miles northwest and 8 miles southeast of the Corvallis VOR 029° and 209° radials, extending from 6 miles southwest to 17 miles northeast of the VOR.

[FR Doc.71-4160 Filed 3-25-71;8:48 am]

[Airspace Docket No. 70-CE-89]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND RE- PORTING POINTS

### Designation of Transition Area

On page 14936 of the FEDERAL REGISTER dated September 25, 1970, the Federal Aviation Administration published a notice of proposed rule making which would

amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Phillipsburg, Kans.

Interested persons were given 45 days to submit written comments, suggestions, and objections concerning the proposed amendment. Two comments were received. The Air Transport Association offered no objection to the proposed designation. The Department of the Air Force objected to the proposal unless the instrument approach procedure at the Phillipsburg, Kans., Municipal Airport was revised to permit simultaneous operation with oil burner route "OB-21". The Federal Aviation Administration has reviewed the proposal in light of the Air Force's comments and has made a slight revision to the transition area designation which will permit this simultaneous operation.

In view of the foregoing, the proposed amendment is hereby adopted subject to the following change: "126°" recited in lines 5 and 11 of the Phillipsburg, Kans., transition area designation is changed to read "142°".

This amendment becomes effective 0901 G.m.t., May 27, 1971.

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

Issued in Kansas City, Mo., on March 10, 1971.

EDWARD C. MARSH,  
Director, Central Region.

In § 71.181 (35 F.R. 2134), the following transition area is added:

#### PHILLIPSBURG, KANS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Phillipsburg Municipal Airport (latitude 39°44'15" N., longitude 99°19'00" W.); and within 3 miles each side of the 142° bearing from Phillipsburg Municipal Airport, extending from the 7-mile radius area to 10½ miles southeast of the airport; and that airspace extending upward from 1,200 feet above the surface within 4½ miles northeast and 9½ miles southwest of the 142° bearing from the Phillipsburg Municipal Airport, extending from the airport to 21 miles southeast of the airport.

[FR Doc.71-4177 Filed 3-25-71;8:50 am]

[Airspace Docket No. 70-CE-113]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND RE- PORTING POINTS

### Designation of Transition Area

On pages 224 and 225 of the FEDERAL REGISTER dated January 7, 1971 (36 F.R. 224, 225), the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Creve Coeur, Mo.

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



amendment. Two comments were received. The Air Transport Association offered no objection to the proposal. The President of the Creve Coeur Airport objected to the proposal unless an instrument approach procedure would be provided for the Creve Coeur Airport. The FAA has reviewed the proposal in light of this objection and has determined that a VOR public use instrument approach procedure can be provided for the Creve Coeur Airport. This procedure is currently under development.

In view of the foregoing, the proposed amendment is hereby adopted without change and is set forth below.

This amendment becomes effective 0901 G.m.t. May 27, 1971.

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

Issued in Kansas City, Mo., on March 12, 1971.

EDWARD C. MARSH,  
Director, Central Region.

In § 71.181 (35 F.R. 2134), the following transition area is added:

CREVE COEUR, MO.

That airspace extending upward from 700 feet above the surface within 5 miles each side of the St. Louis, Mo., VORTAC 190° radial, extending from 12 miles south to 25½ miles south of the VORTAC, excluding the portions which overlie the Chesterfield, Mo., and St. Louis, Mo., 700-foot floor transition areas.

[FR Doc.71-4178 Filed 3-25-71;8:50 am]

[Airspace Docket No. 70-CE-118]

# PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

## Alteration of Control Zone and Transition Area

On page 932 of the FEDERAL REGISTER dated January 20, 1971, the Federal Aviation Administration published a notice of proposed rule making which would amend §§ 71.171 and 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at La Crosse, Wis.

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

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

These amendments shall be effective 0901 G.m.t., May 27, 1971.

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

Issued in Kansas City, Mo., on March 12, 1971.

EDWARD C. MARSH,  
Director, Central Region.

(1) In § 71.171 (35 F.R. 2054), the following control zone is amended to read:

LA CROSSE, WIS.

That airspace within a 5-mile radius of La Crosse Municipal Airport (latitude 43°52'38" N., longitude 91°15'21" W.); within 3 miles each side of the La Crosse VOR 322° radial extending from the 5-mile radius zone to 11½ miles northwest of the VOR; within 3 miles each side of the 305° and the 146° bearings from the La Crosse RBN, extending from the 5-mile radius zone to 6½ miles northwest of the RBN; and within 1½ miles each side of the La Crosse VOR 185° radial extending from the 5-mile radius zone to 5½ miles south of the VOR.

(2) In § 71.181 (35 F.R. 2134), the following transition area is amended to read:

LA CROSSE, WIS.

That airspace extending upward from 700 feet above the surface within a 14-mile radius of the La Crosse Municipal Airport (latitude 43°52'38" N., longitude 91°15'21" W.); and that airspace extending upward from 1,200 feet above the surface within 9½ miles southwest and 4½ miles northeast of the La Crosse VOR 322° radial extending from the VOR to 24½ miles northwest of the VOR; within 9½ miles east and 4½ miles west of the La Crosse VOR 185° radial extending from the 14-mile radius to 24 miles south of the VOR; and within 9½ miles southwest and 4½ miles northeast of the La Crosse RBN 305° bearing extending from the 14-mile radius to 18½ miles northwest of the RBN.

[FR Doc.71-4179 Filed 3-25-71;8:50 am]

[Airspace Docket No. 68-WA-3]

# PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

## PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

### Alteration of Positive Control Area and Revocation of Jet Advisory Areas

On April 4, 1968, a notice of proposed rule making was published in the FEDERAL REGISTER (33 F.R. 5366) stating that the Federal Aviation Administration (FAA) was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would expand the positive control area (PCA) from flight level 600 to 18,000 feet MSL in the north central part of the United States, from flight level 240 to 18,000 feet MSL in the north central and northwest portion of the United States and would revoke Jet Advisory Area Nos. 32, 36, 38, 107, 500, 515, 532, 533, and 538.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Five comments were received. One commentator concurred with the proposal. Several comments received in response to the notice contended that expansion of the PCA at that time would place an undue burden on the

work force and that additional qualified air traffic controllers and additional equipment should be acquired prior to expanding the airspace to be controlled. The Department of the Air Force objected to the expansion of the positive control area on the grounds that procedural separation of aircraft without radar and the loss of prerogative to revert to VFR flight operations when delays are encountered, would have an undesirable impact on military operations. In view of the objections, issuance of the rule was deferred indefinitely.

On January 6, 1971, a supplemental notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 165) stating that the Federal Aviation Administration had determined that it now had sufficient equipment and personnel to provide positive control services in the north central and northwest portions of the United States as envisaged in the notice (33 F.R. 5366).

Interested persons were again afforded opportunity to participate in the proposed rule making through submission of comments. Twelve comments were received. Two comments concurred with the proposal, several concurred with the concept of positive controlled airspace but questioned the need for implementation in the proposed areas. Two objected on the grounds that implementation of area positive control constituted an encroachment upon the liberties and prerogatives of the pilot, that the air traffic control system is inadequate for the present volume of traffic. The lack of radar was cited in several instances.

The Federal Aviation Administration has consistently maintained that the risk of mid-air collision is less likely in a positive control environment than anywhere else in the system. Further, as stated in the notice and the supplemental notice the Federal Aviation Administration has determined that it now has sufficient equipment and personnel to provide the expanded positive control services.

The area defined in the notice was designed to encompass entire air route traffic control center areas. Since issuance of the notice, several alterations to center boundaries have been effected. As the changes are not of great significance to the user and relate primarily to the internal operation of the air traffic control system, the changes are reflected herein.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended effective 0901 G.m.t., May 27, 1971, as hereinafter set forth.

Section 71.193 (36 F.R. 2300) is amended by deleting all after "Continental Control Area" and substituting therefor:

That airspace within the continental control area from flight level 240 to and including flight level 600 bounded by a line beginning at lat. 38°00'00" N., long. 75°11'00" W., thence via a line 3 nautical miles from the coastline to the United States/Mexican



border, thence along the United States/Mexican border to lat. 32°31'00" N., long. 117°11'00" W., thence via a line 3 nautical miles from the coastline to:

Lat. 41°19'30" N., long. 124°08'55" W.; thence to lat. 41°20'00" N., long. 123°30'00" W.; thence to lat. 41°20'00" N., long. 122°25'00" W.; thence to lat. 41°00'00" N., long. 121°15'00" W.; thence to lat. 41°00'00" N., long. 119°30'00" W.; thence to lat. 42°40'00" N., long. 119°00'00" W.; thence to lat. 43°30'00" N., long. 119°35'00" W.; thence to lat. 44°28'00" N., long. 119°24'00" W.; thence to lat. 44°37'00" N., long. 119°21'00" W.; thence to lat. 45°30'00" N., long. 117°30'00" W.; thence to lat. 45°30'00" N., long. 115°00'00" W.; thence to lat. 46°25'00" N., long. 115°00'00" W.; thence to lat. 46°15'00" N., long. 111°00'00" W.; thence to lat. 46°50'00" N., long. 109°35'00" W.; thence to lat. 46°05'00" N., long. 106°00'00" W.; thence to lat. 45°14'15" N., long. 106°00'00" W.; thence to lat. 45°07'00" N., long. 104°15'00" W.; thence to lat. 44°37'00" N., long. 101°00'00" W.; thence to lat. 44°20'00" N., long. 101°00'00" W.; thence to lat. 43°21'00" N., long. 100°19'00" W.; thence to lat. 43°00'00" N., long. 99°00'00" W.; thence to lat. 39°23'00" N., long. 99°04'00" W.; thence to lat. 38°47'00" N., long. 99°04'00" W.; thence to lat. 38°22'00" N., long. 98°24'00" W.; thence to lat. 38°22'00" N., long. 96°22'00" W.; thence to lat. 38°04'00" N., long. 96°00'00" W.; thence to lat. 36°42'00" N., long. 95°53'00" W.; thence to lat. 36°55'00" N., long. 95°05'00" W.; thence to lat. 36°26'00" N., long. 94°41'00" W.; thence to lat. 37°09'00" N., long. 90°34'00" W.; thence to lat. 37°32'00" N., long. 88°50'00" W.; thence to lat. 37°43'30" N., long. 88°19'00" W.; thence to lat. 37°16'30" N., long. 87°23'50" W.; thence to lat. 37°18'00" N., long. 86°09'00" W.; thence to lat. 36°54'00" N., long. 85°35'00" W.; thence to lat. 36°11'00" N., long. 85°24'00" W.; thence to lat. 36°12'30" N., long. 85°10'30" W.; thence to lat. 36°30'00" N., long. 84°45'00" W.; thence to lat. 36°34'00" N., long. 84°01'00" W.; thence to lat. 37°11'30" N., long. 81°09'00" W.; thence to lat. 37°16'00" N., long. 80°53'00" W.; thence to lat. 37°18'15" N., long. 80°44'45" W.; thence to lat. 37°12'15" N., long. 80°25'45" W.; thence to lat. 37°00'00" N., long. 80°25'10" W.; thence to lat. 36°19'00" N., long. 79°16'00" W.; thence to lat. 37°01'00" N., long. 77°55'00" W.; thence to lat. 38°26'20" N., long. 77°03'15" W.; thence to lat. 38°53'40" N., long. 75°51'20" W.; thence to lat. 38°20'30" N., long. 75°36'40" W.; thence to lat. 38°13'30" N., long. 75°41'00" W.; thence to point of beginning, excluding the Santa Barbara Islands, Farallon Island and the portion south of lat. 25°04'00" N.

That airspace within the continental control area from 18,000 feet MSL to and including flight level 600 bounded by a line beginning at:

Lat. 38°00'00" N., long. 75°11'00" W.; thence to lat. 38°13'30" N., long. 75°41'00" W.; thence to lat. 38°20'30" N., long. 75°36'40" W.; thence to lat. 38°53'40" N., long. 75°51'20" W.; thence to lat. 38°26'20" N., long. 77°03'15" W.; thence to lat. 37°01'00" N., long. 77°55'00" W.; thence to lat. 36°19'00" N., long. 79°16'00" W.; thence to lat. 37°00'00" N., long. 80°25'10" W.; thence to lat. 37°12'15" N., long. 80°25'45" W.; thence to lat. 37°18'15" N., long. 80°44'45" W.; thence to lat. 37°16'00" N., long. 80°53'00" W.; thence to lat. 37°11'30" N., long. 81°09'00" W.; thence to lat. 36°34'00" N., long. 84°01'00" W.; thence to lat. 36°30'00" N., long. 84°45'00" W.; thence to lat. 36°12'30" N., long. 85°10'30" W.; thence to lat. 36°11'00" N., long. 85°24'00" W.; thence to lat. 36°54'00" N., long. 85°35'00" W.; thence to lat. 37°18'

00" N., long. 86°09'00" W.; thence to lat. 37°16'30" N., long. 87°23'50" W.; thence to lat. 37°43'30" N., long. 88°19'00" W.; thence to lat. 37°32'00" N., long. 88°50'00" W.; thence to lat. 37°09'00" N., long. 90°34'00" W.; thence to lat. 36°26'00" N., long. 94°41'00" W.; thence to lat. 36°55'00" N., long. 95°05'00" W.; thence to lat. 36°42'00" N., long. 95°53'00" W.; thence to lat. 38°04'00" N., long. 96°00'00" W.; thence to lat. 38°22'00" N., long. 96°22'00" W.; thence to lat. 38°22'00" N., long. 98°24'00" W.; thence to lat. 38°47'00" N., long. 99°04'00" W.; thence to lat. 39°23'00" N., long. 99°04'00" W.; thence to lat. 43°00'00" N., long. 99°00'00" W.; thence to lat. 43°21'00" N., long. 100°19'00" W.; thence to lat. 44°20'00" N., long. 101°00'00" W.; thence to lat. 44°37'00" N., long. 101°00'00" W.; thence to lat. 45°07'00" N., long. 104°15'00" W.; thence to lat. 45°14'15" N., long. 106°00'00" W.; thence to lat. 46°05'00" N., long. 106°00'00" W.; thence to lat. 46°50'00" N., long. 109°35'00" W.; thence to lat. 46°15'00" N., long. 111°00'00" W.; thence to lat. 46°25'00" N., long. 115°00'00" W.; thence to lat. 45°30'00" N., long. 115°00'00" W.; thence to lat. 45°30'00" N., long. 117°30'00" W.; thence to lat. 44°37'00" N., long. 119°21'00" W.; thence to lat. 44°28'00" N., long. 119°24'00" W.; thence to lat. 43°30'00" N., long. 119°35'00" W.; thence to lat. 42°40'00" N., long. 119°00'00" W.; thence to lat. 41°00'00" N., long. 119°30'00" W.; thence to lat. 41°00'00" N., long. 121°15'00" W.; thence to lat. 41°20'00" N., long. 122°25'00" W.; thence to lat. 41°20'00" N., long. 123°30'00" W.; thence to lat. 41°19'30" N., long. 124°08'55" W.; thence to a line 3 nautical miles from the coastline to lat. 48°30'00" N., long. 124°45'00" W.; thence along border to lat. 45°01'00" N., long. 71°29'00" W.; thence to lat. 45°17'00" N., long. 71°20'10" W.; thence to lat. 45°17'20" N., long. 71°16'00" W.; thence along the United States/Canadian border to lat. 45°18'10" N., long. 71°05'40" W.; thence to lat. 45°19'00" N., long. 70°56'00" W.; thence along the United States/Canadian border to lat. 45°19'55" N., long. 70°49'00" W.; thence to lat. 45°20'40" N., long. 70°39'30" W.; thence to lat. 45°40'40" N., long. 70°30'30" W.; thence along the United States/Canadian border to lat. 45°40'20" N., long. 67°46'30" W.; thence to lat. 45°37'30" N., long. 67°46'30" W.; thence to lat. 45°27'00" N., long. 67°29'00" W.; thence along United States/Canadian border to lat. 44°48'00" N., long. 66°53'00" W.; thence via a line 3 nautical miles from the coastline to lat. 44°01'00" N., long. 69°01'00" W.; thence to lat. 43°47'48" N., long. 69°23'20" W.; thence via a line 3 nautical miles from the coastline to lat. 43°09'31" N., long. 70°31'24" W.; thence to lat. 43°07'40" N., long. 70°32'45" W.; thence to lat. 43°03'16" N., long. 70°36'17" W.; thence to lat. 42°57'43" N., long. 70°41'49" W.; thence via a line 3 nautical miles from the coastline to lat. 41°59'10" N., long. 70°32'10" W.; thence to lat. 42°05'45" N., long. 70°17'50" W.; thence via a line 3 nautical miles from the coastline to lat. 41°29'54" N., long. 70°30'26" W.; thence to lat. 41°26'24" N., long. 71°05'36" W.; thence via a line 3 nautical miles from the coastline to lat. 41°16'30" N., long. 71°47'35" W.; thence to lat. 41°04'50" N., long. 71°47'25" W.; thence to lat. 41°01'20" N., long. 71°50'45" W.; thence via a line 3 nautical miles from the coastline to point of beginning.

Section 75.200 (36 F.R. 2389) is amended by deleting Jet Advisory Areas Nos. 32, 36, 38, 107, 500, 515, 532, 533, and 538.

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

Issued in Washington, D.C., on March 22, 1971.

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

[FR Doc. 71-4176 Filed 3-25-71; 8:49 am]

[Airspace Docket No. 70-EA-44]

## PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

### PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

#### Extension of Federal Airway and Jet Route, Designation of Control Area, and Alteration of Transition Area

On December 22, 1970, a notice of proposed rule making was published in the FEDERAL REGISTER (35 F.R. 19364) stating that the Federal Aviation Administration was considering amendments to Parts 71 and 75 of the Federal Aviation Regulations that would alter VOR Federal airway No. 139 and Jet Route No. 573; designate a control area; and alter the Portland, Maine, transition area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. Comments were received from the Air Transport Association of America (ATA) and the Department of the Air Force.

The ATA concurred with the proposed realignment of V-139 from Skipper Intersection to Kennebunk, Maine, but did not express an opinion regarding the proposals to designate a control area associated with J-573 or the alteration of the Portland transition area. The ATA requested consideration be given to realigning J-581 from Hampton, N.Y.; direct Boston, Mass.; direct Bangor, Maine; and realign J-55 from Presque Isle, Maine; direct to Kennebunk, in lieu of extending J-573 as proposed in the notice.

The FAA finds the ATA counterproposal unacceptable since routing traffic over Boston precludes the intent of the proposal published in the notice to provide segregated departure and arrival routes in order to relieve traffic congestion at the Ipswich Intersection and provide a bypass route east of the Boston terminal area.

The Department of the Air Force comment objected to the proposed realignment of V-139 airway. They contend that this proposal would effect the operations being conducted at Pease AFB, unless the Boston Air Route Traffic Control Center can resolve certain procedural requirements. The Boston Center through coordination with the Pease AFB Air Traffic representative is developing a revised letter of agreement which will incorporate procedure changes to insure expeditious handling of mission aircraft at Pease AFB. The Boston Center will delegate to the Pease AFB RAPCON additional airspace within which control will be exercised for the mission aircraft. In addition, new standard instrument departure and jet



approach landing procedures are being developed for Pease AFB. Through the development of these new procedures and the assignment of additional controlled airspace, the FAA is of the opinion the mission requirements at Pease AFB will not be derogated.

In consideration of the foregoing, Parts 71 and 75 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., May 27, 1971, as hereinafter set forth.

1. In § 71.123 (36 F.R. 2010) V-139 is amended by deleting "INT Manchester 117" and Boston 015° radials," and substituting "Kennebunk, Maine," therefor.

2. Section 71.161 (36 F.R. 2046) is amended by adding:

J-573 FROM PROVIDENCE, R.I., TO KENNEBUNK, MAINE

3. In § 71.181 (36 F.R. 2140) Portland, Maine, is amended by deleting "thence SW via the W boundary of Warning Area W-103 to lat. 42°45'00" N., long. 70°37'00" W.," and substituting "thence SW via the W boundary of Warning Area W-103 to long. 70°25'00" W., thence S via long. 70°25'00" W. to the NW boundary of Control 1141, thence SW via NW boundary Control 1141 to long. 70°30'15" W., thence N via long. 70°30'15" W., to lat. 42°41'15" N., long. 70°30'15" W., thence 3 NM from and parallel to the United States shoreline to lat. 42°45'00" N., long. 70°37'00" W.," therefore, and at the end of the text all after "thence to the point of beginning," is deleted and "excluding the airspace below 2,000 feet MSL and the airspace above FL 450 within W-103 west of long. 70°25'00" W." is substituted therefor.

4. Section 75.100 (36 F.R. 2371) is amended as follows: In the caption Jet Route No. 573 "Kennebunk, Maine," is deleted and "Providence, R.I.," is substituted therefor, and in the text "From Kennebunk, Maine, is deleted and "From Providence, R.I., via INT Providence 045° and Kennebunk, Maine, 180° radials; Kennebunk;" is substituted therefor.

(Secs. 307(a), 1110, Federal Aviation Act of 1958, 49 U.S.C. 1348(a), 1510; Executive Order 10854, 24 F.R. 9565; sec. 6(c), Department of Transportation Act, 49 U.S.C. 1655(c))

Issued in Washington, D.C., on March 22, 1971.

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

[FR Doc.71-4180 Filed 3-25-71;8:50 am]

# Chapter II—Civil Aeronautics Board SUBCHAPTER A—ECONOMIC REGULATIONS [Reg. ER-672; Amdt. 17] PART 207—CHARTER TRIPS AND SPECIAL SERVICES

## Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of March 1971.

In ER-660<sup>1</sup> the Board extended the amended charter regulations set forth in

Part 208 of this subchapter to Part 207.<sup>1a</sup> However, it permitted petitions for reconsideration of § 207.13(b) concerning full payment of split charters 30 days prior to commencement of the transportation and of § 207.13(c) concerning additional intermingling authority.

In ER-671, issued contemporaneously herewith, the Board took action on petitions for reconsideration filed by interested persons, and for the reasons there stated is revising § 207.13 (b) and (c) with implementing amendment of §§ 207.41 and 207.46. In addition, certain editorial corrections are being made.<sup>2</sup>

In order to make the revisions herein effective on the same date as ER-660, and to avoid possible confusion, the amendments will be made effective on April 6, 1971.

Accordingly, the Civil Aeronautics Board hereby amends Part 207 of the Economic Regulations (14 CFR Part 207), effective April 6, 1971, as follows:

1. Amend § 207.1 to read in part as follows:

### § 207.1 Definitions.

"On-route" shall refer to service performed by an air carrier between points between which said carrier is authorized to provide service pursuant to either its certificate of public convenience and necessity or exemption authority: *Provided, however,* That passenger charter trips by any all-cargo carrier are not considered to be on-route whether or not they are performed between points designated to receive service by such carrier in its certificate of public convenience and necessity, except that in the event services are performed pursuant to a contract with the Department of Defense or an agency thereof, by an all-cargo carrier between points designated to receive service by such carrier in its certificate of public convenience and necessity which (1) involves cargo transportation in one direction and passenger transportation in the other direction or (2) involves a charter trip in which passengers and cargo are carried on the same flight, the passenger charter leg or the mileage operated in such charter, as the case may be, will be considered on-route.

NOTE: Charter services \* \* \*

2. Amend § 207.13 (b) and (c) to read as follows:

### § 207.13 Terms of service.

(b) The carrier shall require full payment of the total charter price or the posting of a satisfactory bond for full

<sup>1</sup> Adopted Jan. 29 and effective Apr. 6, 1971 (36 F.R. 2482).

<sup>1a</sup> NOTE: The Board intends to reissue this part shortly so that it will be available from the Superintendent of Documents, Washington, D.C. 20402. In the meantime, copies of the part, with amendments, are available at the Publications Services Section, Civil Aeronautics Board, Washington, D.C. 20428.

<sup>2</sup> See §§ 207.1 and 207.53.

payment prior to the commencement of the air transportation: *Provided, however,* That in the case of a charter for less than the entire capacity of an aircraft pursuant to § 207.11(c), the carrier shall require full payment of the total charter price not less than 30 days prior to the commencement of the transportation, and such payment shall not be refundable unless the charter is canceled by the carrier or unless the carrier accepts a substitute charterer for one which has canceled a charter, in which case the amount paid by the latter shall be refunded.

(c) In the case of a round-trip passenger charter, one-way passengers shall not be carried except that up to 5 percent of the charter group may be transported one way in each direction. This provision shall not be construed as permitting knowing participation in any plan whereby each leg of a round trip is chartered separately in order to avoid the 5-percent limitation aforesaid. Where four or more round-trip flights per calendar year are conducted on behalf of a chartering organization by a carrier or carriers, there shall be no intermingling of passengers and each planeload group, or less than planeload group (see § 207.11(c)), shall move as a unit in both directions, except as provided in § 207.14.

3. Amend § 207.41 to read as follows:

### § 207.41 Passengers on charter flights.

Only bona fide members of the charterer, and their immediate families (except as provided in § 207.42) may participate as passengers on a charter flight, and the participants must be members of the specific organization or chapter which authorized the charter. The charterer must maintain a central membership list, available for inspection by the carrier or Board representative, which shows the date each person became a member.<sup>3</sup> Where four or more round-trip flights per calendar year are conducted on behalf of a chartering organization by a carrier or carriers, intermingling between flights or reforming of planeload groups, or less than planeload groups (see § 207.11(c)), shall not be permitted, and each group must move as a unit in both directions, except as provided in § 207.14.

4. Amend § 207.46 to read as follows:

### § 207.46 Application for a charter.

A chartering organization shall make written application to the air carrier, setting forth the number of seats desired, points to be included in the proposed flight or flights, the dates of departure for each one-way or round-trip flight, and the number of round-trip flights which have been conducted for the organization by any carrier or carriers during the calendar year.

5. Amend § 207.53 to read as follows:

<sup>3</sup> Where the charter is based on employment in one entity or student or employee status at a school, records of the corporation, agency or school will suffice to meet the requirements.



# § 207.53 Statement of supporting information.

Part I of the statement of supporting information attached hereto shall be applicable in the case of single entity charters.

(Secs. 204(a), 401, 403, 404(b), 407, and 416 (b) of the Federal Aviation Act of 1958 as amended, 72 Stat. 743, 754 (as amended by 76 Stat. 143), 758 (as amended by 74 Stat. 445), 760, 766, 771; 49 U.S.C. 1324, 1371, 1373, 1374, 1377, 1386)

By the Civil Aeronautics Board.

[SEAL]

HARRY J. ZINK,  
Secretary.

## STATEMENT OF SUPPORTING INFORMATION<sup>1</sup>

Part I—To be completed by air carrier for each single entity, mixed, or pro rata charter. (Where more than one round-trip flight is to be performed under the charter contract, clearly indicate applicability of answers.)

1. Name of transporting carrier: \_\_\_\_\_
2. Commencement date(s) of proposed flight(s): \_\_\_\_\_
- (a) Going \_\_\_\_\_
- (b) Returning \_\_\_\_\_
3. Points to be included in proposed flight(s) \_\_\_\_\_
- (a) From \_\_\_\_\_ to \_\_\_\_\_
- (b) Returning from \_\_\_\_\_ to \_\_\_\_\_
- (c) Other stops required by charterer: \_\_\_\_\_
4. (a) Type of aircraft to be used: \_\_\_\_\_
- (b) Seating capacity: \_\_\_\_\_
- (c) Number of persons to be transported: \_\_\_\_\_

5. (a) Total charter price: \_\_\_\_\_
- (b) Does the charter price conform to tariff on file with the Board? \_\_\_\_\_
- (c) If pro rata or mixed charter, explain construction of charter price in relation to tariff on file with the Board. (In case of mileage tariff, show mileage for each segment involved and indicate whether segment is live or ferry.) \_\_\_\_\_

6. Has the carrier paid, or does it contemplate payment of any commissions, direct or indirect, in connection with the proposed flight? Yes [ ] No [ ]

(b) If "yes" give names and addresses of such recipients and indicate the amount paid or payable to each recipient. If any commission to a travel agent exceeds 5 percent of the total charter price, attach a statement justifying the higher amount under this regulation. \_\_\_\_\_

7. (a) Will the carrier or any affiliate provide any services or perform any functions in addition to the actual air transportation? Yes [ ] No [ ]
- (b) If "yes" describe services or functions: \_\_\_\_\_

8. Name and address of charterer: \_\_\_\_\_

9. If charter is single entity, indicate purpose of flight: \_\_\_\_\_

10. On what date was the charter contract executed? \_\_\_\_\_

11. If the charter is pro rata, has a copy of Part 207 of the Civil Aeronautics Board's

<sup>1</sup> This must be retained by the air carrier for 2 years pursuant to the requirements of Part 249, but open to Board inspection, and to be filed with the Board on demand.

Economic Regulations been mailed to or delivered to the prospective charterer? Yes [ ] No [ ]

Part II—To be completed for pro rata or mixed charters only.

Section A—To be supplied by travel agent, or where none, by the air carrier or an affiliate under its control where either of the latter performs or provides any travel agency function or service (excluding air transportation sales but including land tour arrangements).

1. What specific services have been or will be provided by agent to charterer on a group basis? \_\_\_\_\_

2. What specific services have been or will be provided by agent to individual participants in the proposed charter? \_\_\_\_\_

3. Has the agent or, to his knowledge, have any of his principals, officers, directors, associates or employees compensated any members of the chartering organization in relation either to the proposed charter flight or any land tour? Yes [ ] No [ ]

4. Does the agent have any financial interest in any organization rendering services to the chartering organization? Yes [ ] No [ ] If answer is "yes" explain: \_\_\_\_\_

## WARRANTY<sup>2</sup>

I, \_\_\_\_\_ represent and (Name) warrant that I have acted with regard to this charter operation (except to the extent fully and specifically explained in Part II, Section A) and will act with regard to such operation in a manner consistent with Part 207 of the Board's economic regulations.

(Date) (Signature and address of travel agent or, if none, of authorized official of air carrier where such carrier or an affiliate under its control performs any travel agency function or service (excluding air transportation sales but including land tour arrangements).)

Section B—To be supplied by charterer:

<sup>2</sup> Any air carrier, or any officer, agent, employee, or representative thereof, who shall, knowingly and willfully, fail or refuse \* \* \* to keep or preserve accounts, records, and memoranda in the form and manner prescribed or approved by the Board \* \* \*, or shall, knowingly and willfully, falsify, mutilate, or alter any such report, account, record, or memorandum \* \* \* shall be deemed guilty of a misdemeanor and, upon conviction thereof, be subject for each offense to a fine of not less than \$100 and not more than \$5,000. Title 49 U.S.C., sec. 1472(e).

Whoever, in any manner within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C., sec. 1001.

1. Description of chartering organization, including its objectives and purposes: \_\_\_\_\_

2. What activities are sponsored by the chartering organization? \_\_\_\_\_

3. When was the organization founded? \_\_\_\_\_

4. Qualification or requirements for membership in organization and membership fee, if any: \_\_\_\_\_

5. Has there been any reference to prospective charter flights in soliciting new members for the charter organization? Yes [ ] No [ ]

6. State where a list of members is available for inspection. \_\_\_\_\_

7. Attach list of prospective passengers (including "standbys" and one-way passengers designated as such), showing for each: (a) Name and address; (b) relationship of such person to chartering organization, i.e., member, spouse, dependent child, parent or "special" (a person whose proposed participation in the charter flight was permitted by the Board pursuant to request for waiver); (c) if such person is related to a member who is not a prospective passenger, the member's name and address; and (d) date member joined or last renewed a lapsed membership. (NOTE: This is a list of prospective passengers and does not necessarily have to represent the passengers actually to be carried. The list is to be amended, if passengers are dropped or added before flights and the certification required by § 207.45 must be attached to the list.)

8. What are requirements for participation in charter? \_\_\_\_\_

9. How were prospective participants for charter solicited (attach any solicitation material)? \_\_\_\_\_

10. Will there be any participants in the charter flight other than (1) members of the chartering organization or (2) spouse, dependent children, and parents of a member of the chartering group residing in the same household with the member? Yes [ ] No [ ]

11. Will there be any members of the chartering organization participating in the charter who will have been members of the organization for a period of less than 6 months prior to flight date? Yes [ ] No [ ] If answer is "yes", give names of participants who will not have been members for 6 months: \_\_\_\_\_

12. If there is any intermediary involved in the charter, other than the travel agent whose participation is described in Part II, Section A, submit name, address, remuneration, and scope of activity: \_\_\_\_\_

13. Estimated receipts:

(Pro rata charge)	×	(Number of passengers)	=
		\$ (Estimated receipts from charter)	

Estimated receipts from other sources, if any: \_\_\_\_\_  
Explain: \_\_\_\_\_

<sup>3</sup> Not applicable to school or study-group charters, not to charters limited to employees of a single Government agency, industrial plant, or mercantile company.



(a) Total receipts: \$-----  
Estimated expenditures, including aircraft charter (separately itemize air transportation, land tour, and administrative expenses):

Item	Amount	Payable to
-----	-----	-----

(b) Total expenditures: \$-----  
Explain any difference between (a) and (b): -----

14. Are any of the expenses included in Item 13 above, to be paid to any members of the chartering organization? Yes [ ] No [ ] If "yes" state how much, to whom and for what services: -----

15. Is any member of the chartering organization to receive any compensation or benefit directly or indirectly from the air carrier, the travel agent, or any organization providing services in relation to the air or land portion of the trip? Yes [ ] No [ ] If "yes" explain fully: -----

16. Will any person in the group (except children under 2 years) be transported without charge? Yes [ ] No [ ]

17. Will charter costs be divided equally among charter participants, except to the extent that a lesser charge is made for children under 12 years old? Yes [ ] No [ ]

18. Separately state for the outbound and inbound flights the number of one-way passengers anticipated to be transported in each direction: -----

19. If four or more round trips are contracted for, will each group move as a unit in both directions? Yes [ ] No [ ]

20. If charters have been performed for organization during past 5 years, give dates and name of carrier performing charters: -----

21. Has a copy of Part 207 "Charter Trips and Special Services" of the Economic Regulations of the Civil Aeronautics Board been received by the charterer? Yes [ ] No [ ]

22. Attach copies of all announcements of the chartering organization in connection with the charter issued after the charter contract is signed.

WARRANTY OF CHARTERER<sup>4</sup>

I, ----- and -----  
(Name)  
----- represent and warrant that  
(Name)  
the charterer has acted with regard to this charter operation (except to the extent fully and specifically explained in Part II, Section B), and will act with regard to such operations, in a manner consistent with Part 207 of the Board's economic regulations. I (we) further represent and warrant that the charterer has not offered charter flights simultaneously with the solicitation of member-

<sup>4</sup>Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C., sec. 1001.

ship in the chartering organization in any mass media advertising or notice or through direct mailing or public posters. I (we) further represent and warrant that all charter participants have been informed of eligibility and cost requirements of Part 207 and that a flight may be canceled if ineligible participants are included.

(Date) ----- (Signature—person with-  
in organization in  
charge of charter ar-  
rangements) -----

(Signature and title of  
officer. This should be  
the chief officer of the  
chartering organization  
except in the case of a  
school charter, in  
which case the warrant-  
ty must be by school  
official not directly in-  
volved in charter.)

WARRANTY OF AIR CARRIER<sup>5</sup>

To the best of my knowledge and belief all the information presented in this statement, including but not limited to, those parts warranted by the charterer and the travel agent, is true and correct. I represent and warrant that the carrier has acted with regard to this charter operation (except to the extent fully and specifically explained in this statement or any attachment thereto) and will act with regard to such operation in a manner consistent with Part 207 of the Board's economic regulations.

(Date) ----- (Signature and title of  
authorized official of air  
carrier) -----

[FR Doc.71-4038 Filed 3-25-71;8:45 am]

[Reg. ER-671; Amdt. 10]

PART 208—TERMS, CONDITIONS,  
AND LIMITATIONS OF CERTIFI-  
CATES TO ENGAGE IN SUPPLE-  
MENTAL AIR TRANSPORTATION

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of March 1971.

<sup>5</sup>Any air carrier, or any officer, agent, employee, or representative thereof, who shall, knowingly and willfully, fail or refuse \* \* \* to keep or preserve accounts, records, and memoranda in the form and manner prescribed or approved by the Board \* \* \*, or shall, knowingly and willfully, falsify, mutilate, or alter any such report, account, record, or memorandum \* \* \* shall be deemed guilty of a misdemeanor and, upon conviction thereof, be subject for each offense to a fine of not less than \$100 and not more than \$5,000. Title 49 U.S.C., sec. 1472(e).

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18 U.S.C., sec. 1001.

In ER-659<sup>1</sup> the Board, inter alia, amended § 208.32 (e) and (f) of Part 208<sup>2</sup> in the following particulars. In order to prevent last minute cancellations of split charters, § 208.32(e) was amended to require that in the case of a split charter, the carrier shall require full and nonrefundable payment of the charter price not less than 30 days prior to the commencement of the transportation. In addition, § 208.32(f) was amended to provide additional intermingling authority. Specifically, the provision reads: "In the case of a charter contract calling for four or more round trips per calendar year, one-way passengers shall not be carried, there shall be no intermingling of passengers, and each plane-load group or less than plane-load group, \* \* \* shall move as a unit in both directions \* \* \*."

ER-659 permitted petitions for reconsideration to be filed with respect to the amendments to § 208.32 (e) and (f). Likewise, ER-660, ER-661, and ER-662, amending Parts 207, 212, and 214 respectively, permitted petitions for reconsideration to be filed concerning the equivalent rules contained in those parts.<sup>3</sup> Such petitions have been filed by certain trunkline carriers,<sup>4</sup> by member carriers of the National Air Carrier Association (NACA), and by Lufthansa and AITS, Inc.<sup>5</sup> An answer to the trunkline carriers' petition has been filed by member carriers of NACA. Upon consideration, the Board has determined to modify § 208.32 (e) and (f)<sup>6</sup> and the equivalent sections in Parts 207, 212, and 214 to the extent indicated below.<sup>7</sup> Otherwise the petitions are denied.

1. As noted previously, the Board amended § 208.32(e) to require that in

<sup>1</sup> Adopted Jan. 29 and effective Apr. 6, 1971 (36 F.R. 2486).

<sup>2</sup> NOTE: The Board intends to reissue this part shortly so that it will be available from the Superintendent of Documents, Washington, D.C. 20402. In the meantime, copies of the part, with amendments, are available at the Publications Services Section, Civil Aeronautics Board, Washington, D.C. 20428.

<sup>3</sup> Secs. 207.13 (b) and (c), 212.10 (b) and (c), and 214.14 (b) and (c).

<sup>4</sup> American Airlines, Braniff Airways, Continental Air Lines, Delta Air Lines, Eastern Air Lines, National Airlines, Northwest Airlines, Pan American World Airways, United Air Lines, and Western Air Lines.

<sup>5</sup> In addition, Caledonian has filed a petition concerning the matter discussed hereafter. Its petition also includes a request that "the Board issue an order whose effect would be to waive the plane-load ITC requirement contained in existing foreign air carrier permits so as to permit foreign originating split ITC's consistent with the requirements established for the supplemental carriers." This request is manifestly beyond the permissible scope of matters to be included in petitions for reconsideration and is dismissed without prejudice.

<sup>6</sup> With implementing amendment of §§ 208.211 (passenger on charter flights) and 208.216 (application for a charter).

<sup>7</sup> The changes in Parts 207, 212, and 214 are being effected by ER-672, ER-673, and ER-674, respectively, being issued contemporaneously.



the case of a split charter, the carrier shall require full and nonrefundable payment of the charter price not less than 30 days prior to commencement of the transportation. The NACA carriers state that the new rule can arguably be construed as precluding carriers from contracting for split charters within 30 days of departure. They further assert that split charters often result when two charter groups find at a late date that they will be unable to fill the payload capacity for which they have previously contracted. They further contend that if two such groups wish to join in a split charter within the 30-day period, there is no reason why they should not be able to do so—the alternative would be that neither group could fly—as long as full and nonrefundable payment of the total charter price is made at the time the split charter contracts are signed.

The NACA carriers' suggestion will not be adopted.<sup>7</sup> The example cited by the NACA carriers is but one illustration of what could occur under their proposal and would require two charter groups to fill the entire capacity of an aircraft. More likely to occur is an organization or organizations contracting for a charter within the 30-day period with the entire aircraft being unengaged, but with the hope that before the commencement of the transportation other splits will turn up to fill the aircraft. If they do not turn up, the flight must be canceled at the last minute, which is the situation we intend to avoid to the extent feasible. Accordingly, while the NACA proposal might benefit certain charters, it would lead to frustration and disappointment for many others.

We are, however, making two changes in the rule, the first as a result of a comment offered by a member of the traveling public. The rule literally would make the charter price nonrefundable even if the charter is canceled by the carrier by reason of equipment failure, weather, etc., whereas the intent was to deter last minute cancellations by charterers. In addition, where a charterer does cancel a flight within 30 days of departure, but a substitute charterer is acceptable to the carrier, we believe that the carrier should be permitted to accept the substitute charter, rather than perform the charter flight with unused but wanted space. In such case, the canceling charterer shall receive a refund. Accordingly, to cover the two situations described above, the rule will be revised to read that "the carrier shall require full payment of the total charter price not less than 30 days prior to the commencement of the transportation, and such payment shall not be refundable unless the charter is canceled by the carrier or unless the carrier

accepts a substitute charterer for one which has canceled a charter, in which case the amount paid by the latter shall be refunded."

2. The NACA carriers note that in ER-659 the Board determined to eliminate the intermingling and one-way passenger restrictions only in cases where the charter contract calls for fewer than four round trips. Where four or more round trips are contracted for, the intermingling and one-way restrictions will remain in effect. However, they add, notwithstanding that the Board's rules have for years provided for a 5-percent one-way passenger allowance without regard to the number of round trips, § 208.32(f) eliminates this allowance involving contracts for four or more round trips. The NACA carriers ask the Board to reconsider its elimination of the 5-percent one-way passenger allowance in cases where four or more round trips are contracted for and, upon reconsideration, to reinstate the 5-percent allowance in all such cases.

We have determined to reinstate the 5-percent one-way passenger allowance.<sup>8</sup> Although the present rule could be construed as prohibiting one-way passengers where a charter contract calls for two or more round trips,<sup>9</sup> we understand that the supplemental carriers have, with staff concurrence, interpreted it for years in the manner set forth in the NACA carriers' petition. Accordingly, since our intent was to expand, not contract, intermingling authority, we shall restore the one-way passenger rule.

With respect to the rule providing additional intermingling authority, the trunkline carriers note that the Board stated in ER-659 that "by precluding intermingling where a charter contract calls for four or more round trips, we are persuaded that the new rule will not invite abuse by unauthorized indirect air carriers." The trunkline carriers dispute this conclusion, pointing out that intermingling is prohibited only when four or more round trips are covered by a single charter contract and that all a charterer and carrier need do is sign a number of contracts, making sure that each covers only three round trips.

We agree that precluding intermingling where a "charter contract" calls for four or more round trips would not deter

<sup>7</sup> We shall not, however, adopt the NACA carriers' further suggestion to revise the rule to provide "that the charterer may at the time of the execution of the contract designate up to three round-trip flights as to which intermingling of passengers is allowed." The petition is silent as to whom the designation is to run, there could be utter confusion on the part of carriers and charter participants as to which round-trip flights intermingling is permitted or prohibited, and the rule would be virtually impossible to enforce.

<sup>8</sup> Thus the rule recites: "in the case of a charter contract calling for two or more round trips, there shall be no intermingling of passengers and each payload group \* \* \* shall move as a unit in both directions." See §§ 208.32(f) and 295.14(f).

abuse by unauthorized indirect air carriers and that the rule would permit unlimited intermingling simply by entering into multiple contracts calling for three round trips. While it is our intention to grant additional intermingling authority to charterers, we do not intend that the expanded authority be easily susceptible of being used as a device for unlimited intermingling, which would result in a climate favorable to the development of indirect air carriers who would, in effect, be able to offer passengers all the freedom for individual variations permitted by the scheduled individual fare service.<sup>10</sup> We shall, therefore, revise the rule to provide that where "four or more round-trip flights per calendar year are conducted on behalf of a chartering organization by a carrier or carriers" there shall be no intermingling of passengers, etc.<sup>11</sup> This rule will add desired flexibility without being subject to the abuses referred to by the trunkline carriers.

3. Caledonian asks the Board to reconsider its "apparent determination" to prohibit foreign air carriers possessing permit authority to perform inclusive tour services from undertaking such services on a split ITC or split ITC/affinity charter basis. The Board did not intend such a prohibition, and Caledonian's concern evidently stems from the fact that the Board did not amend Part 214 to authorize split ITC's for such carriers.

The authority of foreign charter carriers to perform ITC's originating in the United States is subject to Part 378, not 214, by the terms of their permits, and amendment only of Part 378 is required to effectuate split ITC authority with respect to such carriers. The amended definition of "inclusive tour charter" in § 378.2(a) does refer to the charter "of less than the entire capacity of an aircraft (provided that the remaining capacity of the aircraft is under charter by a person or persons authorized to charter aircraft under § 208.6(c) of Part 208 of this chapter) by a tour operator" etc. However, the reference to § 208.6(c) was intended only to indicate that split ITC's are authorized if the remaining capacity of the aircraft is engaged by one or more of the persons listed in § 208.6(c), which include tour operators or foreign tour operators. Accordingly, it was not intended to prohibit—nor will it have the effect of prohibiting—split ITC's originating in the United States with respect to foreign charter carriers whose permits contain such authority and to confine split ITC authority to U.S. supplementals.

4. We are also making certain editorial changes to correct inadvertent errors in

<sup>9</sup> We shall also not adopt the suggestion of AITS to eliminate the payment provision and instead permit split charters "if a binding contract with the organization and/or tour operator exists which guarantees full payment for their commitment prior to departure." The insertion of such a clause could not guarantee payment in the event of a breach.

<sup>10</sup> See The 1955 Transatlantic Charter Policy, 20 CAB 782, 786 (1955).

<sup>11</sup> In addition, § 208.216 (application for a charter) is being revised to include information as to the number of round-trip flights per calendar year.



ER-659.<sup>13</sup> These include the addition of a new section (§ 208.303) to require carriers to complete a statement of supporting information with respect to single entity charters since the statement attached to ER-659 so provides.<sup>14</sup>

In order to make the revisions herein effective on the same date as ER-659, and to avoid possible confusion, the amendments will be made effective on April 6, 1971.

Accordingly, the Civil Aeronautics Board hereby amends Part 208 of its Economic Regulations (14 CFR Part 208) effective April 6, 1971, as follows:

1. Amend the Table of Contents adding new § 208.303 as follows:

Sec.  
208.303 Statement of supporting information.

2. Add § 208.7 entitled "Unused space" which reads as follows:

§ 208.7 Unused space.

A supplemental air carrier may, with the written consent of the charterer(s), utilize any unused space for the transportation of

(a) The carrier's own personnel and property and/or

(b) The directors, officers, and employees of a foreign air carrier or another air carrier traveling pursuant to a pass interchange arrangement.

3. Amend paragraphs (e) and (f) of § 208.32 to read as follows:

§ 208.32 Tariffs and terms of service.

(e) The carrier shall require full payment of the total charter price or the posting of a satisfactory bond for full payment prior to the commencement of the air transportation: *Provided, however,* That in the case of a charter for less than the entire capacity of an aircraft pursuant to § 208.6(c) the carrier shall require full payment of the total charter price not less than 30 days prior to the commencement of the transportation, and such payment shall not be refundable unless the charter is canceled by the carrier or unless the carrier accepts a substitute charterer for one which has canceled a charter, in which case the amount paid by the latter shall be refunded.

(f) In the case of a round-trip passenger charter, one-way passengers shall not be carried except that up to 5 percent of the charter group may be transported one way in each direction. This provision shall not be construed as permitting knowing participation in any plan whereby each leg of a round trip is chartered separately in order to avoid the 5-percent limitation aforesaid. Where four or more round-trip flights per calendar year are conducted on behalf of a chartering organization by a carrier or carriers, there shall be no intermingling of passengers and each planeload group, or less than planeload

group (see § 208.6(c)) shall move as a unit in both directions, except as provided in § 208.36.

4. Amend § 208.201(a) to read as follows:

§ 208.201 Pretrip notification and charter contract.

(a) Upon a charter flight date being reserved by the carrier or its agent, the carrier shall provide the prospective charterer with a copy of this Part 208.<sup>14</sup> The charter contract shall include a provision that the charterer, and any agent thereof, shall only act with regard to the charter in a manner consistent with this part and that the charterer shall within due time submit to the carrier such information as specified in § 208.215. The carrier shall also require that the charterer and any travel agent involved shall furnish it at least 30 days prior to departure of the first flight the statements of supporting information required in §§ 208.217 and 208.204, respectively, unless the charter has been contracted for within 30 days before the date of departure, in which event the statement and attachments shall be filed with the carrier on the date the charter contract is executed. In the event of a substitution of carriers, the carrier with whom the statements and attachments have been filed may forward them to the substitute carrier, in which case new statements need not be executed.

5. Amend § 208.211 to read as follows:

§ 208.211 Passengers on charter flights.

Only bona fide members of the charterer, and their immediate families (except as provided in § 208.212), may participate as passengers on a charter flight, and the participants must be members of the specific organization or chapter which authorized the charter. The charterer must maintain a central membership list, available for inspection by the carrier or Board representative, which shows the date each person became a member.<sup>15</sup> Where four or more round-trip flights per calendar year are conducted on behalf of a chartering organization by a carrier or carriers, intermingling between flights or reforming of planeload groups, or less than planeload groups (see § 208.6(c)), shall not be permitted, and each group must move as a unit in both directions, except as provided in § 208.36.

6. Amend § 208.216 to read as follows:

<sup>14</sup> Copies of this part are available by purchase from the Superintendent of Documents, Washington, D.C. 20402. Single copies will be furnished without charge on written request to the Publications Services Section, Civil Aeronautics Board, Washington, D.C. 20428.

<sup>15</sup> Where the charter is based on employment in one entity or student or employee status at a school, records of the corporation, agency or school will suffice to meet the requirements.

§ 208.216 Application for a charter.

A chartering organization shall make written application to the air carrier, setting forth the number of seats desired, points to be included in the proposed flight or flights, the dates of departure for each one-way or round-trip flight, and the number of round-trip flights which have been conducted for the organization by any carrier or carriers during the calendar year.

7. Add new § 208.303 to read as follows:

§ 208.303 Statement of supporting information.

Part I of the statement of supporting information attached hereto shall be applicable in the case of single entity charters.

(Secs. 204(a), 401, 407, Federal Aviation Act of 1958, as amended, 72 Stat. 743, 754 (as amended by 76 Stat. 143), 766; 49 U.S.C. 1324, 1371, 1377)

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

STATEMENT OF SUPPORTING INFORMATION<sup>1</sup>

Part I—To be completed by air carrier for each single entity, mixed, or pro rata charter. (Where more than one round-trip flight is to be performed under the charter contract, clearly indicate applicability of answers.)

1. Name of transporting carrier: -----

2. Commencement date(s) of proposed flight(s): -----

(a) Going -----

(b) Returning -----

3. Points to be included in proposed flight(s): -----

(a) From ----- to -----

(b) Returning from ----- to -----

(c) Other stops required by charterer: -----

4. (a) Type of aircraft to be used: -----

(b) Seating capacity: -----

(c) Number of persons to be transported: -----

5. (a) Total charter price: -----

(b) Does the charter price conform to tariff on file with the Board? -----

(c) If pro rata or mixed charter, explain construction of charter price in relation to tariff on file with the Board. (In case of mileage tariff, show mileage for each segment involved and indicate whether segment is live or ferry.) -----

6. (a) Has the carrier paid, or does it contemplate payment of any commissions, direct or indirect, in connection with the proposed flight? Yes [ ] No [ ]

(b) If "yes" give names and addresses of such recipients and indicate the amount paid or payable to each recipient. If any commission to a travel agent exceeds 5 percent of the total charter price, attach a statement justifying the higher amount under this regulation. -----

7. (a) Will the carrier or any affiliate provide any services or perform and functions in -----

<sup>1</sup> This must be retained by the air carrier for 2 years pursuant to the requirements of Part 249, but open to Board inspection, and to be filed with the Board on demand.

<sup>13</sup> See §§ 208.7, 208.201, and 208.303.

<sup>14</sup> The statement attached to present Part 208 contains the same provision.



## RULES AND REGULATIONS

addition to the actual air transportation?  
Yes [ ] No [ ]

(b) If "yes" describe services or functions:

8. Name and address of charterer:

9. If charter is single entity, indicate purpose of flight:

10. On what date was the charter contract executed?

11. If the charter is pro rata, has a copy of Part 208 of the Civil Aeronautics Board's Economic Regulations been mailed to or delivered to the prospective charterer? Yes [ ] No [ ]

Part II—To be completed for pro rata or mixed charters only.

Section A—To be supplied by travel agent, or where none, by the air carrier or an affiliate under its control where either of the latter performs or provides any travel agency function or service (excluding air transportation sales but including land tour arrangements).

1. What specific services have been or will be provided by agent to charterer on a group basis?

2. What specific services have been or will be provided by agent to individual participants in the proposed charter?

3. Has the agent or, to his knowledge, have any of his principals, officers, directors, associates or employees compensated any member of the chartering organization in relation either to the proposed charter flight or any land tour? Yes [ ] No [ ]

4. Does the agent have any financial interest in any organization rendering services to the chartering organization? Yes [ ] No [ ] If answer is "yes" explain:

WARRANTY<sup>2</sup>

I, \_\_\_\_\_ represent and warrant  
(Name)

<sup>2</sup> Any air carrier, or any officer, agent, employee, or representative thereof, who shall, knowingly and willfully, fail or refuse \* \* \* to keep or preserve accounts, records, and memoranda in the form and manner prescribed or approved by the Board \* \* \*, or shall, knowingly and willfully, falsify, mutilate, or alter any such report, account, record, or memorandum \* \* \* shall be deemed guilty of a misdemeanor and, upon conviction thereof, be subject for each offense to a fine of not less than \$100 and not more than \$5,000. Title 49 U.S.C., sec. 1472(e).

Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C., sec. 1001.

that I have acted with regard to this charter operation (except to the extent fully and specifically explained in Part II, Section A) and will act with regard to such operation in a manner consistent with Part 208 of the Board's economic regulations.

(Date)

(Signature and address of travel agent or, if none, of authorized official of air carrier where such carrier or an affiliate under its control performs any travel agency function or service (excluding air transportation sales but including land tour arrangements).)

Section B—To be supplied by charterer:

1. Description of chartering organization, including its objectives and purposes:

2. What activities are sponsored by the chartering organization?

3. When was the organization founded?

4. Qualification or requirements for membership in organization and membership fee, if any:

5. Has there been any reference to prospective charter flights in soliciting new members for the charter organization? Yes [ ] No [ ]

6. State where a list of members is available for inspection.

7. Attach list of prospective passengers (including "standbys" and one-way passengers designated as such), showing for each: (a) Name and address; (b) relationship of such person to chartering organization, i.e., member, spouse, dependent child, parent or "special" (a person whose proposed participation in the charter flight was permitted by the Board pursuant to request for waiver); (c) if such person is related to a member who is not a prospective passenger, the member's name and address; and (d) date member joined or last renewed a lapsed membership. (NOTE: This is a list of prospective passengers and does not necessarily have to represent the passengers actually to be carried. The list is to be amended, if passengers are dropped or added before flights and the certification required by § 208.215 must be attached to the list.)

8. What are requirements for participation in charter?

9. How were prospective participants for charter solicited (attach any solicitation material)?

10. Will there be any participants in the charter flight other than (1) members of the chartering organization or (2) spouse, dependent children, and parents of a member of the chartering group residing in the same household with the member? Yes [ ] No [ ]

11. Will there be any members of the chartering organization participating in the charter who will have been members of the organization for a period of less than 6

months prior to flight date? Yes [ ] No [ ] If answer is "yes", give names of participants who will not have been members for 6 months:

12. If there is any intermediary involved in the charter, other than the travel agent whose participation is described in Part II, Section A, submit name, address, remuneration, and scope of activity:

13. Estimated receipts:

(Pro rata charge)  $\times$  (No. of passengers) = \$ \_\_\_\_\_  
(Estimated receipts from charter)

Estimated receipts from other sources, if any: \_\_\_\_\_  
Explain: \_\_\_\_\_

(a) Total receipts: \$ \_\_\_\_\_  
Estimated expenditures, including aircraft charter (separately itemize air transportation, land tour, and administrative expenses):

Item	Amount	Payable to

(b) Total expenditures: \$ \_\_\_\_\_  
Explain any difference between (a) and (b): \_\_\_\_\_

14. Are any of the expenses included in Item 13 above, to be paid to any members of the chartering organization? Yes [ ] No [ ] If "yes" state how much, to whom and for what services: \_\_\_\_\_

15. Is any member of the chartering organization to receive any compensation or benefit directly or indirectly from the air carrier, the travel agent, or any organization providing services in relation to the air or land portion of the trip? Yes [ ] No [ ] If "yes" explain fully: \_\_\_\_\_

16. Will any person in the group (except children under 2 years) be transported without charge? Yes [ ] No [ ]

17. Will charter costs be divided equally among charter participants, except to the extent that a lesser charge is made for children under 12 years old? Yes [ ] No [ ]

18. Separately state for the outbound and inbound flights the number of one-way passengers anticipated to be transported in each direction: \_\_\_\_\_

19. If four or more round trips are contracted for, will each group move as a unit in both directions? Yes [ ] No [ ]

<sup>2</sup> Not applicable to school or study-group charters, nor to charters limited to employees of a single Government agency, industrial plant or mercantile company.



20. If charters have been performed for organization during past 5 years, give dates and name of carrier performing charters:

21. Has a copy of Part 208 "Terms, Conditions and Limitations of Certificates to engage in Supplemental Air Transportation," of the Economic Regulations of the Civil Aeronautics Board been received by the charterer? Yes [ ] No [ ]

22. Attach copies of all announcements of the chartering organization in connection with the charter issued after the charter contract is signed.

WARRANTY OF CHARTERER<sup>4</sup>

I, \_\_\_\_\_ and \_\_\_\_\_  
(Name)

represent and warrant that \_\_\_\_\_  
(Name)

the charterer has acted with regard to this charter operation (except to the extent fully and specifically explained in Part II, Section B), and will act with regard to such operation, in a manner consistent with Part 208 of the Board's economic regulations. I (we) further represent and warrant that the charterer has not offered charter flights simultaneously with the solicitation of membership in the chartering organization in any mass media advertising or notice or through direct mailing or public posters. I (we) further represent and warrant that all charter participants have been informed of eligibility and cost requirements of Part 208 and that a flight may be canceled if ineligible participants are included.

(Date) \_\_\_\_\_ (Signature—person with-  
in organization in  
charge of charter ar-  
rangements)

(Signature and title of officer.  
This should be the chief officer of the chartering organization except in the case of a school charter, in which case the warranty must be by school official not directly involved in charter.)

WARRANTY OF AIR CARRIER<sup>5</sup>

To the best of my knowledge and belief all the information presented in this statement,

<sup>4</sup>Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C., sec. 1001.

<sup>5</sup>Any air carrier, or any officer, agent, employee, or representative thereof, who shall, knowingly and willfully, fail or refuse \* \* \* to keep or preserve accounts, records, and memoranda in the form and manner prescribed or approved by the Board \* \* \*, or shall, knowingly and willfully, falsify, mutilate, or alter any such report, account, record, or memorandum \* \* \* shall be deemed guilty of a misdemeanor and, upon conviction thereof, be subject for each offense to a fine of not less than \$100 and not more than \$5,000. Title 49 U.S.C. sec. 1472(e).

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false

including but not limited to, those parts warranted by the charterer and the travel agent, is true and correct. I represent and warrant that the carrier has acted with regard to this charter operation (except to the extent fully and specifically explained in this statement or any attachment thereto) and will act with regard to such operation in a manner consistent with Part 208 of the Board's economic regulations.

(Date) \_\_\_\_\_ (Signature and title of  
authorized official of  
air carrier)

[FR Doc. 71-4039 Filed 3-25-71; 8:45 am]

[Reg. ER-673; Amdt. 9]

PART 212—CHARTER TRIPS BY  
FOREIGN AIR CARRIERS

Miscellaneous Amendments

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of March 1971.

In ER-661<sup>1</sup> the Board extended the amended charter regulations set forth in Part 208 of this subchapter to Part 212.<sup>2</sup> However, it permitted petitions for reconsideration of § 212.10(b) concerning full payment of split charters 30 days prior to commencement of the transportation and of § 212.10(c) concerning additional intermingling authority.

In ER-671, issued contemporaneously herewith, the Board acted on petitions for reconsideration filed by interested persons, and for the reasons there stated is revising § 212.10 (b) and (c) with implementing amendment of §§ 212.41 and 212.46. In addition, certain editorial corrections are being made.<sup>3</sup> Further, § 212.8 entitled "Charter flight limitations" is being amended to include authority to transport company personnel or emergency commercial passenger traffic on split charters which authority was inadvertently omitted in ER-661, supra. This will conform this provision to the comparable provision in Part 207.

In order to make the revision herein effective on the same date as ER-659, and to avoid possible confusion, the amendments will be made effective on April 6, 1971.

Accordingly, the Civil Aeronautics Board hereby amends Part 212 of the Economic Regulations (14 CFR Part 212), effective April 6, 1971, as follows:

writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C. sec. 1001.

<sup>1</sup>Adopted Jan. 29 and effective Apr. 6, 1971 (36 F.R. 2498).

<sup>2</sup>Note: The Board intends to reissue this part shortly so that it will be available from the Superintendent of Documents, Washington, D.C. 20402. In the meantime, copies of the part, with amendments, are available at the Publications Services Section, Civil Aeronautics Board, Washington, D.C. 20428.

<sup>3</sup>See §§ 212.1, 212.8, 212.9, 212.10(a), 212.13, 212.30, 212.31, 212.40 (a) (1) and (c), 212.43 (c), 212.46, 212.47, 212.52, 212.53. Also, a statutory reference in the statement of supporting information has been deleted.

1. Amend the Table of Contents as follows:

REQUIREMENTS RELATING TO FOREIGN  
AIR CARRIERS

Sec.

212.21 Solicitation and formation of a chartering group.

2. Amend § 212.1 to read in part as follows:

§ 212.1 Definitions.

"Charter flight" means air transportation performed pursuant to § 212.8.

"Charter trip" means air transportation performed pursuant to § 212.8.

3. Amend § 212.8(b) (1) and the provisos following § 212.8(b) (2) to read as follows:

§ 212.8 Charter flight limitations.

(b) Where less than the entire capacity of an aircraft has been engaged for the movement of persons and their personal baggage, on a time, mileage or trip basis by two or more of the following persons: *Provided*, That such persons in the aggregate engage the entire capacity of the aircraft—

(1) By a person for his own use (including a direct air carrier or a direct foreign air carrier when such aircraft is engaged solely for the transportation of company personnel and their personal baggage, or in cases of emergency, of commercial passenger traffic);

(2) By a person (no part of this business \* \* \*

*Provided*, That with respect to paragraph (b) of this section each person engaging less than the entire capacity of an aircraft shall contract and pay for 40 or more seats: *And provided, further*, That paragraph (b) of this section shall not be construed to apply to movements of property.

4. Amend § 212.9 to read as follows:

§ 212.9 Unused space.

A foreign air carrier may, with the written consent of the charterer(s), utilize any unused space for the transportation of (a) the carrier's own personnel and property and/or (b) the directors, officers, and employees of another foreign air carrier or an air carrier traveling pursuant to a pass interchange arrangement.

5. Amend § 212.10 (a), (b), and (c) to read as follows:

§ 212.10 Terms of service.

(a) The total charter price and other terms of service rendered pursuant to this part shall conform to those set forth in the applicable tariff on file with the Board and in force at the time of the respective charter flight and the contract must be for the entire capacity, or for less than the entire capacity (see



§ 212.8(b)) of one or more aircraft. Where a carrier's charter charge computed according to a mileage tariff includes a charge for ferry mileage, the carrier shall refund to the charterer any sum charged for ferry mileage which is not in fact flown in the performance of the charter: *Provided*, That the carrier shall not charge the charterer for ferry mileage flown in addition to that stated in the contract unless such mileage is flown for the convenience of and at the express direction of the charterer.

(b) The carrier shall require full payment of the total charter price or the posting of a satisfactory bond for full payment prior to the commencement of the air transportation: *Provided, however*, That in the case of a charter for less than the entire capacity of an aircraft pursuant to § 212.8(b) the carrier shall require full payment of the total charter price not less than 30 days prior to the commencement of the transportation, and such payment shall not be refundable unless the charter is canceled by the carrier or unless the carrier accepts a substitute charterer for one which has canceled a charter, in which case the amount paid by the latter shall be refunded.

(c) In the case of a round-trip passenger charter, one-way passengers shall not be carried except that up to 5 percent of the charter group may be transported one way in each direction. This provision shall not be construed as permitting knowing participation in any plan whereby each leg of a round trip is chartered separately in order to avoid the 5 percent limitation aforesaid. Where four or more round-trip flights per calendar year are conducted on behalf of a chartering organization by a carrier or carriers, there shall be no intermingling of passengers and each plane load group, or less than plane load group (see § 212.8(b)), shall move as a unit in both directions, except as provided in § 212.11.

6. Amend § 212.13 to read as follows:

**§ 212.13 Waiver.**

A waiver of any of the provisions of this part may be granted by the Board upon the submission by a foreign air carrier of a written request therefor not less than 30 days prior to the flight to which it relates provided such a waiver is in the public interest and it appears to the Board that special or unusual circumstances warrant a departure from the provisions set forth herein. Notwithstanding the foregoing, waiver applications filed less than 30 days prior to a flight may be accepted by the Board in emergency situations in which the circumstances warranting a waiver did not exist 30 days before the flight.

7. Amend the heading following § 212.20 to read as follows:

**REQUIREMENTS RELATING TO FOREIGN AIR CARRIERS**

8. Amend §§ 212.30 and 212.31 to read as follows:

**REQUIREMENTS RELATING TO TRAVEL AGENTS**

**§ 212.30 Prohibition against double compensation.**

A travel agent may not receive a commission from both the direct foreign air carrier and the charterer for the same service.

**§ 212.31 Statement of supporting information.**

Travel agents shall execute, and furnish to foreign air carriers, Section A of Part II of the statement of supporting information attached hereto and made a part hereof, at such time as required by the carrier to afford it due time for review thereof.

9. Amend § 212.40(a)(1) in part and § 212.40(c) to read as follows:

**§ 212.40 Solicitation of charter participants.**

(a) As used in this section, "solicitation of the general public" means:

(1) A solicitation going beyond the bona fide members of an organization (and their immediate families). This includes air transportation services offered by a foreign air carrier under circumstances in which the services are advertised in mass media, whether or not the advertisement is addressed to members of a specific organization, and regardless of who places or pays for the advertising. Mass media shall be deemed to include radio and television, and newspapers and magazines. Advertising in such media as newsletters or periodicals of membership organizations, industrial plant newsletters, college radio stations, and college newspapers shall not be considered advertising in mass media to the extent that

(c) Solicitation of, as well as participation by, members of an organization with respect to charter flights shall extend only to the organization, or the particular chapter or unit thereof, which signs the charter agreement with the carrier as the charterer.

10. Amend § 212.41 to read as follows:

**§ 212.41 Passengers on charter flights.**

Only bona fide members of the charterer, and their immediate families (except as provided in § 212.42), may participate as passengers on a charter flight, and the participants must be members of the specific organization or chapter which authorized the charter. The charterer must maintain a central membership list, available for inspection by the carrier or Board representative, which shows the date each person became a member.<sup>3</sup> Where four or more round-trip

<sup>3</sup> Where the charter is based on employment in one entity or student or employee status at a school, records of the corporation, agency or school will suffice to meet the requirements.

flights per calendar year are conducted on behalf of a chartering organization by a carrier or carriers, intermingling between flights or reforming of plane load groups, or less than plane load groups (see § 212.8(b)), shall not be permitted, and each group must move as a unit in both directions, except as provided in § 212.11.

11. Amend § 212.43(c) to read as follows:

**§ 212.43 Charter costs.**

(c) Reasonable administrative costs of organizing the charter may be divided among the charter participants. Such costs may include a reasonable charge for compensation to members of the charter organization for actual labor and personal expenses incurred by them. Such charge shall not exceed \$300 (or \$500 where the charter participants number more than 80) per round-trip flight. Neither the organizers of the charter, nor any member of the chartering organization, may receive any gratuities or compensation, direct or indirect, from the carrier, the travel agent, or any organization which provides any service to the chartering organization whether of an air transportation nature or otherwise. Nothing in this section shall preclude a member of a chartering organization who is the carrier's agent from receiving a commission from the carrier (within the limits of § 212.23), or prevent any member of the charter group from accepting such advertising and goodwill items as are customarily extended to individually ticketed passengers (e.g., a canvas traveling bag or a money exchange computer).

12. Amend § 212.46 to read as follows:

**§ 212.46 Application for a charter.**

A chartering organization shall make written application to the foreign air carrier, setting forth the number of seats desired, points to be included in the proposed flight or flights, the dates of departure for each one-way or round-trip flight, and the number of round-trip flights which have been conducted for the organization by any carrier or carriers during the calendar year.

13. Amend § 212.47 to read as follows:

**§ 212.47 Statement of supporting information.**

Charterers shall execute and file with the carrier section B of Part II of the statement of supporting information attached hereto and made a part hereof at such time as required by the carrier to afford it due time for review thereof.

14. Amend § 212.52 to read as follows:

**§ 212.52 Commissions paid to travel agents.**

No direct foreign air carrier shall pay a travel agent any commission in excess of 5 percent of the total charter price or more than the commission related to charter flights paid to an agent by a



carrier certificated to fly the same route, whichever is greater.

15. Amend § 212.53 to read as follows:

§ 212.53 Statement of supporting information.

Part I of the statement of supporting information attached hereto shall be applicable in the case of single entity charters.

16. Delete from the statement of supporting information attached to ER-661, supra, the reference in the footnotes to "Title 49 U.S.C. section 1472(e)."

(Secs. 204(a), 402, 403, 404(b), Federal Aviation Act of 1958, as amended, 72 Stat. 743, 757, 758 (as amended by 74 Stat. 445), 760; 49 U.S.C. 1324, 1372, 1373, 1374).

By the Civil Aeronautics Board.

[SEAL] HARRY J. ZINK,  
Secretary.

STATEMENT OF SUPPORTING INFORMATION<sup>1</sup>

Part I—To be completed by air carrier for each single entity, mixed, or pro rata charter. (Where more than one round-trip flight is to be performed under the charter contract, clearly indicate applicability of answers.)

1. Name of transporting carrier: \_\_\_\_\_

2. Commencement date(s) of proposed flight(s): \_\_\_\_\_

(a) Going \_\_\_\_\_

(b) Returning \_\_\_\_\_

3. Points to be included in proposed flight(s): \_\_\_\_\_

(a) From \_\_\_\_\_ to \_\_\_\_\_

(b) Returning from \_\_\_\_\_ to \_\_\_\_\_

(c) Other stops required by charterer: \_\_\_\_\_

4. (a) Type of aircraft to be used: \_\_\_\_\_

(b) Seating capacity: \_\_\_\_\_

(c) Number of persons to be transported: \_\_\_\_\_

(5) (a) Total charter price: \_\_\_\_\_

(b) Does the charter price conform to tariff on file with the Board? \_\_\_\_\_

(c) If pro rata or mixed charter, explain construction of charter price in relation to tariff on file with the Board. (In case of mileage tariff, show mileage for each segment involved and indicate whether segment is live or ferry.) \_\_\_\_\_

6. (a) Has the carrier paid, or does it contemplate payment of any commissions, direct or indirect, in connection with the proposed flight? Yes [ ] No [ ]

(b) If "yes" give names and addresses of such recipients and indicate the amount paid or payable to each recipient. If any commission to a travel agent exceeds 5 percent of the total charter price, attach a statement justifying the higher amount under this regulation. \_\_\_\_\_

7. (a) Will the carrier or any affiliate provide any services or perform any functions in addition to the actual air transportation? Yes [ ] No [ ]

<sup>1</sup> This must be retained by the air carrier for 2 years pursuant to the requirements of Part 249, but open to Board inspection, and to be filed with the Board on demand.

(b) If "yes" describe services or functions: \_\_\_\_\_

8. Name and address of charterer: \_\_\_\_\_

9. If charter is single entity, indicate purpose of flight: \_\_\_\_\_

10. On what date was the charter contract executed? \_\_\_\_\_

11. If the charter is pro rata, has a copy of Part 212 of the Civil Aeronautics Board's Economic Regulations been mailed to or delivered to the prospective charterer? Yes [ ] No [ ]

Part II—To be completed for pro rata or mixed charters only.

Section A—To be supplied by travel agent, or where none, by the air carrier or an affiliate under its control where either of the latter performs or provides any travel agency function or service (excluding air transportation sales but including land tour arrangements).

1. What specific services have been or will be provided by agent to charter on a group basis? \_\_\_\_\_

2. What specific services have been or will be provided by agent to individual participants in the proposed charter? \_\_\_\_\_

3. Has the agent or, to his knowledge, have any of his principals, officers, directors, associates or employees compensated any member of the chartering organization in relation either to the proposed charter flight or any land tour? Yes [ ] No [ ]

4. Does the agent have any financial interest in any organization rendering services to the chartering organization? Yes [ ] No [ ] If answer is "yes" explain: \_\_\_\_\_

WARRANTY<sup>2</sup>

I, \_\_\_\_\_ represent and (Name)

warrant that I have acted with regard to this charter operation (except to the extent fully and specifically explained in Part II, Section A) and will act with regard to such operation in a manner consistent with Part 212 of the Board's Economic Regulations.

(Date) (Signature and address of travel agent or, if none, of authorized official of air carrier where such carrier or an affiliate under its control performs any travel agency function or service (excluding air transportation sales but including land tour arrangements).)

Section B—To be supplied by charterer:

<sup>2</sup> Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or cover up by any trick, scheme, or device a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C., sec. 1001.

1. Description of chartering organization, including its objectives and purposes: \_\_\_\_\_

2. What activities are sponsored by the chartering organization? \_\_\_\_\_

3. When was the organization founded? \_\_\_\_\_

4. Qualification or requirements for membership in organization and membership fee, if any: \_\_\_\_\_

5. Has there been any reference to prospective charter flights in soliciting new members for the charter organization? Yes [ ] No [ ]

6. State where a list of members is available for inspection. \_\_\_\_\_

7. Attach list of prospective passengers (including "standbys" and one-way passengers designated as such), showing for each: (a) Name and address; (b) relationship of such person to chartering organization, i.e., member, spouse, dependent child, parent or "special" (a person whose proposed participation in the charter flight was permitted by the Board pursuant to request for waiver); (c) if such person is related to a member who is not a prospective passenger, the member's name and address; and (d) date member joined or last renewed a lapsed membership. (NOTE: This is a list of prospective passengers and does not necessarily have to represent the passengers actually to be carried. The list is to be amended, if passengers are dropped or added before flights and the certification required by § 212.45 must be attached to the list.)

8. What are requirements for participation in charter? \_\_\_\_\_

9. How were prospective participants for charter solicited (attach any solicitation material)? \_\_\_\_\_

10. Will there be any participants in the charter flight other than (1) members of the chartering organization or (2) spouse, dependent children, and parents of a member of the chartering group residing in the same household with the member? Yes [ ] No [ ]

11. Will there be any members of the chartering organization participating in the charter who will have been members of the organization for a period of less than 6 months prior to flight date? Yes [ ] No [ ] If answer is "yes", give names of participants who will not have been members for 6 months: \_\_\_\_\_

12. If there is any intermediary involved in the charter, other than the travel agent whose participation is described in Part II, Section A, submit name, address, remuneration, and scope of activity: \_\_\_\_\_

13. Estimated receipts:  
(Pro rata charge) × (Number passengers) =  
\$ \_\_\_\_\_  
(Estimated receipts from charter)  
Estimated receipts from other sources, if \_\_\_\_\_

<sup>3</sup> Not applicable to school or study-group charters, nor to charters limited to employees of a single Government agency, industrial plant, or mercantile company.



any: \_\_\_\_\_  
 Explain: \_\_\_\_\_

(a) Total receipts: \$ \_\_\_\_\_  
 Estimated expenditures, including aircraft  
 charter (separately itemize air transportation,  
 land tour, and administrative expenses): \_\_\_\_\_

Item	Amount	Payable to

(b) Total expenditures: \$ \_\_\_\_\_

Explain any difference between (a) and  
 (b): \_\_\_\_\_

14. Are any of the expenses included in  
 Item 13 above, to be paid to any members of  
 the chartering organization? Yes [ ] No [ ]  
 If "yes" state how much, to whom and for  
 what services: \_\_\_\_\_

15. Is any member of the chartering or-  
 ganization to receive any compensation or  
 benefit directly or indirectly from the air  
 carrier, the travel agent, or any organiza-  
 tion providing services in relation to the air  
 or land portion of the trip? Yes [ ] No [ ]  
 If "yes" explain fully: \_\_\_\_\_

16. Will any person in the group (except  
 children under 2 years) be transported with-  
 out charge? Yes [ ] No [ ]

17. Will charter costs be divided equally  
 among charter participants, except to the ex-  
 tent that a lesser charge is made for chil-  
 dren under 12 years old? Yes [ ] No [ ]

18. Separately state for the outbound and  
 inbound flights the number of one-way pas-  
 sengers anticipated to be transported in each  
 direction: \_\_\_\_\_

19. If four or more round trips are con-  
 tracted for, will each group move as a unit in  
 both directions? Yes [ ] No [ ]

20. If charters have been performed for  
 organization during past 5 years, give dates  
 and name of carrier performing charters: \_\_\_\_\_

21. Has a copy of Part 212 "Charter Trips  
 by Foreign Air Carriers" of the Economic  
 Regulations of the Civil Aeronautics Board  
 been received by the charter? Yes [ ]  
 No [ ]

22. Attach copies of all announcements of  
 the chartering organization in connection  
 with the charter issued after the charter con-  
 tract is signed.

#### WARRANTY OF CHARTERER<sup>4</sup>

I, \_\_\_\_\_ and \_\_\_\_\_  
 (Name)  
 \_\_\_\_\_ represent and warrant that  
 (Name)  
 the charter has acted with regard to this  
 charter operation (except to the extent fully  
 and specifically explained in Part II, Section  
 B), and will act with regard to such opera-  
 tion, in a manner consistent with Part 212  
 of the Board's economic regulations. I (we)  
 further represent and warrant that the char-

<sup>4</sup>Whoever, in any matter within the juris-  
 diction of any department or agency of the  
 United States knowingly and willfully falsi-  
 fies, conceals, or covers up by any trick,  
 scheme, or device a material fact, or makes  
 any false, fictitious, or fraudulent statements  
 or representations, or makes or uses any  
 false writing or document knowing the same  
 to contain any false, fictitious, or fraudulent  
 statement or entry, shall be fined not more  
 than \$10,000 or imprisoned not more than 5  
 years, or both. Title 18, U.S.C., sec. 1001.

terer has not offered charter flights simul-  
 taneously with the solicitation of member-  
 ship in the chartering organization in any  
 mass media advertising or notice or through  
 direct mailing or public posters. I (we) fur-  
 ther represent and warrant that all charter  
 participants have been informed of eligibil-  
 ity and cost requirements of Part 212 and  
 that a flight may be canceled if ineligible par-  
 ticipants are included.

(Date) \_\_\_\_\_ (Signature—person within  
 organization in charge  
 of charter arrange-  
 ments) \_\_\_\_\_

(Signature and title of of-  
 ficer. This should be the  
 chief officer of the char-  
 tering organization ex-  
 cept in the case of a  
 school charter, in which  
 case the warranty must  
 be by school official not  
 directly involved in  
 charter)

#### WARRANTY OF AIR CARRIER<sup>5</sup>

To the best of my knowledge and belief  
 all the information presented in this state-  
 ment, including but not limited to, those  
 parts warranted by the charterer and the  
 travel agent, is true and correct. I represent  
 and warrant that the carrier has acted with  
 regard to this charter operation (except to  
 the extent fully and specifically explained  
 in this statement or any attachment there-  
 to) and will act with regard to such opera-  
 tion in a manner consistent with Part 212  
 of the Board's economic regulations.

(Date) \_\_\_\_\_ (Signature and title of au-  
 thorized official of air  
 carrier) \_\_\_\_\_

[FR Doc.71-4040 Filed 3-25-71;8:45 am]

[Reg. ER-674; Amdt. 7]

### PART 214—TERMS, CONDITIONS, AND LIMITATIONS OF FOREIGN AIR CARRIER PERMITS AUTHORIZ- ING CHARTER TRANSPORTATION ONLY

#### Miscellaneous Amendments

Adopted by the Civil Aeronautics Board  
 at its office in Washington, D.C., on the  
 19th day of March 1971.

In ER-662<sup>1</sup> the Board extended the  
 amended charter regulations set forth in  
 Part 208 of this subchapter to Part  
 214.<sup>1a</sup> However, it permitted petitions for

<sup>5</sup>Whoever, in any matter within the juris-  
 diction of any department or agency of the  
 United States knowingly and willfully falsi-  
 fies, conceals, or covers up by any trick,  
 scheme, or device a material fact, or makes  
 any false, fictitious, or fraudulent state-  
 ments or representations, or makes or uses  
 any false writing or document knowing the  
 same to contain any false, fictitious, or  
 fraudulent statement or entry, shall be fined  
 not more than \$10,000 or imprisoned not  
 more than 5 years, or both. Title 18, U.S.C.  
 sec. 1001.

<sup>1</sup>Adopted Jan. 29 and effective Apr. 6, 1971  
 (36 F.R. 2502).

<sup>1a</sup>Note: The Board intends to reissue this  
 part shortly so that it will be available from  
 the Superintendent of Documents, Washing-  
 ton, D.C. 20402. In the meantime copies of  
 the part, with amendments, are available at  
 the Publications Services Section, Civil Aero-  
 nautics Board, Washington, D.C. 20428.

reconsideration of § 214.14(b) concern-  
 ing full payment of split charters 30  
 days prior to commencement of the  
 transportation and of § 214.14(c)  
 concerning additional intermingling  
 authority.

In ER-671, issued contemporaneously  
 herewith, the Board acted on petitions  
 for reconsideration filed by interested  
 persons, and for the reasons there stated  
 is revising § 214.14 (b) and (c) with im-  
 plementing amendment of §§ 214.31 and  
 214.36. In addition certain editorial cor-  
 rections are being made.<sup>2</sup> These include  
 the addition of a new section (§ 214.43)  
 to require carriers to complete a state-  
 ment of supporting information with re-  
 spect to single entity charters since such  
 statement attached to ER-662 so  
 provides.<sup>3</sup>

In order to make the revisions herein  
 effective on the same date as ER-662,  
 and to avoid possible confusion, the  
 amendments will be made effective on  
 April 6, 1971.

Accordingly, the Civil Aeronautics  
 Board hereby amends Part 214 of the  
 Economic Regulations (14 CFR Part  
 214), effective April 6, 1971, as follows:

1. Amend the Table of Contents by  
 adding a title to new § 214.43 as follows:

Sec.  
 214.43 Statement of supporting informa-  
 tion.

2. Amend § 214.8 to read as follows:

§ 214.8 Unused space.

A direct foreign air carrier may, with  
 the written consent of the charterer(s),  
 utilize any unused space for the trans-  
 portation of (a) the carrier's own per-  
 sonnel and property and/or (b) the di-  
 rectors, officers, and employees of an air  
 carrier or another foreign air carrier  
 traveling pursuant to a pass interchange  
 arrangement.

3. Amend § 214.14(b) and (c) to read  
 as follows:

§ 214.14 Terms of service.

(b) The carrier shall require full pay-  
 ment of the total charter price or the  
 posting of a satisfactory bond for full  
 payment prior to the commencement of  
 the air transportation: *Provided, how-  
 ever*, That in the case of a charter for  
 less than the entire capacity of an air-  
 craft pursuant to § 214.7(b) the carrier  
 shall require full payment of the total  
 charter price not less than 30 days prior  
 to the commencement of the transpor-  
 tation, and such payment shall not be  
 refundable unless the charter is can-  
 celed by the carrier or unless the carrier  
 accepts a substitute charterer for one  
 which has canceled a charter, in which  
 case the amount paid by the latter shall  
 be refunded.

(c) In the case of a round-trip passen-  
 ger charter, one-way passengers shall  
 not be carried except that up to 5 percent

<sup>2</sup>See §§ 214.8, 214.30 (a) (1) and (c), 214.35  
 (a) and (d), 214.36, 214.37, and 214.43. Also,  
 statement of supporting information.

<sup>3</sup>The same provision is in the statement  
 of supporting information in Part 295.



of the charter group may be transported one way in each direction. This provision shall not be construed as permitting knowing participation in any plan whereby each leg of a round trip is chartered separately in order to avoid the 5-percent limitation aforesaid. Where four or more round-trip flights per calendar year are conducted on behalf of a chartering organization by a carrier or carriers, there shall be no intermingling of passengers and each planload group, or less than planload group (see § 214.7 (b)) shall move as a unit in both directions, except as provided in § 214.9.

4. Amend § 214.30(a) (1) in part and § 214.30(c) to read as follows:

§ 214.30 Solicitation of charter participants.

(a) As used in this section, "solicitation of the general public" means:

(1) A solicitation going beyond the bona fide members of an organization (and their immediate families). This includes air transportation services offered by a foreign air carrier under circumstances in which the services are advertised in mass media, whether or not the advertisement is addressed to members of a specific organization, and regardless of who places or pays for the advertising. Mass media shall be deemed to include radio and television, and newspapers and magazines. Advertising in such media as newsletters or periodicals of membership organizations, industrial plant newsletters, college radio stations, and college newspapers shall not be considered advertising in mass media to the extent that

(c) Solicitation of, as well as participation by, members of an organization with respect to charter flights shall extend only to the organization, or the particular chapter or unit thereof, which signs the charter agreement with the carrier as the charterer.

5. Amend § 214.31 to read as follows:

§ 214.31 Passengers on charter flights.

Only bona fide members of the charterer, and their immediate families (except as provided in § 214.32), may participate as passengers on a charter flight, and the participants must be members of the specific organization or chapter which authorized the charter. The charterer must maintain a central membership list, available for inspection by the carrier or Board representative, which shows the date each person became a member.<sup>1</sup> Where four or more round-trip flights per calendar year are conducted on behalf of a chartering organization by a carrier or carriers, intermingling between flights or reforming of

planload groups, or less than planload groups (see § 214.7(b)), shall not be permitted, and each group must move as a unit in both directions, except as provided in § 214.9.

6. Amend § 214.35 (a) and (d) to read as follows:

§ 214.35 Passenger lists.

(a) Prior to each one-way or round-trip flight, a list shall be filed by the charterer with the foreign air carrier showing the names and addresses of the persons to be transported, including standbys who may be transported, specifying the relationship of each such person to the charterer (by designating opposite his name one of the three relationship categories hereinafter described), the date the person joined or last renewed a lapsed membership in the charter organization, and the designation "one-way" in the case of one-way passengers. The list shall be amended if passengers are added or dropped before flight.

(d) Attached to such list must be a certification, signed by a duly authorized representative of the charterer, reading:

The attached list of persons includes every individual who may participate in the charter flight. Every person as identified on the attached list (1) was a bona fide member of the chartering organization, and will have been a member for at least 6 months prior to the starting flight date, or (2) is a bona fide member of an entity consisting of (a) students and employees of a single school, or (b) employees of a single Government agency, industrial plant, or mercantile establishment, or (3) is a person whose participation has been specifically permitted by the Civil Aeronautics Board, or (4) is the spouse, dependent child, or parent of a person described hereinbefore and lives in such person's household, or (5) is a bona fide participant in a study group charter.<sup>2</sup>

(Signature)

7. Amend §§ 214.36 and 214.37 to read as follows:

§ 214.36 Application for a charter.

A chartering organization shall make written application to the foreign air carrier, setting forth the number of seats desired, points to be included in the proposed flight or flights, the dates of departure for each one-way or round-trip flight, and the number of round-trip flights which have been conducted for the organization by any carrier or carriers during the calendar year.

§ 214.37 Statement of supporting information.

Charterers shall execute and file with the foreign air carrier Section B of Part II of the statement of supporting information attached hereto and made a part hereof at such time as required by the carrier to afford it due time for review thereof.

<sup>2</sup> Whoever, in any matter \* \* \*

8. Add new § 214.43 to read as follows:

§ 214.43 Statement of supporting information.

Part I of the statement of supporting information attached to the part shall be applicable in the case of single entity charters.

9. Amend the statement of supporting information attached to ER-662 by deleting all reference to "title 49 U.S.C. § 1472(e)" in the footnotes therein.

(Secs. 204(a), 402, 403, 404(b), Federal Aviation Act, as amended, 72 Stat. 743, 757, 758 (as amended by 74 Stat. 445), 760; 49 U.S.C. 1324, 1372, 1373, 1374)

By the Civil Aeronautics Board.

[SEAL]

HARRY J. ZINK,  
Secretary.

STATEMENT OF SUPPORTING INFORMATION<sup>1</sup>

Part I—To be completed by air carrier for each single entity, mixed, or pro rata charter. (Where more than one round-trip flight is to be performed under the charter contract, clearly indicate applicability of answers.)

1. Name of transporting carrier:-----

2. Commencement date(s) of proposed flight(s): -----

(a) Going -----

(b) Returning -----

3. Points to be included in proposed flight(s): -----

(a) From ----- to -----

(b) Returning from ----- to -----

(c) Other stops required by charter:-----

4. (a) Type of aircraft to be used:-----

(b) Seating capacity:-----

(c) Number of persons to be transported:-----

5. (a) Total charter price:-----

(b) Does the charter price conform to tariff on file with the Board?-----

(c) If pro rata or mixed charter, explain construction of charter price in relation to tariff on file with the Board. (In case of mileage tariff, show mileage for each segment involved and indicate whether segment is live or ferry.)-----

6. (a) Has the carrier paid, or does it contemplate payment of any commissions, direct or indirect, in connection with the proposed flight? Yes [ ] No [ ]

(b) If "yes" give names and addresses of such recipients and indicate the amount paid or payable to each recipient. If any commission to a travel agent exceeds 5 percent of the

<sup>1</sup> This must be retained by the air carrier for 2 years pursuant to the requirements of Part 249, but open to Board inspection, and to be filed with the Board on demand.

<sup>1</sup> Where the charter is based on employment in one entity or student or employee status at a school, records of the corporation, agency or school will suffice to meet the requirements.



total charter price, attach a statement justifying the higher amount under this regulation.

7. (a) Will the carrier or any affiliate provide any services or perform any functions in addition to the actual air transportation? Yes ☐ No ☐

(b) If "yes" describe services or functions:

8. Name and address of charterer:-----

9. If charter is a single entity, indicate purpose of flight:-----

10. On what date was the charter contract executed?-----

11. If the charter is pro rata, has a copy of Part 214 of the Civil Aeronautics Board's Economic Regulations been mailed to or delivered to the prospective charterer? Yes ☐ No ☐

Part II—To be completed for pro rata or mixed charters only.

Section A—To be supplied by travel agent, or where none, by the air carrier or an affiliate under its control where either of the latter performs or provides any travel agency function or service (excluding air transportation sales but including land tour arrangements).

1. What specific services have been or will be provided by agent to charterer on a group basis?-----

2. What specific services have been or will be provided by agent to individual participants in the proposed charter?-----

3. Has the agent or, to his knowledge, have any of his principals, officers, directors, associates or employees compensated any member of the chartering organization in relation either to the proposed charter flight or any land tour? Yes ☐ No ☐

4. Does the agent have any financial interest in any organization rendering services to the chartering organization? Yes ☐ No ☐ If answer is "yes" explain:-----

#### WARRANTY<sup>2</sup>

I, ----- represent and  
(Name)  
warrant that I have acted with regard to this charter operation (except to the extent fully

<sup>2</sup> Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C., sec. 1001.

and specifically explained in Part II, Section A) and will act with regard to such operation in a manner consistent with Part 214 of the Board's economic regulations.

(Date) (Signature and address of travel agent or, if none, of authorized official of air carrier where such carrier or an affiliate under its control performs any travel agency function or service (excluding air transportation sales but including land tour arrangements).)

Section B—To be supplied by charterer:

1. Description of chartering organization, including its objectives and purposes:-----

2. What activities are sponsored by the chartering organization?-----

3. When was the organization founded?-----

4. Qualification or requirements for membership in organization and membership fee, if any:-----

5. Has there been any reference to prospective charter flights in soliciting new members for the charter organization? Yes ☐ No ☐

6. State where a list of members is available for inspection.-----

7. Attach list of prospective passengers (including "standbys" and one-way passengers designated as such), showing for each: (a) Name and address; (b) relationship of such person to chartering organization, i.e., member, spouse, dependent child, parent or "special" (a person whose proposed participation in the charter flight was permitted by the Board pursuant to request for waiver); (c) if such person is related to a member who is not a prospective passenger, the member's name and address; and (d) date member joined or last renewed a lapsed membership. (NOTE: This is a list of prospective passengers and does not necessarily have to represent the passengers actually to be carried. The list is to be amended, if passengers are dropped or added before flights and the certification required by § 214.35 must be attached to the list.)

8. What are requirements for participation in charter?-----

9. How were prospective participants for charter solicited (attach any solicitation material)?-----

10. Will there be any participants in the charter flight other than (1) members of the chartering organization or (2) spouse, dependent children, and parents of a member of the chartering group residing in the same household with the member? Yes ☐ No ☐

11. Will there be any members of the chartering organization participating in the charter who will have been members of the organization for a period of less than 6 months prior to flight date? Yes ☐ No ☐

<sup>3</sup> Not applicable to school or study-group charters, nor to charters limited to employees of a single Government agency, industrial plant or mercantile company.

[ ] If answer is "yes", give names of participants who will not have been members for 6 months:-----

12. If there is any intermediary involved in the charter, other than the travel agent whose participation is described in Part II, Section A, submit name, address, remuneration, and scope of activity:-----

13. Estimated receipts:

(Pro rata charge)	X	(Number of passengers)	=	\$-----
				(Estimated receipts from charter)

Estimated receipts from other sources, if any:-----

Explain:-----

(a) Total receipts: \$-----

Estimated expenditures, including aircraft charter (separately itemize air transportation, land tour, and administrative expenses):

Item	Amount	Payable to
-----	-----	-----

(b) Total expenditures: \$-----

Explain any difference between (a) and (b):-----

14. Are any of the expenses included in Item 13 above, to be paid to any members of the chartering organization? Yes ☐ No ☐ If "yes" state how much, to whom and for what services:-----

15. Is any member of the chartering organization to receive any compensation or benefit directly or indirectly from the air carrier, the travel agent, or any organization providing services in relation to the air or land portion of the trip? Yes ☐ No ☐ If "yes" explain fully:-----

16. Will any person in the group (except children under 2 years) be transported without charge? Yes ☐ No ☐

17. Will charter costs be divided equally among charter participants, except to the extent that a lesser charge is made for children under 12 years old? Yes ☐ No ☐

18. Separately state for the outbound and inbound flights the number of one-way passengers anticipated to be transported in each direction:-----

19. If four or more round trips are contracted for, will each group move as a unit in both directions? Yes ☐ No ☐

20. If charters have been performed for organization during past 5 years, give dates and name of carrier performing charters:-----

21. Has a copy of Part 214 "Terms, Conditions, and Limitations of Foreign Air Carrier Permits Authorizing Charter Transportation Only" of the Economic Regulations of the Civil Aeronautics Board been received by the charterer? Yes ☐ No ☐

22. Attach copies of all announcements of the chartering organization in connection



# Title 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission SUBCHAPTER C—REGULATIONS UNDER SPECIFIC ACTS OF CONGRESS

### PART 301—RULES AND REGULATIONS UNDER FUR PRODUCTS LABELING ACT

#### Pointing, Dyeing, Bleaching, or Otherwise Artificially Coloring

Pursuant to authority given to the Federal Trade Commission under section 8(b) of the Fur Products Labeling Act (65 Stat. 179; 15 U.S.C. sec. 69f) "to prescribe rules and regulations governing the manner and form of disclosing information required by this Act, and such further rules and regulations as may be necessary and proper for purposes of administration and enforcement of this Act," the Commission amended paragraph (i) of § 301.19 (Rule 19) of the rules and regulations under the Fur Products Labeling Act (65 Stat. 175, 15 U.S.C. 69) to provide for an alternative method of marking dressed, treated or processed fur pelts to disclose the appropriate designation of such fur pelts as "dyed", "color altered", "color added", or "natural".

It is determined that notice and public procedure prior to promulgation of such amendment to § 301.19 would be impracticable and not in the public interest in that substantial amounts of pelts subject to the marking requirements of paragraph (i) of § 301.19 (Rule 19) were sold at auction during the preceding 2 months and other auctions of pelts will be held in the immediate future. Shortly after sale at auction many of the pelts will be dressed and processed so as to become subject to the marking requirements of such provision. In many instances the present stamping or marking requirements are not complied with because of asserted difficulties in complying with the present requirements of paragraph (i) and because of alleged damage to furs from certain types of inks. If such pelts are not appropriately marked at the time of processing, effective enforcement of such marking requirements and consequently of appropriate labeling and invoicing disclosures to the consumer can be delayed for as much as a year because of the seasonal periods for processing and manufacturing.

The amended marking requirements are such that they may be more easily complied with by affected segments of the industry and consequently relieve a restriction. It is in the public interest that the amended regulation be promulgated and become effective upon publication in the FEDERAL REGISTER.

Paragraph (i) of § 301.19 (Rule 19) of the rules and regulations under the Fur Products Labeling Act is accordingly amended by substituting the following subparagraphs (4) and (5) for present subparagraph (4). Subparagraphs (4) and (5) of paragraph (i) of § 301.19

(Rule 19) shall hereinafter read as follows:

§ 301.19 Pointing, dyeing, bleaching or otherwise artificially coloring.

(i) \*

(4) In lieu of the marking or stamping otherwise required by subparagraphs (1), (2), and (3) of this paragraph, any person dressing, processing or treating a fur pelt so as to be subject to the stamping or marking requirements of this paragraph may stamp the leather side of the pelt with the appropriate truthful designation "dyed", "color altered", "color added", or "natural", as the case may be, in such manner that the stamp will not be obliterated or mutilated by further processing and will remain clearly legible until the finished fur product reaches the ultimate consumer.

(5) Where, after assembling, fur garment shells, mats, plates or other assembled furs are processed or treated in such a manner as to fall within the stamping or marking provisions of this paragraph, such assembled furs, in lieu of the stamping or marking of each individual pelt or piece, may be appropriately stamped on the leather side as provided in this paragraph in such a manner that the stamp will remain on the finished fur product and clearly legible until it reaches the ultimate consumer and will not be mutilated or obliterated by further processing.

(Sec. 8(b), Fur Products Labeling Act, 65 Stat. 179; 15 U.S.C. 69f)

Effective date: Date of publication in FEDERAL REGISTER (3-26-71).

Issued: March 23, 1971.

By the Commission.

[SEAL] CHARLES A. TOBIN,  
Secretary.

[FR Doc.71-4191 Filed 3-25-71;8:51 am]

### SUBCHAPTER E—RULES, REGULATIONS, STATEMENTS OF GENERAL POLICY OR INTERPRETATION AND EXEMPTIONS UNDER THE FAIR PACKAGING AND LABELING ACT

#### PART 501—EXEMPTIONS FROM REQUIREMENTS AND PROHIBITIONS UNDER PART 500

##### Candles

The Federal Trade Commission, on January 20, 1971 (36 F.R. 945) proposed § 501.7 of the Fair Packaging and Labeling Act regulations which would exempt candles from certain requirements of § 500.7 of the regulations. As proposed, the net quantity declaration for tapered candles which are either hand dipped or molded would not be required to contain an expression of diameter provided the declaration contained an expression of count and length in inches.

In response to the invitation for interested parties to comment, two State regulatory agencies and one member of industry favored the proposal. Two of these comments favored the addition of irregularly shaped decorative candles to

with the charter issued after the charter contract is signed.

#### WARRANTY OF CHARTERER \*

I, \_\_\_\_\_ and \_\_\_\_\_  
(Name)  
represent and warrant that \_\_\_\_\_  
(Name)

the charter has acted with regard to this charter operation (except to the extent fully and specifically explained in Part II, Section B), and will act with regard to such operation, in a manner consistent with Part 214 of the Board's economic regulations. I (we) further represent and warrant that the charterer has not offered charter flights simultaneously with the solicitation of membership in the chartering organization in any mass media advertising or notice or through direct mailing or public posters. I (we) further represent and warrant that all charter participants have been informed of eligibility and cost requirements of Part 214 and that a flight may be canceled if ineligible participants are included.

\_\_\_\_\_  
(Date) (Signature—person with-  
in organization in charge  
of charter arrangements)

(Signature and title of  
officer. This should be  
the chief officer of the  
chartering organization  
except in the case of a  
school charter, in which  
case the warranty must  
be by school official not  
directly involved in  
charter.)

#### WARRANTY OF AIR CARRIER \*

To the best of my knowledge and belief all the information presented in this statement, including but not limited to, those parts warranted by the charterer and the travel agent, is true and correct. I represent and warrant that the carrier has acted with regard to this charter operation (except to the extent fully and specifically explained in this statement or any attachment thereto) and will act with regard to such operation in a manner consistent with Part 214 of the Board's economic regulations.

\_\_\_\_\_  
(Date) (Signature and title of  
authorized official of air  
carrier)

[FR Doc.71-4041 Filed 3-25-71;8:45 am]

\*Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C., sec. 1001.

\*Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both. Title 18, U.S.C. sec. 1001.



the exemption because of the difficulty of expressing an accurate and meaningful diameter of the many shapes employed.

Having considered all the comments, the Commission has concluded that the proposed exemption should be adopted with the addition and inclusion of irregularly shaped decorative candles.

Accordingly, pursuant to the provisions of the Fair Packaging and Labeling Act (secs. 5, 6, 80 Stat. 1298, 1299, 1300; 15 U.S.C. 1454, 1455), Part 501 of Subchapter E is amended by adding the following new section:

#### § 501.7 Candles.

Tapered candles and irregularly shaped decorative candles which are either hand dipped or molded are exempt from the requirements of § 500.7 of this chapter which specifies that the net quantity of contents shall be expressed in terms of count and measure (e.g., length and diameter), to the extent that diameter of such candles need not be expressed. The requirements of § 500.7 of this chapter for these candles will be met by an expression of count and length or height in inches.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the *FEDERAL REGISTER* file with the Secretary, Federal Trade Commission, Washington, D.C. 20580, written objections thereto, specifying with particularity the provisions of the order deemed objectionable, stating the grounds therefor, and requesting a public hearing upon such objections. Objections will be deemed sufficient to warrant the holding of a public hearing only: (1) If they establish that the objector will be adversely affected by the order; (2) if they specify with particularity the provisions of the order to which objection is taken; and (3) if they are supported by reasonable grounds which if valid and factually supported may be adequate to justify the relief sought. Anyone who files objections which are not deemed by the Commission sufficient to warrant the holding of a public hearing will be promptly notified of that determination.

As soon as practicable after the time for filing objections has expired, the Commission will publish a notice in the *FEDERAL REGISTER* specifying those parts of the order which have been stayed by the filing of objections, or if no objections sufficient to warrant the holding of a public hearing have been filed, stating the fact. This order shall become effective 30 days following the date of its publication in the *FEDERAL REGISTER*, except as to any provision that may be stayed by the filing of valid objections.

Issued: March 19, 1971.

By direction of the Commission.

[SEAL] CHARLES A. TOBIN,  
Secretary.

[FR Doc. 71-4194 Filed 3-25-71; 8:51 am]

## Title 21—FOOD AND DRUGS

### Chapter III—Environmental Protection Agency

#### PART 420—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

##### N-(Mercaptomethyl)Phthalimide S-(O,O-Dimethyl Phosphorodithioate)

A petition (PP 0F0937) was filed with the Food and Drug Administration, DHEW, by Stauffer Chemical Co., 1200 South 47th Street, Richmond, CA 94804, proposing the establishment of tolerances for the combined residues of the insecticide N-(mercaptomethyl)-phthalimide S-(O,O-dimethyl phosphorodithioate) and its oxygen analog N-(mercaptomethyl) phthalimide S-(O,O-dimethyl phosphorodithioate) in or on the raw agricultural commodities grapes at 10 parts per million; cherries, plums, and apricots at 7 parts per million; and apricots and nectarines at 5 parts per million.

Subsequently, the petitioner amended the petition by withdrawing the proposed tolerances for apricots, cherries, nectarines, plums, and prunes.

The Reorganization Plan No. 3 of 1970 published in the *FEDERAL REGISTER* of October 6, 1970 (35 F.R. 15623) transferred to the Administrator of the Environmental Protection Agency the functions vested in the Secretary of Health, Education, and Welfare for establishing tolerances for pesticide chemicals under sections 406, 408, and 409 of the Food, Drug, and Cosmetic Act (21 U.S.C. 346, 346a, and 348). The functions vested in the Secretary of Agriculture and the Department of Agriculture under section 408(1) of the Act were also transferred to the Administrator. Part 120, Chapter I, Title 21 was redesignated Part 420 and transferred to Chapter III (36 F.R. 424).

Prior to December 2, 1970, the Secretary of Agriculture certified that this pesticide chemical is useful for the purposes for which the tolerance is being established and the Fish and Wildlife Service of the Department of Interior advised that it has no objection to this tolerance.

Based on consideration given data submitted in the petition and other relevant material, it is concluded that:

1. The proposed use is not reasonably expected to result in residues in excess of the established tolerance of 0.2 part per million for meat and there is no reasonable expectancy of residues in eggs, milk, and poultry. The use is in the category specified in § 420.6(a)(3) with regard to eggs, milk, and poultry.

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

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21

U.S.C. 346a(d)(2)), the authority transferred to the Administrator (35 F.R. 15623), and the authority delegated by the Administrator to the Commissioner or Acting Commissioner of the Pesticides Office of the Environmental Protection Agency (36 F.R. 424), § 420.261 is amended by revising the paragraph "10 parts per million \* \* \*" to read as follows:

§ 420.261 N-(mercaptomethyl)phthalimide S-(O,O-dimethyl phosphorodithioate) and its oxygen analog; tolerances for residues.

Ten parts per million in or on apples, grapes, peaches, and pears.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the *FEDERAL REGISTER* file with the Objections Clerk, Environmental Protection Agency, 1626 K Street NW., Washington, D.C. 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

*Effective date.* This order shall become effective on its date of publication in the *FEDERAL REGISTER* (3-26-71).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: March 23, 1971.

R. E. JOHNSON,  
Acting Commissioner,  
Pesticides Office.

[FR Doc. 71-4189 Filed 3-25-71; 8:50 am]

## Title 22—FOREIGN RELATIONS

### Chapter I—Department of State

[Departmental Reg. 108.635]

#### PART 51—PASSPORTS

##### Persons Who May Be Included in One Passport

Section 51.5 of Subpart A, General, is amended to read as follows:

§ 51.5 Persons who may be included in one passport.

(a) The following persons may be included in one passport:

- (1) The spouse of the bearer.
- (2) Unmarried minor children of the bearer including stepchildren and adopted children.
- (3) Unmarried minor brothers and sisters of the bearer.

(b) A person included in the passport of another may not use the passport for travel unless he is accompanied by the bearer.



(Sec. 1, 44 Stat. 887, sec. 4, 63 Stat. 111, as amended; 22 U.S.C. 211a, 2658, E.O. 11295; 3 CFR, 1966 Comp.)

**Effective date.** This amendment shall be effective 60 days after publication in the *FEDERAL REGISTER*.

For the Secretary of State.

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

MARCH 11, 1971.

[FR Doc.71-4149 Filed 3-25-71; 8:48 am]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 29—Department of Labor

#### PART 29-60—PROCEDURES FOR SET- TLING CONTRACT DISPUTE APPEALS

The Department of Labor finds that it is necessary to revise its regulations which provide procedures for settling contract dispute appeals by reason of the delegation by the Secretary of Labor to the General Services Administration Board of Contract Appeals of the authority to hear and decide all appeals by contractors under Department of Labor contracts. Accordingly, Chapter 29 of Title 41 of the Code of Federal Regulations, Part 29-60, is amended to read as follows:

Sec.

29-60.0 Scope of part.

29-60.1 Designation.

29-60.2 Rules regarding contract dispute appeals.

29-60.2.01 Notice of appeal.

29-60.2.01-1 Filing.

29-60.2.01-2 Forwarding of appeals.

29-60.2.02 Appeal file.

29-60.2.02-1 Preparation and submission.

29-60.2.02-2 Notification to appellant.

29-60.3 Department of Labor representation

before General Services Adminis-

tration Board of Contract Appeals.

29-60.4 Effective date.

**AUTHORITY:** The provisions of this Part 29-60 issued under 63 Stat. 390, 40 U.S.C. 486(c); 5 U.S.C. 301.

#### § 29-60.0 Scope of part.

This part relates to disputes arising under Department of Labor contracts and to the transfer of certain appellate and review functions of the Department of Labor to the General Services Administration Board of Contract Appeals (referred to in this part as the Board) and to the delegation of authority to the Board to hear and decide appeals of contractors from formal decisions of contracting officers arising under disputes provisions of contracts awarded by the Department of Labor.

#### § 29-60.1 Designation.

The General Services Administration Board of Contract Appeals, with the prior approval of the Administrator of General Services, is designated the authorized

representative of the Secretary of Labor to hear and determine as fully and as finally might the Secretary, all appeals by contractors from final decisions of contracting officers on disputed questions arising under Department of Labor contracts pursuant to provisions of the contracts requiring the determination of such appeals by the Secretary of Labor or his duly authorized representative.

#### § 29-60.2 Rules regarding contract dispute appeals.

(a) The rules and regulations relating to the appeal of General Services Administration contract disputes prescribed in or pursuant to Part 5-60 of this title and this part shall govern the appeal of all contract disputes with the Department of Labor, or with any administration, office, division, or other agency or subdivision of the Department of Labor, except for the rules entitled "Notice of Appeal" (Rule 1, Part 5-60 of this title), "Contents of Notices of Appeal" (Rule 2, Part 5-60 of this title), "Forwarding of Appeals" (Rule 3, Part 5-60 of this title), "Acknowledgment of Appeal and Distribution" (Rule 4, Part 5-60 of this title), "Appeal File" (Rule 5, Part 5-60 of this title) and "Representation of Government" (Rule 18(2), Part 5-60 of this title).

(b) Wherever the rules of the Board in Part 5-60 of this title refer to the General Services Administration (or GSA) or the Administrator or the General Counsel, GSA, there shall be substituted the terms Labor Department, the Secretary of Labor or the Solicitor of Labor, respectively.

#### § 29-60.2.01 Notice of appeal.

##### § 29-60.2.01-1 Filing.

A notice of appeal must be in writing, and shall be filed with the office of the contracting officer from whose decision the appeal is taken. The notice of appeal must be mailed or otherwise filed with the contracting officer within the time specified therefor in the contract, or as allowed by applicable provisions of directives or law.

##### § 29-60.2.01-2 Forwarding of appeals.

When a notice of appeal in any form has been received by the contracting officer, he shall endorse thereon the date of mailing and the date of receipt (or the date of receipt only, if otherwise conveyed) and within 20 days shall forward said notice of appeal, together with the envelope in which the same was enclosed, to the Board with a copy to the Solicitor of Labor, Department of Labor, Washington, D.C. 20210. Following receipt by the Board of the original notice of appeal (whether through the contracting officer or otherwise), the contractor, the contracting officer, and the Solicitor of Labor, Department of Labor, will be advised promptly thereof, and the contractor will be furnished a copy of the Board's rules.

#### § 29-60.2.02 Appeal file.

##### § 29-60.2.02-1 Preparation and submission.

Following receipt of a notice of appeal, the contracting officer shall promptly, and in any event within 30 days, compile and transmit to the Solicitor of Labor, Department of Labor, two (2) copies of the appeal file as prescribed in Rule 5(1), Part 5-60 of this title. The contracting officer shall retain the original file at the contracting office and make it available to the appellant for inspection if he desires. The Solicitor of Labor will submit the appeal file to the Board as promptly as possible after receipt by him, and in any event so as to reach the Board within 45 days after such receipt.

##### § 29-60.2.02-2 Notification to appellant.

Upon receipt of the aforesaid appeal file, the Board shall notify the appellant, provide him with a listing of its contents, and shall afford him an opportunity to examine the complete compilation at the office of the contracting officer, or at the office of the Board, for the purpose of satisfying himself as to its contents, and furnishing or suggesting any additional documentation deemed pertinent to the appeal. The Board also will promptly advise the parties regarding any later documentation of the appeal file.

#### § 29-60.3 Department of Labor representation before General Services Administration Board of Contract Appeals.

The Solicitor of Labor, Department of Labor, will assure representation of the interests of the Government in proceedings before the General Services Administration Board of Contract Appeals. All officers and employees of the Department of Labor will appear and give testimony as required and will cooperate with the General Services Administration Board of Contract Appeals and Government counsel in the processing of appeals so as to assure their speedy and just determination.

#### § 29-60.4 Effective date.

The regulations in this part shall become effective on the date of publication in the *FEDERAL REGISTER* (3-26-71): *Provided*, That they shall apply to all appeals pending on that date for which a Department of Labor Board of Contract Appeals has not been established on such date, as well as to appeals from a contracting officer's decision taken on or after such date. All appeals pending before such DOL Board of Contract Appeals on the effective date hereof shall be processed in accordance with Department of Labor Board of Contract Appeals procedures heretofore in effect.

Signed at Washington, D.C., this 19th day of March 1971.

J. D. HODGSON,  
Secretary of Labor.

[FR Doc.71-4143 Filed 3-25-71; 8:47 am]



## Title 42—PUBLIC HEALTH

### Chapter IV—Environmental Protection Agency

#### PART 481—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES

##### Certain Regions in North Carolina and South Carolina

On January 13, 1971, notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 436) to amend Part 481 by designating the Eastern Mountain, Eastern Piedmont, Northern Coastal Plain, Northern Piedmont, Sandhills, Southern Coastal Plain, and Western Mountain Intrastate Air Quality Control Regions.

Interested persons were afforded an opportunity to participate in the rule making through the submission of written comments. A consultation was held on January 13, 1971, with appropriate State and local authorities pursuant to Section 107 of the Clean Air Act, as amended (Public Law 91-604). Due consideration has been given to all relevant material presented, with the recommendation that Catawba and Lincoln Counties be deleted from the designated Metropolitan Charlotte Interstate Air Quality Control Region and added to the proposed Eastern Mountain Intrastate Air Quality Control Region.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 481.147, as set forth below, designating the Eastern Mountain Intrastate Air Quality Control Region; § 481.148, as set forth below, designating the Eastern Piedmont Intrastate Air Quality Control Region; § 481.149, as set forth below, designating the Northern Coastal Plain Intrastate Air Quality Control Region; § 481.150, as set forth below, designating the Northern Piedmont Intrastate Air Quality Control Region; § 481.151, as set forth below, designating the Sandhills Intrastate Air Quality Control Region; § 481.152, as set forth below, designating the Southern Coastal Plain Intrastate Air Quality Control Region; § 481.153, as set forth below, designating the Western Mountain Intrastate Air Quality Control Region; and § 481.75, as set forth below, revising the boundaries of the Metropolitan Charlotte Interstate Air Quality Control Region, are adopted effective on publication (3-26-71).

##### § 481.147 Eastern Mountain Intrastate Air Quality Control Region.

The Eastern Mountain Intrastate Air Quality Control Region (North Carolina) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

##### In the State of North Carolina:

Alexander County.	McDowell County.
Alleghany County.	Mitchell County.
Ashe County.	Polk County.
Avery County.	Rutherford County.
Burke County.	Watauga County.
Caldwell County.	Wilkes County.
Catawba County.	Yancey County.
Cleveland County.	

##### § 481.148 Eastern Piedmont Intrastate Air Quality Control Region.

The Eastern Piedmont Intrastate Air Quality Control Region (North Carolina) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

##### In the State of North Carolina:

Chatham County.	Northampton County.
Durham County.	Orange County.
Edgecombe County.	Person County.
Franklin County.	Vance County.
Granville County.	Wake County.
Halifax County.	Warren County.
Johnston County.	Wilson County.
Lee County.	
Nash County.	

##### § 481.149 Northern Coastal Plain Intrastate Air Quality Control Region.

The Northern Coastal Plain Intrastate Air Quality Control Region (North Carolina) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

##### In the State of North Carolina:

Beaufort County.	Hyde County.
Bertie County.	Martin County.
Camden County.	Pasquotank County.
Chowan County.	Perquimans County.
Currituck County.	Pitt County.
Dare County.	Tyrrell County.
Gates County.	Washington County.
Hertford County.	

##### § 481.150 Northern Piedmont Intrastate Air Quality Control Region.

The Northern Piedmont Intrastate Air Quality Control Region (North Carolina) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

##### In the State of North Carolina:

Alamance County.	Randolph County.
Caswell County.	Rockingham County.
Davidson County.	Stokes County.
Davie County.	Surry County.
Forsyth County.	Yadkin County.
Guilford County.	

##### § 481.151 Sandhills Intrastate Air Quality Control Region.

The Sandhills Intrastate Air Quality Control Region (North Carolina) con-

sists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

##### In the State of North Carolina:

Anson County.	Moore County.
Bladen County.	Richmond County.
Cumberland County.	Robeson County.
Harnett County.	Sampson County.
Hoke County.	Scotland County.
Montgomery County.	

##### § 481.152 Southern Coastal Plain Intrastate Air Quality Control Region.

The Southern Coastal Plain Intrastate Air Quality Control Region (North Carolina) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

##### In the State of North Carolina:

Brunswick County.	Lenoir County.
Carteret County.	New Hanover County.
Columbus County.	Onslow County.
Craven County.	Pamlico County.
Duplin County.	Pender County.
Greene County.	Wayne County.
Jones County.	

##### § 481.153 Western Mountain Intrastate Air Quality Control Region.

The Western Mountain Intrastate Air Quality Control Region (North Carolina) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located with the outermost boundaries of the area so delimited):

##### In the State of North Carolina:

Buncombe County.	Jackson County.
Cherokee County.	Macon County.
Clay County.	Madison County.
Graham County.	Swan County.
Haywood County.	Transylvania County.
Henderson County.	

##### § 481.75 Metropolitan Charlotte Interstate Air Quality Control Region.

The Metropolitan Charlotte Interstate Air Quality Control Region (North Carolina-South Carolina) has been revised to consist of the territorial area encompassed by the boundaries of the following jurisdictions (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857(f)) geographically located within the outermost boundaries of the area so delimited):

##### In the State of North Carolina:

Cabarrus County.	Mecklenburg County.
Gaston County.	Rowan County.
Iredell County.	Stanly County.
Lincoln County.	Union County.



In the State of South Carolina:  
Chester County. Union County.  
Lancaster County. York County.  
(Sec. 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857g(a) as amended by sec. 15(c) (2) of Public Law 91-604)

Dated: March 23, 1971.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc.71-4253 Filed 3-25-71;8:53 am]

# PART 481—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CON- TROL TECHNIQUES

## Casper Intrastate Region

On February 4, 1971, notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 2406) to amend Part 481 by designating the Casper Intrastate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of written comments. A consultation was held on February 17, 1971, with appropriate State and local authorities pursuant to section 107 of the Clean Air Act, as amended (Public Law 91-604). Due consideration has been given to all relevant material presented.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 481.213, as set forth below, designating the Casper Intrastate Air Quality Control Region, is adopted effective on publication (3-26-71).

### § 481.213 Casper Intrastate Air Quality Control Region.

The Casper Intrastate Air Quality Control Region (Wyoming) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Wyoming:

Converse County. Natrona County.  
Freemont County.

(Sec. 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857g(a) as amended by sec. 15(c) (2) of Public Law 91-604)

Dated: March 23, 1971.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc.71-4256 Filed 3-25-71;8:53 am]

# PART 481—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CON- TROL TECHNIQUES

## Black Hills-Rapid City Intrastate Region

On February 4, 1971, notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 2407) to amend Part 481 by designating the Rapid

## City Intrastate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of written comments. A consultation was held on February 18, 1971, with appropriate State and local authorities pursuant to section 107 of the Clean Air Act, as amended (Public Law 91-604). Due consideration has been given to all relevant material presented, with the recommendation that Fall River and Custer Counties be included within the Region, and the Region be renamed the Black Hills-Rapid City Intrastate Air Quality Control Region.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 481.214, as set forth below, designating the Black Hills-Rapid City Intrastate Air Quality Control Region, is adopted effective on publication (3-26-71).

### § 481.214 Black Hills-Rapid City Intra- state Air Quality Control Region.

The Rapid City Intrastate Air Quality Control Region (South Dakota) has been renamed the Black Hills-Rapid City Intrastate Air Quality Control Region (South Dakota) and consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of South Dakota:

Butte County. Lawrence County.  
Custer County. Meade County.  
Fall River County. Pennington County.

(Sec. 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857g(a) as amended by sec. 15(c) (2) of Public Law 91-604)

Dated: March 23, 1971.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc.71-4255 Filed 3-25-71;8:53 am]

# PART 481—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CON- TROL TECHNIQUES

## Certain Regions in Indiana

On February 2, 1971, notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 1545) to amend Part 481 by designating the East Central Indiana, Northeast Indiana, Southern Indiana, and Wabash Valley Intrastate Air Quality Control Regions.

Interested persons were afforded an opportunity to participate in the rule making through the submission of written comments. A consultation was held on February 10, 1971, with appropriate State and local authorities pursuant to section 107 of the Clean Air Act, as amended (Public Law 91-604). Due consideration has been given to all relevant material presented.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 481.215, as set forth below, designating the East Central Indiana Intrastate Air Quality Control Region; § 481.216, as set forth below, designating the Northeast Indiana Intrastate Air Quality Control Region; § 481.217, as set forth below, designating the Southern Indiana Intrastate Air Quality Control Region; and § 481.218, as set forth below, designating the Wabash Valley Intrastate Air Quality Control Region, are adopted effective on publication (3-26-71).

### § 481.215 East Central Indiana Intra- state Air Quality Control Region.

The East Central Indiana Intrastate Air Quality Control Region (Indiana) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Indiana:

Blackford County. Jay County.  
Delaware County. Madison County.  
Grant County. Randolph County.  
Henry County. Wayne County.

### § 481.216 Northeast Indiana Intrastate Air Quality Control Region.

The Northeast Indiana Intrastate Air Quality Control Region (Indiana) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Indiana:

Adams County. Noble County.  
Allen County. Steuben County.  
De Kalb County. Wells County.  
Huntington County. Whitley County.  
Lagrange County.

### § 481.217 Southern Indiana Intrastate Air Quality Control Region.

The Southern Indiana Intrastate Air Quality Control Region (Indiana) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Indiana:

Bartholomew County. Jennings County.  
Brown County. Lawrence County.  
Crawford County. Martin County.  
Davies County. Monroe County.  
Decatur County. Orange County.  
Fayette County. Owen County.  
Franklin County. Ripley County.  
Green County. Rush County.  
Harrison County. Scott County.  
Jackson County. Switzerland County.  
Jefferson County. Union County.  
Washington County.



# **§ 481.218 Wabash Valley Intrastate Air Quality Control Region.**

The Wabash Valley Intrastate Air Quality Control Region (Indiana) consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

## **In the State of Indiana:**

Benton County.	Parke County.
Carroll County.	Pulaski County.
Cass County.	Putnam County.
Clay County.	Starke County.
Clinton County.	Sullivan County.
Fountain County.	Tippacanoe County.
Fulton County.	Tipton County.
Howard County.	Vermillion County.
Jasper County.	Vigo County.
Knox County.	Wabash County.
Miami County.	Warren County.
Montgomery County.	White County.
Newton County.	

(Sec. 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857g(a) as amended by sec. 15(c) (2) of Public Law 91-604)

Dated: March 23, 1971.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc.71-4252 Filed 3-25-71;8:53 am]

# **PART 481—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES**

## **Certain Regions in Oregon**

On February 11, 1971, notice of proposed rule making was published in the FEDERAL REGISTER, (36 F.R. 2872) to amend Part 481 by designating the Central Oregon, Eastern Oregon, and Southwest Oregon Intrastate Air Quality Control Regions and by revising the boundaries of the Portland Interstate Air Quality Control Region.

Interested persons were afforded an opportunity to participate in the rule making through the submission of written comments. A consultation was held on February 19, 1971, with appropriate State and local authorities pursuant to section 107 of the Clean Air Act, as amended (Public Law 91-604). Due consideration has been given to all relevant material presented, with the recommendation that Clatsop, Lincoln, and Tillamook Counties, in Oregon, originally proposed to be added to the Oregon portion of the Portland Interstate Air Quality Control Region, now be designated as the Northwest Oregon Intrastate Air Quality Control Region.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 481.219, as set forth below, designating the Central Oregon Intrastate Air Quality Control Region; § 481.220, as set forth below, designating the Eastern Oregon Intrastate Air Quality Control Region; and § 481.221, as set forth below, designating the Southwest Oregon Intrastate Air

Quality Control Region; and § 481.249, as set forth below, designating the Northwest Oregon Intrastate Air Quality Control Region, are adopted effective on publication (3-26-71).

# **§ 481.219 Central Oregon Intrastate Air Quality Control Region.**

The Central Oregon Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

## **In the State of Oregon**

Crook County.	Klamath County.
Deschutes County.	Lake County.
Hood River County.	Sherman County.
Jefferson County.	Wasco County.

# **§ 481.220 Eastern Oregon Intrastate Air Quality Control Region.**

The Eastern Oregon Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

## **In the State of Oregon**

Baker County.	Morrow County.
Gilliam County.	Umatilla County.
Grant County.	Union County.
Harney County.	Wallowa County.
Malheur County.	Wheeler County.

# **§ 481.221 Southwest Oregon Intrastate Air Quality Control Region.**

The Southwest Oregon Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

## **In the State of Oregon:**

Coos County.	Jackson County.
Curry County.	Josephine County.
Douglas County.	

# **§ 481.249 Northwest Oregon Intrastate Air Quality Control Region.**

The Northwest Oregon Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

## **In the State of Oregon:**

Clatsop County.	Tillamook County.
Lincoln County.	

(Sec. 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857g(a) as amended by sec. 15(c) (2) of Public Law 91-604)

Dated: March 23, 1971.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc.71-4254 Filed 3-25-71;8:53 am]

# **PART 481—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES**

## **Certain Regions in Alaska**

On February 25, 1971, notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 3474) to amend Part 481 by designating the Northern Alaska, South Central Alaska, and Southeastern Alaska Intrastate Air Quality Control Regions.

Interested persons were afforded an opportunity to participate in the rule making through the submission of written comments. A consultation was held on March 10, 1971, with appropriate State and local authorities pursuant to section 107 of the Clean Air Act, as amended (Public Law 91-604). Due consideration has been given to all relevant material presented with the recommendation that the boundaries proposed for the Northern Alaska Intrastate Air Quality Control Region be revised by excluding those portions of the presently designated Cook Inlet Intrastate Air Quality Control Region that extend into the 1956 State Election Districts that were proposed to form the new Northern Alaska Intrastate Air Quality Control Region.

In consideration of the foregoing the regulations set forth below, designating certain air quality control regions in the State of Alaska, are adopted effective on publication (3-26-71).

# **§ 481.246 Northern Alaska Intrastate Air Quality Control Region.**

The Northern Alaska Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

## **In the State of Alaska:**

Those portions of the 1956 Election Districts 18-23, inclusive, as described in Article XIV, § 3 of the Constitution of the State of Alaska, which are not included in the designated Cook Inlet Intrastate Air Quality Control Region as designated August 12, 1970 (35 F.R. 12757).

# **§ 481.247 South Central Alaska Intrastate Air Quality Control Region.**

The South Central Alaska Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):



In the State of Alaska:

Those portions of the 1956 Election Districts 7-17, inclusive, and Election District 24 as described in Article XIV, Section 3 of the Constitution of the State of Alaska, which are not included in the designated Cook Inlet Intrastate Air Quality Control Region as designated August 12, 1970 (35 F.R. 12757).

**§ 481.248 Southeastern Alaska Intrastate Air Quality Control Region.**

The Southeastern Alaska Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Alaska:

1956 Election Districts 1-6, inclusive, as described in Article XIV, Section 3 of the Constitution of the State of Alaska. (Sec. 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857g(a) as amended by sec. 15(c)(2) of Public Law 91-604)

Dated: March 23, 1971.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc. 71-4251 Filed 3-25-71; 8:53 am]

**PART 481—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL TECHNIQUES**

**Certain Regions in Kansas**

On February 18, 1971, notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 3132) to amend Part 481 by designating the Southeastern Kansas, Metropolitan Topeka, and Wichita-Hutchinson-Salina Intrastate Air Quality Control Regions.

Interested persons were afforded an opportunity to participate in the rule making through the submission of written comments. A consultation was held on February 25, 1971, with appropriate State and local authorities pursuant to section 107 of the Clean Air Act, as amended (Public Law 91-604). At that consultation, the State of Kansas submitted an alternate boundary recommendation that would divide those portions of the State not previously designated into six air quality control regions coterminous with the health planning districts established by the State Department of Health. This division was proposed to permit a more effective administration of the air resources throughout the entire State. After evaluation, the Air Pollution Control Office concurred with the State's recommendation because it would satisfy the administrative needs of the State while meeting the requirements of the Clean Air Amendments.

In consideration of the foregoing and in accordance with the statement in the notice of proposed rule making, § 481.250, as set forth below, designating the North Central Kansas Intrastate Air Quality Control Region; § 481.251, as set forth below, designating the Northeast Kansas Intrastate Air Quality Control Region;

§ 481.252, as set forth below, designating the Northwest Kansas Intrastate Air Quality Control Region; Section 481.253, as set forth below, designating the South Central Kansas Intrastate Air Quality Control Region; § 481.254, as set forth below, designating the Southeast Kansas Intrastate Air Quality Control Region; and § 481.255, as set forth below, designating the Southwest Kansas Intrastate Air Quality Control Region, are adopted effective on publication (3-26-71).

**§ 481.250 North Central Kansas Intrastate Air Quality Control Region.**

The North Central Kansas Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Kansas:

Clay County.	Mitchell County.
Cloud County.	Morris County.
Dickinson County.	Ottawa County.
Ellsworth County.	Republic County.
Geary County.	Rice County.
Jewell County.	Riley County.
Lincoln County.	Saline County.
McPherson County.	Washington County.

**§ 481.251 Northeast Kansas Intrastate Air Quality Control Region.**

The Northeast Kansas Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Kansas:

Atchison County.	Miami County.
Brown County.	Nemaha County.
Doniphan County.	Osage County.
Douglas County.	Pottawatomie County.
Franklin County.	Shawnee County.
Jackson County.	Wabunsee County.
Jefferson County.	
Marshall County.	

**§ 481.252 Northwest Kansas Intrastate Air Quality Control Region.**

The Northwest Kansas Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Kansas:

Barton County.	Rawlins County.
Cheyenne County.	Roos County.
Decatur County.	Rush County.
Ellis County.	Russell County.
Gove County.	Sheridan County.
Graham County.	Sherman County.
Logan County.	Smith County.
Ness County.	Thomas County.
Norton County.	Trego County.
Osborne County.	Wallace County.
Phillips County.	

**§ 481.253 South Central Kansas Intrastate Air Quality Control Region.**

The South Central Kansas Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Kansas:

Butler County.	Kingman County.
Chase County.	Marion County.
Cowley County.	Reno County.
Harper County.	Sedgewick County.
Harvey County.	Sumner County.

**§ 481.254 Southeast Kansas Intrastate Air Quality Control Region.**

The Southeast Kansas Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Kansas:

Allen County.	Greenwood County.
Anderson County.	Labette County.
Bourbon County.	Linn County.
Chautauqua County.	Lyon County.
Cherokee County.	Montgomery County.
Coffey County.	Neosho County.
Crawford County.	Wilson County.
Elk County.	Woodson County.

**§ 481.255 Southwest Kansas Intrastate Air Quality Control Region.**

The Southwest Kansas Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

In the State of Kansas:

Barber County.	Kiowa County.
Clark County.	Lane County.
Comanche County.	Meade County.
Edwards County.	Morton County.
Finney County.	Pawnee County.
Ford County.	Pratt County.
Grant County.	Scott County.
Gray County.	Seward County.
Greeley County.	Stafford County.
Hamilton County.	Stanton County.
Haskell County.	Stevens County.
Hodgeman County.	Wichita County.
Kearney County.	

(Sec. 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857g(a) as amended by sec. 15(c)(2) of Public Law 91-604)

Dated: March 23, 1971.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc. 71-4250 Filed 3-25-71; 8:54 am]



# **PART 481—AIR QUALITY CONTROL REGIONS, CRITERIA, AND CONTROL REGIONS**

## **Certain Regions in Iowa**

On February 20, 1971, notice of proposed rule making was published in the *FEDERAL REGISTER* (36 F.R. 3268) to amend Part 481 by designating the Cedar Rapids, Fort Dodge, Metropolitan Des Moines, and Waterloo-Mason City Intrastate Air Quality Control Regions.

Interested persons were afforded an opportunity to participate in the rule making through the submission of written comments. A consultation was held on February 23, 1971, with appropriate State and local authorities pursuant to section 107 of the Clean Air Act, as amended (Public Law 91-604). At the consultation, the State of Iowa submitted an alternate recommendation which would divide those portions of the State, not previously designated, into six air quality control regions. This division was recommended to permit a more effective administration of the air resources throughout the entire State. After evaluation, the Air Pollution Control Office concurred with this alternate recommendation because it would satisfy the administrative needs of the State, while meeting the requirements of the Clean Air Amendments of 1970.

In consideration of the foregoing, the regulations set forth below, designating certain air quality control regions in the State of Iowa, are adopted effective on publication (3-26-71).

### **§ 481.256 Northeast Iowa Intrastate Air Quality Control Region.**

The Northeast Iowa Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

#### **In the State of Iowa:**

Allamakee County.	Delaware County.
Benton County.	Payette County.
Black Hawk County.	Howard County.
Bremer County.	Jones County.
Buchanan County.	Linn County.
Chickasaw County.	Winneshiek County.

### **§ 481.257 North Central Iowa Intrastate Air Quality Control Region.**

The North Central Iowa Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

#### **In the State of Iowa:**

Butler County.	Humboldt County.
Cerro Gordo County.	Kossuth County.
Floyd County.	Mitchell County.
Franklin County.	Webster County.
Grundy County.	Winnebago County.
Hamilton County.	Worth County.
Hancock County.	Wright County.
Hardin County.	

### **§ 481.258 Northwest Iowa Intrastate Air Quality Control Region.**

The Northwest Iowa Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

#### **In the State of Iowa:**

Buena Vista County.	Ida County.
Calhoun County.	O'Brien County.
Cherokee County.	Osceola County.
Clay County.	Palo Alto County.
Dickinson County.	Pocahontas County.
Emmet County.	Sac County.

### **§ 481.259 Southwest Iowa Intrastate Air Quality Control Region.**

The Southwest Iowa Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

#### **In the State of Iowa:**

Adair County.	Harrison County.
Adams County.	Mills County.
Audubon County.	Monona County.
Carroll County.	Montgomery County.
Cass County.	Page County.
Crawford County.	Ringgold County.
Fremont County.	Shelby County.
Greene County.	Taylor County.
Guthrie County.	Union County.

### **§ 481.260 South Central Iowa Intrastate Air Quality Control Region.**

The South Central Iowa Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

#### **In the State of Iowa:**

Appanoose County.	Marion County.
Boone County.	Marshall County.
Clarke County.	Monroe County.
Dallas County.	Polk County.
Decatur County.	Poweshiek County.
Jasper County.	Story County.
Lucas County.	Tama County.
Madison County.	Warren County.
Mahaska County.	Wayne County.

### **§ 481.261 Southeast Iowa Intrastate Air Quality Control Region.**

The Southeast Iowa Intrastate Air Quality Control Region consists of the territorial area encompassed by the boundaries of the following jurisdictions or described area (including the territorial area of all municipalities (as defined in section 302(f) of the Clean Air Act, 42 U.S.C. 1857h(f)) geographically located within the outermost boundaries of the area so delimited):

#### **In the State of Iowa:**

Cedar County.	Johnson County.
Davis County.	Keokuk County.
Henry County.	Van Buren County.
Iowa County.	Wapello County.
Jefferson County.	Washington County.

NOTE: For purposes of identification, the Regions are referred to by Iowa authorities as follows:

Sec.	
481.256	Northeast Iowa Intrastate Air Quality Control Region: Region 1.
481.257	North Central Iowa Intrastate Air Quality Control Region: Region 2.
481.258	Northwest Iowa Intrastate Air Quality Control Region: Region 3.
481.259	Southwest Iowa Intrastate Air Quality Control Region: Region 4.
481.260	South Central Iowa Intrastate Air Quality Control Region: Region 5.
481.261	Southeast Iowa Intrastate Air Quality Control Region: Region 6.

(Sec. 301(a), 81 Stat. 490, 504; 42 U.S.C. 1857g(a) as amended by sec. 15(c)(2) of Public Law 91-604)

Dated: March 23, 1971.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc. 71-4249 Filed 3-25-71; 8:53 am]

## **Title 45—PUBLIC WELFARE**

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

#### **PART 121—GRANTS TO STATES FOR THE EDUCATION OF HANDICAPPED CHILDREN**

##### **Miscellaneous Amendments**

A comprehensive revision of the current regulations in 45 CFR Part 121 is in preparation. Until such time as the revised regulation takes effect, the current regulations in 45 CFR Part 121 (as amended by this document and the document published in the *FEDERAL REGISTER* on Sept. 2, 1970, at 35 F.R. 13885-86) will govern the program to be carried out under Part B of the Education of the Handicapped Act (Title VI of Public Law 91-230). Part 121 is amended as follows:

1. Section 121.4(a) is revised to read as follows:

§ 121.4 Needs of handicapped children.  
(a) A State plan submitted in accordance with this part shall set forth



such policies and procedures as will provide satisfactory assurance that funds paid to the State under this part will be expended—

(1) Either directly or through individual, or combinations of, local educational agencies (including interdistrict, intercommunity, regional, State-local and interstate arrangements), solely to initiate, expand or improve programs and projects (including preschool programs and projects)—

(i) Which are designed to meet the special educational and related needs of handicapped children throughout the State, and

(ii) Which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs, and

(2) (i) For the proper and efficient administration of the State plan (including State leadership activities and consultative services), and

(ii) For planning on the State and local level.

(20 U.S.C. 1413)

§ 121.11 [Amended]

2. Section 121.11(b) is amended by inserting before the period at the end of the first sentence thereof, the following: "and proper disbursements of Federal funds under Part B of the Act".

(20 U.S.C. 1413)

§ 121.13 [Amended]

3. Section 121.13(a) is amended by adding at the end thereof the following new sentence: "The Commissioner shall not approve any State plan or amendment thereof unless the requirements in this section 121.13(a) have been satisfied."

(20 U.S.C. 1413)

4. Section 121.21 is revised to read as follows:

§ 121.21 General.

Funds allotted to a State pursuant to section 612 of the Act may be used only for the initiation, expansion, and improvement of programs and projects for the education of handicapped children at the preschool, elementary school, and secondary school levels by State educational agencies pursuant to § 121.22(a) (1) and local educational agencies pursuant to § 121.22(b) (1), except that not more than 5 percent of the amount allotted to a State for any fiscal year or \$100,000 (\$35,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, may be expended by the State educational agency for planning and for proper and efficient administration of the State plan (including State leadership activities and consultative services) pursuant to § 121.22(a) (2) and by local educational agencies for planning at the local level pursuant to § 121.22(b) (2).

(20 U.S.C. 1413)

5. Section 121.25 is revised to read as follows:

§ 121.25 State-supported or State-operated schools for handicapped children.

The State plan shall provide satisfactory assurance that funds paid to the State under Part B of the Act will not be made available for handicapped children eligible for assistance under section 103(a) (5) of Title I of the Elementary and Secondary Education Act of 1965.

(20 U.S.C. 1412, 1413)

§ 121.26 [Amended]

6. The first sentence of § 121.26(a) is amended to read as follows: "Federal funds under Part B of the Act made available to State and local educational agencies for programs and projects during a fiscal year shall remain available for use by such State and local educational agencies in accordance with paragraph (c) of this section only during such fiscal year."

(20 U.S.C. 1412, 1226)

7. The first sentence of § 121.26(b) is amended to read as follows: "Federal funds under Part B of the Act made available to State and local educational agencies for administration of the State plan and for planning at the State and local levels will remain available for use only during such fiscal year."

(20 U.S.C. 1412, 1226)

8. A new paragraph (f) is added to § 121.26 as follows:

(f) Notwithstanding paragraphs (a) and (b) of this section, any Federal funds under Part B of the Act made available to State and local educational agencies, which are not obligated and expended prior to the beginning of the fiscal year succeeding the fiscal year for which such funds were made available, shall remain available for obligation and expenditure during such succeeding fiscal year.

(20 U.S.C. 1225)

9. Section 121.27(a) is revised to read as follows:

§ 121.27 State fiscal control and audit.

(a) Each State plan shall provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State under Part B of the Act, including any such funds paid by the State to local educational agencies.

(20 U.S.C. 1413)

*Effective date.* The amendments hereby made to Part 121 will not become effective before 30 days after publication in the FEDERAL REGISTER.

Dated: February 18, 1971.

S. P. MARLAND, Jr.,  
U.S. Commissioner of Education.

Approved: March 19, 1971.

ELLIOT L. RICHARDSON,  
Secretary of Health,  
Education, and Welfare.

[FR Doc. 71-4207 Filed 3-25-71; 8:52 am]

**PART 141—FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN ACADEMIC SUBJECTS IN PUBLIC SCHOOLS**

Part 141 of Title 45 of the Code of Federal Regulations, dealing with regulations for the administration of sections 301-304, inclusive, of Part A of Title III of the National Defense Education Act of 1958, 72 Stat. 1580 (20 U.S.C. Ch. 17) is revised for purposes of simplification and to reflect the provisions of Public Law 91-230 to read as set forth below.

Grants made pursuant to the regulations set forth below are subject to the regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare, and approved by the President, to effectuate the provisions of section 601 (42 U.S.C. 2000d) of the Civil Rights Act of 1964 (Public Law 88-352).

Part 141 reads as follows:

Subpart A—Definitions	
Sec.	
141.1	Definitions.
Subpart B—State or Department Conditions	
141.2	State plan or Department conditions.
141.3	State plan assurances.
Subpart C—State Administration	
141.5	Administrative review and evaluation.
141.6	Advisory committees.
141.7	Continuing review by Commissioner of State administration.
141.8	Requirements with respect to minor remodeling.
Subpart D—Federal Financial Participation	
141.11	Federal participation in general.
141.12	Eligible costs.
141.13	Proration of costs.
141.14	Accounting basis for expenditures.
141.15	Liquidation of obligations.
141.16	Transfer of funds to local agencies.
141.17	Retention of records.
141.18	Adjustments.
Subpart E—Federal Payment Procedures	
141.21	Federal payments.
141.22	Effect of Federal payments.
141.23	Obligation of Federal appropriations.
Subpart F—Acquisition of Equipment and Minor Remodeling	
141.26	Purchase of materials for making equipment.
141.27	Use of equipment in other subject areas.



## Sec.

141.28 Equipment and minor remodeling eligible for Federal financial participation.

## Subpart G—Supervision and Administration

- 141.31 Programs for supervision and related services.  
 141.32 Expansion or improvement.  
 141.33 Time basis for measurement of activities.

AUTHORITY: The provisions of this Part 141 issued under 20 U.S.C. 441-444. Interpret or apply 20 U.S.C. 441-444, 581-588.

## Subpart A—Definitions

## § 141.1 Definitions.

As used in this part:

(a) "Academic subjects" means the following elementary and secondary school subjects: The arts, civics, economics, English, geography, history, the humanities, industrial arts, mathematics, modern foreign languages, reading, and science.

(b) "Act" means the National Defense Education Act of 1958, 20 U.S.C. Ch. 17.

(c) "Audiovisual library" means a facility used for the collection, custody, cataloging, maintenance, and distribution of audiovisual materials for education in academic subjects in public elementary and secondary schools, and controlled and operated by a State or local educational agency or other public school authority below the State level.

(d) "Class" means a group of students assembled for instruction for a given period of time under a teacher or teachers.

(e) "Commissioner" means the U.S. Commissioner of Education.

(f) "Elementary school" means a school which provides elementary education, as determined under State law or, if such school is not in a State, as determined by the Commissioner.

(g) "Equipment" eligible for purchase through approved projects means laboratory and other special equipment as defined in paragraph (i) of this section, including materials as defined in paragraph (k) of this section.

(h) "Fiscal year" as used with respect to reporting and accounting requirements means the period beginning on the first day of July and ending on the following June 30. The calendar year of the ending date is used to designate the fiscal year.

(i) "Laboratory and other special equipment" means (1) fixed or movable articles, which are particularly appropriate for use in providing education in academic subjects in a public elementary or secondary school and which are to be used either by teachers in connection with teaching or by students in learning in such subjects; (2) audiovisual equipment (including projectors, recorders, television cameras, television receivers, closed-circuit television distribution systems, and ancillary television projection and reception equipment to be used primarily for nonbroadcast purposes, except where broadcast takes the place of closed-circuit cable systems), to be used, either by teachers in connection with

teaching or by students in connection with learning, primarily in providing education in academic subjects in a public elementary or secondary school; (3) "materials" as defined in paragraph (k) of this section and devices (other than those used for printing, such as printing presses and offset printing machines) to be used for preparation of audiovisual and instructional materials for academic subjects; (4) storage equipment to be used solely for the care and protection of the foregoing items when used in laboratories or classrooms; (5) testgrading equipment to be used primarily in providing education in academic subjects in a public elementary or secondary school; and (6) specialized equipment for audiovisual libraries serving public elementary or secondary schools when such equipment is to be used primarily in providing education in academic subjects. (The term excludes such items as general-purpose furniture, radio or television broadcasting apparatus, school public address systems, or items for the maintenance and repair of equipment. However, the term does include equipment for maintenance, repair, and storage of materials in audiovisual libraries.)

(j) "Local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or any other political subdivision in a State, or any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(k) "Materials" means those items which with reasonable care and use may be expected to last for more than 1 year and are suitable for and are to be used in providing education in academic subjects in an elementary or secondary school. The term includes such items as tapes and discs; slides and transparencies; films and filmstrips; books, pamphlets, and periodicals; and other printed and published materials such as maps, globes, and charts. The term does not include such items as textbooks (as defined in paragraph (t) of this section) or chemicals and other supplies which are consumed in use.

(l) "Minor remodeling" means those minor alterations in a previously completed building in space used or to be used as a laboratory or classroom for education in academic subjects which are needed to make effective use of equipment in providing education in such subjects. The term also includes those minor alterations in a previously completed building which are needed to make effective use of the items referred to in subparagraphs (5) and (6) of paragraph (i) of this section. The term may also include the extension of utility lines, such as for water and electricity, from points beyond the confines of the space in which the minor remodeling is undertaken but within the confines of such previously completed building, to the

extent needed to make effective use of equipment. The term does not include building construction, structural alterations to buildings, building maintenance, repair, or renovation.

(m) "Project" as applied to the acquisition of laboratory or other special equipment or minor remodeling means (1) a proposal submitted by a local educational agency, or agencies, or other public school authority below the State level, or (2) in cases where the State educational agency operates one or more public elementary or secondary schools or audiovisual libraries, a proposal submitted by the highest administrative officer of such school or audiovisual library. Such a proposal shall contain:

(i) Description and current cost estimates of the equipment to be acquired or minor remodeling to be performed; (ii) certification that the equipment is to be used primarily for providing education in academic subjects, except that in the case of storage equipment the certification shall be to the effect that the storage equipment will be used solely for the care and protection of equipment and materials used in providing such education; and (iii) information showing the direct relationship of the proposed expenditures to the overall design for enriching the planned educational program and the achievement of desired curriculum goals in academic subjects.

(n) "Public" as applied to any school or institution includes a school or institution of any agency of the United States, except that no such school or institution shall be eligible to receive any grant, loan, or other payment under the Act.

(o) "School" means a division of instructional organization consisting of a group of pupils comprised of one or more grade groups, organized on a class basis as one unit with one or more teachers to give instruction of a defined type, and housed in a school plant of one or more buildings. More than one school may be housed in one school plant as when elementary and secondary schools are so housed.

(p) "Secondary school" means a school which provides secondary education, as determined under State law or, if such school is not in a State, as determined by the Commissioner. The term does not include any education provided beyond grade 12 except that it may include a public junior college when it is a part of or an extension of the secondary school system of the State as determined under State law.

(q) "Services": (1) "Supervisory services" means the services rendered by a qualified person in the promotion, maintenance, and improvement of instruction in one or more of the academic subjects; (2) "Related services" means those technical activities which support supervisory services in academic subjects.

(r) "State" means a State of the Union, the District of Columbia, Puerto Rico, the Canal Zone, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.



(s) "State educational agency" or "State agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the Governor or by State law.

(t) "Textbook" means a book or workbook, or manual, which is used as the principal source of study material for a given class or group of students, a copy of which is expected to be available for the individual use of each pupil in such a class or group of students.

(20 U.S.C. 408)

# Subpart B—State or Department Conditions

## § 141.2 State plan or Department conditions.

(a) *Purpose*—(1) *State plan*. A basic condition for the payment of Federal funds to a State under sections 301–304 of the Act is a State plan meeting the requirements of sections 303(a) and 1004 (a) of the Act in providing a program under which funds paid to the State under its allotment under section 302(a) will be expended solely for projects approved by the State educational agency for the acquisition of laboratory and other special equipment suitable for use in providing education in academic subjects, and minor remodeling.

(2) *Department plan or memorandum of understanding*. A basic condition for the payment of funds under Title III-A of the Act to the Department of the Interior or the Department of Defense is a plan or a memorandum of understanding which describes the projects to be carried out with funds paid thereunder, together with such other information and assurances as the Commissioner may require.

(b) *Effect of State plan*. The State plan, when approved by the Commissioner, shall constitute the basis on which Federal grants will be made, as well as a basis for determining the propriety of State and local expenditures in which Federal participation is requested.

(c) *Effect of Department plan or memorandum of understanding*. A plan or memorandum of understanding from the Department of the Interior or the Department of Defense, when approved by the Commissioner, shall constitute the basis on which payments will be made to those Departments under Title III-A of the Act and the basis for determining the propriety of the expenditures of those funds by those Departments.

(d) *Program and operational procedures*. The administration of the program shall be kept in conformity with the approved plan or memorandum of understanding, the regulations in this part, and Title III-A of the Act. A description of the program and operational procedures shall be recorded and made available to the public upon request. Whenever there is any material change in the content or administration of the program, or when there has been any material change in pertinent State law or in

the organization, policies, or operations of the State agency affecting the program under the plan, the procedures shall be appropriately amended.

(e) *Submission*. The State plan shall be submitted to the Commissioner by a duly authorized officer of the State agency or a plan or memorandum of understanding shall be submitted by an officer of the Department of the Interior or the Department of Defense. A State plan shall give the official name of the agency which will administer the plan and shall indicate that such agency meets the criteria for a State educational agency. The State plan shall designate the officer who will receive and provide for the custody of all funds to be expended under applicable State laws and regulations on requisition or order of the State agency.

(f) *Certificate of the State Attorney General or other appropriate State legal officer*. The State plan shall also include as an attachment a certificate by the appropriate State legal officer to the effect that the State educational agency named in the plan is the agency having authority to administer the State plan or to supervise the administration of the State plan; that the State educational agency has authority under State law to develop, submit, and administer or supervise the administration of the plan; and that the State has authority under State law to carry out the State plan.

(g) *Approval by the Commissioner*. The Commissioner will approve each plan which he determines meets the applicable requirements of Title III-A of the Act and regulations in this part, and will notify the applicant of the granting or withholding of approval in each such case. However, no final action with respect thereto, other than one of approval, will be taken by the Commissioner unless he first notifies the applicant of his proposed action and in connection therewith affords the applicant a reasonable opportunity for a hearing on whether the affected plan meets such requirements.

(h) *Ineligibility to participate*. Whenever the Commissioner, after reasonable notice and opportunity for a hearing, finds: (1) That the plan fails to comply with the requirements of Title III-A of the Act and the regulations in this part; or (2) that in the administration of the plan there is a failure to comply substantially with any such provisions, the Commissioner will notify the applicant that said applicant will not be regarded as eligible to participate in the program under Title III-A of the Act until the Commissioner is satisfied that there is no longer any such failure to comply.

(20 U.S.C. 443, 584; 42 U.S.C. 4214)

## § 141.3 State plan assurances.

Each State plan shall contain assurances:

(a) *Authority*. That the State agency will administer the plan and has adequate authority to do so under State law.

(b) *Fiscal procedures*. That the State agency has provided for such fiscal control and fund accounting procedures as will assure proper disbursement of and

accounting for Federal funds paid to the State under the plan, including such funds paid by the State to local educational agencies. Subject to the provisions of § 141.14, such administration shall be conducted in accordance with applicable State laws, policies, and procedures.

(c) *Reports*. That the State agency will participate in such periodic consultations and will make such reports to the Commissioner, at such time, in such form, and containing such information, as the Commissioner may consider reasonably necessary to enable him to perform his duties under the Act and will keep such records and afford such access thereto, and will comply with such other requirements as the Commissioner may find necessary to assure the correctness and verification of such reports.

(d) *Description of program*. That the State agency has developed a program under which funds paid to the State from its allotment under Title III-A of the Act will be expended solely (1) for projects approved by the State agency for the acquisition of laboratory and other special equipment (other than supplies consumed in use), including audiovisual materials and equipment, and printed and published materials (other than textbooks), suitable for use in providing education in academic subjects in public elementary and secondary schools, and of testgrading equipment for such schools and specialized equipment for audiovisual libraries serving such schools, and projects approved by the State agency for minor remodeling of laboratory or other space used for such materials or equipment; and (2) for expansion or improvement of supervisory and related services in public elementary and secondary schools, including leadership and services to local educational agencies to improve instruction in academic subjects, and for the administration of the State plan. Such program must either be set forth in the State plan itself or be incorporated therein by reference as a separate existing and identified document available for inspection by the Commissioner.

(e) *Principles for determining priority of projects*. That the State agency has established the principles that will be applied in determining the priority of and order of undertaking of projects for assistance under the provisions of Title III-A of the Act. Such principles must either be set forth in the State plan itself or be incorporated therein by reference as a separate existing and identified document available for inspection by the Commissioner.

(f) *Opportunity for hearing*. That the State agency has provided for an opportunity for a hearing to any applicant for a project under Title III-A of the Act.

(g) *Standards*. That the State agency has established standards for laboratory and other special equipment to be acquired with assistance furnished under Title III-A of the Act and will advise the Commissioner of those standards. Such standards are to be related to the State's program for improving instruction in academic subjects and shall be applied



by the State in approving projects for the acquisition of equipment.

(h) *Financial participation.* That the State agency has established requirements imposed upon applicants for financial participation in projects assisted under Title III-A of the Act, including any provision for taking into account the resources available to any applicant for such participation relative to the resources for such participation available to all other applicants. Such requirements must either be set forth in the State plan itself or be incorporated therein by reference as a separate existing and identified document available for inspection by the Commissioner.

(i) *Independent audit.* That the State agency has provided for adequate State or approved independent audit of the program administered by local educational agencies to assure that funds thereunder are expended solely for State plan purposes.

(20 U.S.C. 443, 584)

### Subpart C—State Administration

#### § 141.5 Administrative review and evaluation.

The State agency and the Department of the Interior and the Department of Defense shall provide for the administration and supervision of all plan programs. Program and administrative review and evaluation shall be conducted by the State agency or the Department of the Interior or the Department of Defense, as the case may be, at least annually to appraise the status of the programs and their administration in terms of plan provisions and program objectives. The State agency shall include a report of such administrative review and evaluation in the annual report of the State agency.

(20 U.S.C. 443, 584)

#### § 141.6 Advisory committees.

If State advisory committees are used with respect to one or more aspects of the State plan, the State agency shall establish policies for the establishment thereof, for the qualification and selection of members, for the establishment of the duties of members and of the committee, and for the payment of committee expenses, if any.

(20 U.S.C. 443, 584)

#### § 141.7 Continuing review by Commissioner of State administration.

In order to assist the State agency in adhering to statutory requirements and to the provisions of its approved State plan, the Commissioner will conduct periodic reviews of the administration of programs under Title III-A of the Act. The Commissioner will be responsible for conducting periodic onsite reviews in State agencies to carry out his responsibilities. Such reviews will involve an analysis of activities and procedures used by State agencies to conduct the program, including the development and monitoring of management activities.

(20 U.S.C. 584)

#### § 141.8 Requirements with respect to minor remodeling.

In a case of a project involving minor remodeling, the application of a local educational agency for a grant shall provide assurances that all laborers and mechanics employed by contractors or subcontractors on such minor remodeling will be paid wages at rates not less than those prevailing on similar minor remodeling in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5); that such contractors and subcontractors will comply with the regulations in 29 CFR Part 3 (see 29 F.R. 97), and include all clauses required by 29 CFR 5.5 (a) and (c) (see 29 F.R. 100, 101, 13463, and 29 CFR Part 3, Subpart B—Interpretations of the Fringe Benefits Provisions of the Davis-Bacon Act—published at 29 F.R. 13465); and that the nondiscrimination clause prescribed by Executive Order No. 11246 of September 24, 1965 (30 F.R. 12319), will be incorporated in any contract for minor remodeling as defined in said Executive order.

(20 U.S.C. 1232b)

### Subpart D—Federal Financial Participation

#### § 141.11 Federal participation in general.

(a) *Equipment and minor remodeling.* The Federal Government will pay from each State's allotment an amount equal to one-half of the sums expended for the purchase of equipment and for minor remodeling, when expended for an approved project under an approved State plan. There can be no Federal financial participation in the expenditures for a project if the project, including any amendments thereto, had not been approved by the State agency prior to the incurrence of the expenditure.

(b) *Supervision and administration.* The Federal Government will pay from each State's allotment for Title III-A of the Act one-half of the total sum expended by the State for supervision, related services, and administration in programs established under the approved State plan.

(c) *Public nature of funds.* The expenditures to be used in computing Federal financial participation must be made from public funds. Public funds do not include contributions by private organizations or individuals unless such contributions are deposited in accordance with State law to the account of the unit or agency of State or local government without such conditions or restrictions as would negate their public character.

(d) *Reallotment.* (1) If the Commissioner determines that any part of the amount allotted to any State for any fiscal year under section 302(a) of the Act will not be required for that year, that part will be available on such dates during that year as the Commissioner may fix for reallotment to other States in proportion to the amounts originally allotted to other States for that year,

except that the total amount available to each State will be reduced to the extent it exceeds the sum the Commissioner determines that that State needs and will be able to use for that year, and the total of such reductions shall be similarly reallotted among the States whose allotments were not so reduced.

(2) The amounts to be so reallotted will be determined by the Commissioner on the basis of (i) reports filed by the States of the amounts required to carry out the State plan approved by the Commissioner, and (ii) such other information as he may have available. Each State agency shall, if requested, submit to the Commissioner, on such date or dates as he may specify, a report or reports showing the anticipated need during the current fiscal year for the amount previously allotted or any amount needed in addition thereto, and such other information as the Commissioner may request.

(3) If the Commissioner determines that any amount reserved for any fiscal year for making loans under section 305 of the Act will not be required for that purpose for such year, such part shall be available for allotment to the States in the manner provided for reallotment of Title III-A funds under subparagraph (1) of this paragraph.

(4) No allotment or reallotment of funds may be carried over for use during the subsequent fiscal year, except as otherwise provided by law.

(e) *Allotment to the Department of the Interior and the Department of Defense.* The Commissioner will make allotments, according to their respective needs for the types of programs authorized under Title III-A of the Act, to the Secretary of the Interior for elementary and secondary schools operated for Indian children by the Department of the Interior, and to the Secretary of Defense for elementary and secondary schools operated for overseas dependents by the Department of Defense.

(20 U.S.C. 442, 444, 445, 584, 588)

#### § 141.12 Eligible costs.

(a) *Types.* Federal financial participation under Title III-A of the Act may be claimed for the direct costs of administration and of supervisory and related services to the extent that the items of cost are attributable to the program approved under the State plan and includes such categories as the following:

(1) Salaries of the staff, both clerical and professional;

(2) Consultants' fees;

(3) Expenses of committees, workshops and conferences, including the travel of those representing the State agency or acting in an advisory capacity to it;

(4) Contractual services consistent with State laws and regulations and the State plan, provided such services do not result in the relinquishing by the State agency of any part of its responsibility for the supervisory and related services program;



(5) Office equipment and equipment necessary for State programs of supervision of instruction in academic subjects;

(6) Communications;

(7) Utilities;

(8) Supplies, printing, and printed materials;

(9) Rental of office space as provided in paragraph (b) of this section;

(10) Employer's contributions to retirement, workmen's compensation, and other welfare funds maintained for one or more general classes of employees of the State agency; and

(11) Travel of staff and consultants.

Federal financial participation under Title III-A of the Act may also be claimed for that share of the indirect costs incurred for administration and supervisory and related services that is commensurate with the benefits accruing to such activities in accordance with a predetermined method of allocating costs that is accepted by the Commissioner.

(b) *Office space.* Federal financial participation will be available for expenditures for office space (including the cost of utilities and janitorial services) in privately or publicly owned buildings if: (1) The expenditures for the space are necessary, reasonable, and properly related to the efficient administration of the plan or for supervisory or related services covered by the plan; (2) the State agency will receive benefits during the period of occupancy commensurate with such expenditures; and (3) the amounts paid by the State agency are not in excess of comparable rental in the particular locality.

(c) *Administration of Department of the Interior and Department of Defense plans.* Funds available to the Department of the Interior and the Department of Defense shall be available for the administration of the plans or memoranda of understanding of the respective Departments, in a manner consistent with the provisions of this section.

(20 U.S.C. 443, 584, 588)

#### § 141.13 Proration of costs.

Federal financial participation under Title III-A of the Act is available for that share of the costs incurred for administration and supervisory and related services that is commensurate with the benefits accruing to activities under Title III-A of the Act in accordance with a predetermined method of allocating costs that is accepted by the Commissioner.

(20 U.S.C. 584)

#### § 141.14 Accounting basis for expenditures.

Federal funds made available under Title III-A of the Act shall be available only for expenditures which are made during the fiscal year for which such funds are made available, except as otherwise provided by law. The expenditure of funds under Title III-A of the Act will be determined on the basis of documentary evidence of binding commitments for the acquisition of goods or

for the performance of work, except that funds for personal services, for services performed by public utilities, for travel, and for the rental of equipment and facilities shall be considered to have been expended as of the time such services were rendered, such travel was performed, and such rented equipment and facilities were used, respectively.

(20 U.S.C. 584)

#### § 141.15 Liquidation of obligations.

Obligations entered into by a grantee and payable out of funds under Title III-A of the Act shall be liquidated during the fiscal year following the fiscal year for which such funds are made available for use by such grantee unless: (a) In case the grantee is a local or other participating educational agency, such agency, prior to the end of that fiscal year, reports to the State educational agency the reasons why such obligations cannot be timely liquidated and, on the basis thereof, the State agency extends the time for so liquidating obligations; or (b) in case the grantee is a State agency, the Department of the Interior or the Department of Defense, the Commissioner extends the time for liquidation at the request of such grantee.

(20 U.S.C. 584, 1225)

#### § 141.16 Transfer of funds to local agencies.

State agencies shall establish policies and procedures to be used in the payment of funds to local or other participating educational agencies or other school authorities pursuant to an approved project either: (a) As a reimbursement for actual expenditures; or (b) as an advance prior to expenditures. Advances shall not be eligible for inclusion as expenditures for the purposes of earning Federal financial participation until adequate evidence of actual expenditures for approved projects has been received and verified by the State agency. (See §§ 141.11 and 141.14.) Reimbursement or payment need not be uniform to all local agencies; i.e., the State agency may provide a method by which the ratio of reimbursement to expenditures in particular cases may be adjusted on the basis of comparative local needs.

(20 U.S.C. 584, 1232d)

#### § 141.17 Retention of records.

(a) *General rule.* The State agency shall provide for keeping intact and accessible to the Secretary of Health, Education, and Welfare and the Comptroller General of the United States all records supporting claims for funds under Title III-A of the Act or relating to the accountability of the grantee or funded agency for expenditure of such grants and relating to the expenditure of matching funds for 3 years after the end of the period for which such funds were made available for expenditure unless, by that time an audit by or on behalf of the Department of Health, Education, and Welfare has not occurred, in which case the records must be retained until

audit or until 5 years following the end of the period for which such funds were made available, whichever is earlier.

(b) *Questioned expenditure.* The records involved in any claim or expenditure which has been questioned shall be further maintained until necessary adjustments have been made and such adjustments have been reviewed and approved by the Department of Health, Education, and Welfare.

(c) *Inventories of equipment for administration of the State plan.* Where nonconsumable equipment which costs \$300 or more per unit is purchased by the State agency with Federal funds for use in programs for supervisory or related services or administration of the State plan, continuing inventories and other records supporting accountability for such equipment shall be maintained until it is determined by the acquiring agency that such equipment is no longer useful, until it is determined to have a residual value of less than \$100, until it has been disposed of, or until accountability to the United States has been waived. The records of such inventories shall be retained for the period for which the inventory is required to be maintained. The maintenance of such inventories is not required for equipment acquired under section 303(a) of the Act by local educational agencies.

(20 U.S.C. 584, 42 U.S.C. 4212)

#### § 141.18 Adjustments.

The State educational agency, in its maintenance of program expenditure accounts, records, and reports, shall make promptly any necessary adjustments in its records to reflect refunds, credits, underpayments, or overpayments, as well as any adjustments resulting from State or Federal administrative reviews and audits. Such adjustments shall be set forth in the financial reports filed with the Commissioner.

(20 U.S.C. 584)

### Subpart E—Federal Payment Procedures

#### § 141.21 Federal payments.

Funds allotted to a State under Title III-A of the Act will be made available to that State in amounts necessary to meet current cash needs for expenditures by a State in carrying out its State plan, in accordance with procedures prescribed by the Commissioner.

(20 U.S.C. 444, 1232d)

#### § 141.22 Effect of Federal payments.

(a) *No waiver.* Neither the approval of the State plan nor any payment to the State pursuant thereto shall be deemed to waive the right or duty of the Commissioner to withhold funds by reason of the failure of the State to observe, before or after such administrative action, any Federal requirements.

(b) *Settlement of accounts.* The final amount to which the State is entitled for any period is determined on the basis of expenditures under the State plan with



respect to which Federal financial participation is authorized.

(20 U.S.C. 584)

**§ 141.23 Obligation of Federal appropriations.**

The notification by the Commissioner to State agencies and the Department of the Interior and the Department of Defense of the amounts made available for approval by those agencies and those Departments will be regarded as obligating the Government of the United States in the amounts specified. Federal appropriations so obligated will remain available for use as prescribed in §§ 141.14 and 141.15.

(20 U.S.C. 444, 588; 31 U.S.C. 200)

**Subpart F—Acquisition of Equipment and Minor Remodeling**

**§ 141.26 Purchase of materials for making equipment.**

Expenditures in which Federal participation is claimed may include the cost of raw or processed materials or component parts to be made into finished products or complete equipment units for instruction in academic subjects, including the cost of making and assembling such equipment.

(20 U.S.C. 443)

**§ 141.27 Use of equipment in other subject areas.**

Equipment acquired under an approved project for academic subjects may be used when available and suitable in providing education in other subjects, if there exists a critical need therefor in the judgment of local school authorities. Equipment shall be deemed available only when it is not needed for the time being for use in academic subjects.

(20 U.S.C. 443, 1232e)

**§ 141.28 Equipment and minor remodeling eligible for Federal financial participation.**

A State educational agency may approve projects for the acquisition, with Federal financial participation, of items of equipment, or for minor remodeling, for education in academic subjects only to the extent that equipment or minor remodeling for such academic subjects are covered by the State plan current at the time of project approval.

(20 U.S.C. 443, 1232e)

**Subpart G—Supervision and Administration**

**§ 141.31 Programs for supervision and related services.**

The State agency shall establish policies or procedures for programs for the expansion or improvement of the State agency's supervisory and related services to public elementary and secondary schools in academic subjects. The policies and procedures shall set forth (a) how and to what extent the programs provide a new service or are improvements or expansions of existing services in the nature of supervision or instruction or

services which effectively contribute to the supervisory services to be rendered; and (b) the scope of the agency's activities and arrangements to be undertaken in carrying out such programs.

(20 U.S.C. 443)

**§ 141.32 Expansion or improvement.**

An expansion or improvement of an existing program of supervisory or related services is a program which involves additional expenditures by the State agency for such services to public elementary or secondary schools in academic subjects over and above those theretofore expended for like services and does one or more of the following: (a) Provide for the employment of additional qualified personnel to render such services; (b) provide for rendering additional or improved services to local educational agencies; (c) extend the services already being rendered to more local educational agencies.

(20 U.S.C. 443)

**§ 141.33 Time basis for measurement of activities.**

Whether a program is an "expansion" or "improvement" of an existing program will be measured against the activities being carried on by the State agency prior to the first day of the fiscal year in which the initial State plan of the State agency was submitted for approval.

(20 U.S.C. 443)

In accordance with section 421 of the General Education Provisions Act (20 U.S.C. 1232) these regulations shall become effective 30 days after the date of their publication in the *FEDERAL REGISTER*.

Dated: February 24, 1971.

S. P. MARLAND, Jr.,  
U.S. Commissioner of Education.

Approved: March 19, 1971.

ELLIOT L. RICHARDSON,  
Secretary of Health,  
Education, and Welfare.

[FR Doc.71-4208 Filed 3-25-71;8:52 am]

**Chapter VII—Commission on Civil Rights**

**PART 702—RULES ON HEARINGS AND REPORTS OF THE COMMISSION**

**Miscellaneous Amendments**

Part 702 of Chapter VII of the Code of Federal Regulations is amended as follows:

1. The heading of Part 702 is revised to read as set forth above.

2. Section 702.1 is amended by adding new paragraphs (g) and (h). As amended § 702.1 reads as follows:

**§ 702.1 Definitions.**

(g) "Report" refers to statutory reports or portions thereof issued pursuant to section 104(b) of the Civil Rights Act of 1957, as amended.

(h) "Verified answer" refers to an answer the truth of which is substantiated by oath or affirmation attested to by a notary public or other person who has legal authority to administer oaths.

3. New § 702.18 is added, reading as follows:

**§ 702.18 Commission reports.**

(a) If a Commission report tends to defame, degrade, or incriminate any person, the report or relevant portions thereof shall be delivered to such person at least thirty (30) days before the report shall be made public in order that such person may make a timely verified answer to the report. The Commission shall afford such person an opportunity to file with the Commission a verified answer to the report or relevant portions thereof not later than twenty (20) days after service of the report or relevant portions thereof upon such person as provided by the regulations in this part.

(1) Such person shall be served with a copy of the report or relevant portions thereof, with an indication of the section(s) that the Commission has determined tend to defame, degrade, or incriminate him, a copy of the Act and a copy of the regulations in this part.

(2) The report or relevant portions thereof, the Act, and regulations in this part shall be served by depositing the same in the U.S. mail via certified mail, return receipt requested, or by leaving a copy thereof at the last known residence or business address of such person.

(3) The date of service for the purposes of this section shall be the day the material is delivered either by the post office or otherwise, to such person or his agent or at the last known residence or business address of such person. The acknowledgement of the party served, or the verified return of the one making service shall be proof of service except that when service is made by certified mail, the return post office receipt may also constitute proof of same.

(b) If a person receiving a Commission report or relevant portions thereof under this part requests an extension of time from the Commission within 7 days of service of such report, the Commission may, upon a showing of good cause, grant the person additional time within which to file a verified answer.

(c) A verified answer shall plainly and concisely state the facts and law constituting the person's reply or defense to the charges or allegations contained in the report.

(d) Such verified answer shall be published as an appendix to the report: *Provided, however,* That the Commission may except from the answer such matter as it determines to be scandalous, prejudicial or unnecessary.

(Secs. 102 and 105, 71 Stat. 634 and 636, as amended; 42 U.S.C. 1975a and 1975d)

**Effective date.** This part shall become effective on the date of its publication in the *FEDERAL REGISTER* (3-26-71).

THEODORE M. HESBURGH,  
Chairman.

[FR Doc.71-4157 Filed 3-25-71;8:48 am]



# Title 46—SHIPPING

## Chapter IV—Federal Maritime Commission

### SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 27, Amdt. 4;  
Docket No. 71-14]

### PART 542—FINANCIAL RESPONSIBILITY FOR OIL POLLUTION CLEANUP

#### Provision for Issuance of Master Certificates and Other Changes

Section 11(p) (1) of the Federal Water Pollution Control Act, as amended (84 Stat. 97), requires that, effective April 3, 1971, the owner or operator of every ship over 300 gross tons, including certain barges of equivalent size, using the waters of the United States (Panama Canal included) must have evidenced financial responsibility for potential oil pollution cleanup costs. Administration of this section was delegated to the Federal Maritime Commission, which has promulgated implementing rules and regulations. These regulations (Commission General Order 27) generally establish the procedures and qualifications for the certification of vessels, provide for the issuance of a Certificate to a complying vessel, and set forth the basis for the denial, revocation, modification or suspension of such Certificate.

By order of rule making published in the FEDERAL REGISTER on February 23, 1971 (35 F.R. 3381), the Commission served notice that it was considering the amendment of General Order 27 in several respects and invited comments thereon from interested parties. The Commission's primary purpose in entering into this rule making proceeding was to provide for the issuance of a master Certificate to persons engaged in the construction, sale, or scrapping of vessels. As we explained in our notice:

Section 542.6(a) of General Order 27 [presently] provides for the issuance of separate Certificates to cover specific vessels of every owner or operator subject to the General Order. In order to obtain separate Certificates it is necessary for an applicant desiring such Certificates to file with the Commission specific information with respect to each vessel, including evidence of the applicant's financial responsibility, e.g., acceptable evidence of insurance. The time required for the applicant to obtain, prepare, and file such information and evidence, and the time required by the Commission to process the data and issue Certificates may work an unnecessary burden on those applicants who acquire vessels for purposes of construction, scrapping or sale.

"In view of the equities involved," the Commission proposed a rule which would allow a person owning or operating vessels as a builder, scrapper, or seller to apply for and be issued a master Certificate covering all of his vessels, up to a specified maximum gross tonnage, which he may from time to time hold for

the purposes of construction, sale or scrapping."

For the purpose of making the other sections of General Order 27 compatible with the proposed new rule, a number of additional rule changes were proposed. These changes are mechanical in nature and would merely amend those segments of the rules relating to the procedure and methods of establishing financial responsibility to allow for the issuance of a master Certificate.

In addition to the proposed changes relating to the issuance of master Certificates, certain other unrelated but nonetheless important amendments to General Order 27 were proposed. One of these amendments would relax the requirement, presently embodied in § 542.6 of the rules, that Certificates must be maintained on the certificated vessel, while at the same time provide a means of identifying certificated vessels for the purpose of determining compliance with section 11(p) (1) of the Act and the Commission's General Order 27. Thus, it was proposed, *inter alia*, that where it is physically impossible, because of the type of vessel or barge involved, for the Certificate to be actually carried aboard, the Commission Certificate number be displayed on both bows of the particular vessel or barge.

Only two comments, one by the American Commercial Barge Line Co. (American Barge) and the other by the Sioux City and New Orleans Barge Lines, Inc. (SCNO), were filed in response to the Commission's notice of proposed rule making. Both these comments addressed themselves solely to that proposed amendment which would require that the Commission Certificate number be marked on the bows of a certificated vessel when it would be otherwise physically impossible for the Certificate itself to be maintained aboard.

SCNO is of the opinion that display of a document number on a bow is unnecessary as an identifying device because of "the automatic data processing equipment today." American Barge objects to the number marking requirement on the grounds that such a requirement would not only be unnecessary but confusing and economically burdensome as well. First, it is pointed out that the marking of the bow would lead to confusion "as the vessel's name is usually somewhere in this area." The Commission's bow marking proposal is unsatisfactory to American Barge for another reason. Thus, it is argued that:

\*\*\* to properly mark \*\*\* barges capable of carrying oil, \*\*\* will require gas freeing, a gas for certificate, bead welding

Consistent with the provisions of the proposed new rule providing for the issuance of master Certificates, a new certificate of insurance form (Form FMC-225A) and a new guaranty form (Form FMC-227A), were designed to be used exclusively in connection with obtaining master Certificates. Both of the proposed new forms retain all of the language of Forms FMC-225 and FMC-227 insofar as such language is compatible with the coverage required for master Certificates.

or punch marking of the numbers to make them stay "readily discernible", tug time for shifting, lost time of the barge, plus in some instances, standby time of boats. These cost elements would average somewhere in the neighborhood of approximately \$1,000 per barge.

Recognizing the problem created, however, by the impossibility of physically maintaining the Certificate aboard the certificated vessel, American Barge offers an alternative to marking the bows. Where it is physically "impossible or impractical" for a Certificate to be carried on a certificated vessel, they would require the Commission Certificate number to be imprinted on the Coast Guard Certificate of Inspection if carried aboard and, if not, require the Certificate number to be marked on the vessel's "main beam".

The Commission, after having given due and careful consideration to the comments received and the suggestions proposed, concludes that they fail to present any feasible alternatives to the Commission's requirement that, where a Certificate cannot be maintained aboard, the certificated vessel's bows must carry the Commission certification number.

What we are concerned with here is an unmanned vessel or barge with no suitable place to maintain a Certificate. If it is physically impossible for a Commission Certificate to be maintained on such a vessel or barge, it would be equally impossible for a Coast Guard Certificate of Inspection to be kept aboard. Thus, the suggestion that the Commission number be imprinted on the Coast Guard Certificate fails of its own weight and must be rejected.

Likewise, marking the Certification number on the main beam would not be a viable alternative since, due to the location of the main beam, it would require actually boarding the vessel to ascertain compliance. The Commission number must, we believe, be readily identifiable from without the vessel. It must be remembered that the purpose of requesting the marking of the bow in lieu of maintaining the Commission Certificate aboard a certificated vessel would not only facilitate the Coast Guard's determination of a vessel's compliance with General Order 27 but also avoid unnecessarily delaying a vessel in United States internal or territorial waters pending an oil pollution certification check. Thus, the proposed bow marking requirement is intended to benefit vessel owners or operators as well as U.S. enforcement officers.

Furthermore, we fail to see any merit to the argument that the cost of marking a vessel would be unduly burdensome. There is no requirement in the proposed rule that the certification numbers be marked on the vessel in any particular manner, except as regards the size of the letters. Since the proposed rule allows for the painting of the numbers on the bow, by use of stencil or otherwise, there is no reason to incur the expense of gas freeing the vessel.



Until such time at least as the computerizing of certificated vessel lists is accomplished and the accumulation of such data is made instantaneously available to the agency or agencies enforcing the certification requirements, we believe that the display of the Certificate numbers on vessels and barges that do not carry a Certificate is absolutely necessary for effective enforcement. Therefore, the Commission will require that the bow of a vessel be marked with its certification number if it is "physically impossible" for the Certificate to be actually carried aboard.<sup>2</sup> While we are cognizant of the fact that the vessel's name is usually in the bow area, we are also well aware that that particular area on a vessel or barge is normally large enough to accommodate both the ship's name and the Commission Certification number, without any resultant confusion.

We have incorporated one small change in our final rules, as they relate to the marking of vessels. Considering the type of vessel here involved and the location of the required markings, we are requiring a letter size of no less than 3 inches, rather than the 4 inches proposed.

Finally, we would request that those potential applicants for master Certificates who, in anticipation of the completion of this proceeding, have to date failed to file any application for a Certificate of financial responsibility or submit the required evidence of financial responsibility, do so as promptly as possible. In view of the requirement in section 11(p)(2) of the Act that all vessels covered by the Act have evidenced financial responsibility by April 3, 1971, it is extremely important that the filing of applications for master Certificates be expedited in order to enable the Commission to process all applications and issue the required Certificates by the statutory deadline. Further, since applicants for master Certificates will be executing the Commission's standard Application Form FMC-224, they are asked to designate thereon, preferably under Item 5(a), the fact that they are applying for a master Certificate pursuant to new § 542.6(d) promulgated herein, rather than individual Certificates for each of their vessels.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 552), and sections 11(p)(1) and 11(p)(2) of the Federal Water Pollution Control Act, as amended (84 Stat. 97), Part 542 of Title 46 CFR is hereby amended as follows:

1. Paragraph (a) of § 542.2 is changed to read as follows:

**§ 542.2 Definitions.**

(a) "Act" means the Federal Water Pollution Control Act, as amended.

<sup>2</sup> We wish to make it absolutely clear that the "physical impossibility" of compliance, provided for in our final rule, refers solely to the type or particular construction of the vessel involved and to no other consideration.

**§ 542.4 [Amended]**

2. Paragraph (a) of § 542.4 is amended by changing the colon in the second sentence of the paragraph to a period, and deleting the following wording: "Provided, however, That the Certificate will be issued only upon receipt by the Commission of advice that the vessel or vessels have been acquired."

**§ 542.5 [Amended]**

3. New subparagraphs (5), (6), and (7) are added to paragraph (a) of § 542.5 to read as follows:

(5) Filing with the Commission on Certificate of Insurance Form FMC-225A evidence of insurance, issued by an acceptable insurer or insurance broker for purposes of obtaining a master Certificate as provided in § 542.6(d).

(6) Filing with the Commission a guaranty on Form FMC-227A, issued by a guarantor acceptable to the Commission, for the purpose of obtaining a master Certificate as provided in § 542.6(d). An acceptable guarantor is defined in subparagraph (4) of this paragraph.

(7) Filing with the Commission such other evidence of financial responsibility as the Commission shall, in its discretion, deem proper and acceptable: *Provided, however,* That such other evidence of financial responsibility shall in no way constitute an alteration or modification of the methods of establishing financial responsibility prescribed in this paragraph (a).

4. The first sentence of paragraph (b) of § 542.5 is amended by changing the words "certificate of insurance Form FMC-225" and the words "guaranty Form FMC-227" to read "certificate of insurance Forms FMC-225 and FMC-225A" and "guaranty Forms FMC-227 and FMC-227A", respectively.

5. Paragraph (d) of § 542.5 is amended by changing the comma appearing after the word "issued" to a period, and deleting the following wording "and in case of a partnership, all partners shall be named."

**§ 542.6 [Amended]**

6. The first sentence of paragraph (a) of § 542.6 is amended by adding the following words at the beginning thereof: "Except as set forth in paragraph (d) of this section,".

7. Paragraph (a) of § 542.6 is further amended by adding at the end thereof, the following: "Where it would be physically impossible for the Certificate or copy thereof to be carried aboard the certified vessel, it must be retained at a location in the United States and kept readily accessible for inspection by U.S. Government officials: *Provided, however,* That where it would be physically impossible for the Certificate or copy thereof to be carried aboard the certified vessel, the Federal Maritime Commission Certificate number, preceded by the letters "FMC", must be marked upon each bow of such vessel in such manner as to be readily discernible, but in no event shall the letters and numbers used be smaller than three inches in size."

8. Paragraph (b) of § 542.6 is amended by adding at the beginning of the first sentence thereof the following words: "Except in the case of a master Certificate as provided for in paragraph (d) of this section."

9. Finally, new paragraph (d) is added to § 542.6 as follows:

(d) In lieu of separate Certificates for each vessel, a person owning or operating vessels as a builder, scrapper, or seller may apply for a master Certificate to cover all vessels up to a specified, individual vessel, maximum gross tonnage, which such applicant may from time to time hold for the purposes of construction, scrapping or sale. The maximum gross tonnage to be specified on a particular master Certificate shall be that number of gross tons for which the applicant has evidenced acceptable financial responsibility. For purposes of obtaining a master Certificate, acceptable evidence of financial responsibility shall be established by the methods set forth in § 542.5(a), with the exceptions of certificate of insurance Form FMC-225 and guaranty Form FMC-227. Persons who have been issued master Certificates must submit to the Secretary of the Commission, every 6 months beginning with the month in which the master Certificate is issued, reports indicating the name, previous name, or other identifying information and gross tonnage of every vessel covered by the master Certificate during the reporting period. Before any certificate, already holding a master Certificate, acquires a new vessel which is of a gross tonnage greater than the gross tonnage specified on his master Certificate, and such new vessel is to be acquired for purposes of construction, scrapping or sale, said certificate shall submit to the Commission new or amended evidence of financial responsibility in an amount necessary to cover such new, larger vessel. Failure to do so may result in the master Certificate being suspended or revoked, which would require the certificate to apply for separate Certificates for each of his vessels in accordance with the other provisions of this part.

*Effective date.* The Commission believes good cause exists for the rule promulgated herein to become effective on less than 30 days' notice, first, to enable the Commission to process applications and accomplish certification of financial responsibility for oil pollution cleanup by April 3, 1971, as required by section 11(p)(2) of the Act, and secondly, because the above promulgated amendments merely result in a relaxation of restrictive rules. Accordingly, these amendments shall become effective upon publication in the FEDERAL REGISTER (3-26-71).

By the Commission.

[SEAL]

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 71-4196 Filed 3-25-71; 8:51 am]



# Title 49—TRANSPORTATION

## Chapter I—Hazardous Materials Regulations Board, Department of Transportation

[Docket No. HM-66; Amdt. 174-9]

### PART 174—CARRIERS BY RAIL FREIGHT

#### Location of Placard Holders on Tank Cars

The purpose of this amendment to the Hazardous Materials Regulations of the Department of Transportation is to make clear that there is no restriction on the placement of placards on tank cars.

On December 2, 1970, the Hazardous Materials Regulations Board published a notice of proposed rule making, Docket No. HM-66; Notice No. 70-22 (35 F.R. 18323) which proposed to cancel paragraph (d) of § 174.549 dealing with placement of placards.

Interested persons were afforded an opportunity to participate in this rule making. All relevant matter presented by the one commenter has been carefully considered. The Board concludes that the display of warning placards at any location on the side of a tank car accomplishes the intent of the regulation.

Accordingly, 49 CFR Part 174 is amended as follows:

In § 174.549, paragraph (d) is canceled as follows:

#### § 174.549 Application of placards.

(d) [Canceled]

This amendment is effective June 10, 1971; however, compliance with the regulations as amended herein is authorized immediately.

(Secs. 831-835, Title 18, U.S.C.; sec. 9, Department of Transportation Act (49 U.S.C. 1657))

Issued in Washington, D.C., on March 22, 1971.

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

[FR Doc.71-4154 Filed 3-25-71;8:48 am]

## Chapter III—Federal Highway Administration, Department of Transportation

### SUBCHAPTER B—MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC-7; Notice 71-5]

### PART 391—QUALIFICATIONS OF DRIVERS

#### Loss of Driving Privileges; Correction

On November 2, 1970, the Director of the Bureau of Motor Carrier Safety issued a number of miscellaneous amendments to Part 391 of the Motor Carrier Safety Regulations (35 F.R. 17419). At that time, he revised § 391.15(b) in order to make it clear that drivers are disqualified only for conviction of certain offenses committed after January 1, 1971, the effective date of the new driver qualification regulations. In the course of that revision, certain words were inadvertently omitted from the revised version of § 391.15(b) (2). As a result, the Bureau has, on a number of occasions, been asked whether the loss of driving privileges under circumstances which do not involve the formal suspension, revocation, withdrawal, or denial of a motor vehicle operator's license or permit constitutes cause for disqualification. As the Administrator made clear when § 391.15 was originally issued (35 F.R. 6461), disqualification of a driver flows from the revocation, suspension, withdrawal, or denial of any license, permit, or privilege to operate a motor vehicle. In the pre-

amble to the amended rules, the Director reiterated the Bureau's intention to disqualify "a driver whose driving privileges have been suspended or revoked by any State authority" (35 F.R. 17420).

In order to clarify this point and to avoid confusion among persons subject to the regulations, the Director is amending § 391.15(b) (2) to insert the language that was inadvertently omitted.

In consideration of the foregoing, paragraph (b) (2) of § 391.15 in Subchapter B of Chapter III of Title 49 CFR is amended to read as follows:

#### § 391.15 Disqualification of drivers.

(b) A driver is disqualified—

(2) For the duration of the driver's loss of his privilege to operate a commercial vehicle on public highways, either temporarily or permanently, by reason of the suspension, revocation, withdrawal, or denial of any operator's license, permit, or privilege until that operator's license, permit, or privilege is restored by the authority that suspended, revoked, withdrew, or denied it.

Since this amendment merely removes an ambiguity and does not change the substance of the rule or alter pre-existing rights or liabilities, notice and public procedure are unnecessary and it is effective upon publication in the FEDERAL REGISTER (3-26-71).

(Sec. 204, Interstate Commerce Act, as amended, 49 U.S.C. 304; sec. 6, Department of Transportation Act, 49 U.S.C. 1655; delegations of authority at 49 CFR 1.48 and 389.4)

Issued on March 16, 1971.

ROBERT A. KAYE,  
Director, Bureau  
of Motor Carrier Safety.

[FR Doc.71-4097 Filed 3-25-71;8:45 am]



# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Internal Revenue Service

[ 26 CFR Part 53 ]

### FOUNDATION EXCISE TAXES

#### Taxes on Taxable Expenditures

##### Correction

In F.R. Doc. 71-3873 appearing at page 5357 in the issue of Saturday, March 20, 1971, the word "doing" in the sixth line of § 53.4945-3(b)(3)(i) should read "during".

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[ 7 CFR Part 993 ]

[Docket No. AO 201-A7]

### DRIED PRUNES PRODUCED IN CALIFORNIA

#### Notice of Hearing on Proposed Amendment of Marketing Agreement, as Amended, and Order, as Amended

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (sec. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in Customs Court, Room 421, Appraisers Building, 630 Sansome Street, San Francisco, California, beginning at 9:30 a.m., local time, April 21, 1971, with respect to a proposed amendment of 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 proposed amendment has not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic, marketing, and other conditions which relate to the proposed amendment, hereinafter set forth, and to any appropriate modifications thereof.

The Prune Administrative Committee, the administrative agency established pursuant to the amended marketing agreement and order, submitted the following amendatory proposals and requested a hearing thereon.

1. Section 993.19 *Size* is revised to read as follows:

§ 993.19a *Size*.

"Size" means (a) the number of prunes contained in a pound and may be re-

ferred to in terms of size ranges, or (b) the diameter of a round opening, expressed in multiples of  $\frac{1}{32}$  of an inch, through which prunes pass freely.

2. A new § 993.19b *Undersized prunes* is added reading as follows:

§ 993.19b *Undersized prunes*.

"Undersized prunes" means prunes which pass freely through a round opening of a specified diameter, and shall not be classified as either standard prunes pursuant to § 993.10 or substandard prunes pursuant to § 993.12.

3. Section 993.21c *Salable prunes* is revised by inserting "other than undersized prunes" after "all prunes."

4. Section 993.36(h) is amended by revising "monthly statements" to "quarterly statements."

5. Section 993.41(a) is amended by revising "fourth Tuesday" to "first Tuesday."

6. Section 993.41(b) is revised by redesignating subparagraphs (9) through (14), inclusive, as (10) through (15), inclusive, and inserting a new subparagraph (9) reading as follows:

(9) The quantity of prunes in the crop; based on § 993.49(c), classified as undersized prunes;

7. Section 993.49(a) is revised by inserting "and undersized prunes" after "other than substandard prunes".

8. Section 993.49 is amended by deleting paragraph (c), including the provisions suspended from operation for the 1968-69 crop year and subsequent crop years by action published in the FEDERAL REGISTER August 24, 1968 (33 F.R. 12032).

9. A new paragraph (c) is added to § 993.49 reading as follows:

§ 993.49 *Incoming regulation*.

(c) The Secretary may establish a size regulation with respect to undersized prunes for any crop year pursuant to paragraph (b) of this section. Whenever such size regulation is in effect, no handler shall receive undersized prunes from producers and dehydrators except in accordance with such regulation. Any such size regulation shall specify the diameter of the round opening to be used in determining the quantity of undersized prunes in each lot of prunes received from producers and dehydrators: *Provided*, That for French prunes, the diameter of such round opening shall not be less than  $\frac{3}{32}$  inch, and for non-French prunes, the diameter of such round opening shall not be less than  $\frac{2}{32}$  inch. Whenever such size regulation is in effect, the inspection service shall determine the quantity of undersized prunes in each lot of prunes received by a handler from a producer or dehydrator.

10. Paragraph (a) of § 993.50 is revised by inserting "of undersized prunes or" after "final disposition."

11. Consider evidence relating to authority to establish size regulations pursuant to § 993.50(b), or modify any size regulation established pursuant to that paragraph, for standard prunes, substandard prunes, and undersized prunes.

12. Paragraphs (c) and (d) of § 993.50 are revised and a new paragraph (g) is added to read as follows:

§ 993.50 *Outgoing regulation*.

(c) Non-French prunes: No handler shall ship or otherwise make final disposition of any lot of non-French prunes for human consumption as prunes, or of any lot which includes non-French prunes in excess of a tolerance to be prescribed by the Secretary on recommendation of the Committee, or of any lot of mixed dried fruit containing non-French prunes for human consumption as mixed dried fruit, unless the average count of such non-French prunes contained in any such lot is 40 or less per pound. However, under safeguards to be established by the Committee, any lot containing non-French prunes with an average size count of more than 40 prunes per pound may be shipped to or disposed of in prune product outlets in which they lose their form and character as prunes by conversion prior to consumption. A tolerance as to the permitted deviation of sizes about the average count shall be prescribed by the Secretary, upon recommendation of the Committee.

(d) French prunes: No handler shall ship or otherwise make final disposition of any lot of French prunes for human consumption as prunes, or of any lot of mixed dried fruit containing French prunes for human consumption as mixed dried fruit, unless the average count of French prunes contained in any such lot is 100 or less per pound. However, under safeguards to be established by the Committee, any lot containing French prunes with an average size count of more than 100 prunes per pound may be shipped to or disposed of in prune product outlets in which they lose their form and character as prunes by conversion prior to consumption. In determining whether any such lot conforms to this minimum size requirement, the following tolerance shall apply: In a sample of 100 ounces, the count per pound of 10 ounces of the smallest prunes shall not vary from the count per pound of 10 ounces of the largest prunes by more than 45 points. The Secretary may, upon the basis of the recommendation and information submitted by the Committee and other available information, modify this tolerance for uniformity of size.

(g) Whenever the inspection service has determined pursuant to § 993.49(c)



# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

## Food and Drug Administration

[ 21 CFR Part 29 ]

### FRUIT JELLY

#### Identity Standard; Boysenberry Fruit

The Commissioner of Food and Drugs is in receipt of requests for inclusion of boysenberry juice as an optional fruit ingredient in the jelly identity standard. The Commissioner considers the requests reasonable and proposes on his own initiative that § 29.2 *Fruit jelly; identity; label statement of optional ingredients* be amended by alphabetically adding "Boysenberry" with a factor of "10.0" to the list of fruit ingredients and their factors set forth in paragraph (c).

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), interested persons are invited to submit their views in writing (preferably in quintuplicate) regarding this proposal within 60 days after its date of publication in the FEDERAL REGISTER. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-62, 5600 Fishers Lane, Rockville, Md. 20852, and may be accompanied by a memorandum or brief in support thereof.

Dated: March 16, 1971.

SAM D. FINE,  
Associate Commissioner  
for Compliance.

[FR Doc.71-4136 Filed 3-25-71; 8:46 am]

# DEPARTMENT OF TRANSPORTATION

## Coast Guard

[ 33 CFR Part 66 ]

[CGFR 70-159a]

### PRIVATE RADIO AIDS TO NAVIGATION

#### Extension of Time for Comments

The Coast Guard published a notice of proposed rule making (CGFR 70-159) in the FEDERAL REGISTER on January 20, 1971 (35 F.R. 928) that proposed rules for the authorization of private radio aids to navigation.

The response to this notice of proposed rule making has been such that an ex-

tension of time is desirable to assure that all interested parties receive full and adequate opportunity to comment.

Therefore, the time for submitting written data, views, arguments, and comments on CGFR 70-159 is extended to April 20, 1971.

(Sec. 1, 63 Stat. 500, 501, 545, as amended, sec. 501, 65 Stat. 290, sec. 4, 67 Stat. 462, sec. 6(b), 80 Stat. 938, 14 U.S.C. 81, 83, 84, 85, 86, 633, 31 U.S.C. 483a, 43 U.S.C. 1333, 49 U.S.C. 1655(b); 49 CFR 1.46(b) (35 F.R. 4959))

Dated: March 22, 1971.

C. R. BENDER,  
Admiral, U.S. Coast Guard,  
Commandant.

[FR Doc.71-4192 Filed 3-25-71; 8:51 am]

## Federal Aviation Administration

[ 14 CFR Part 61 ]

[Docket No. 10954; Notice 71-9]

### PRACTICAL TEST FOR GLIDER RATING

#### Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending Part 61 of the Federal Aviation Regulations to provide that an applicant for a private, commercial, or flight instructor certificate with a glider rating may, in his practical test, perform either ground tow or aircraft tow, subject to having an appropriate corresponding endorsement placed on his certificate.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, DC 20590. All communications received on or before June 29, 1971, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

By letter dated November 15, 1970, the Soaring Society of America, Inc., petitioned to the Federal Aviation Administration to eliminate the requirement for any winch, auto, or pulley tow demonstration by an applicant for a commercial glider license, stating that:

1. The use of ground tows on active airports presents difficulties, as runways are tied up during the time glider launch operations are in progress, and the presence of tow vehicles, winches, cables,

that a lot of prunes received by a handler from a producer or dehydrator contains undersized prunes, the handler shall dispose of a like quantity of prunes in nonhuman consumption outlets, at the direction and under the supervision of the committee. The inspection service shall determine whether the prunes so disposed of comply with the handler's obligation incurred pursuant to § 993.49 (c). In making such determination, the inspection service shall apply the applicable tolerance permitting a deviation from the size of the applicable opening specified pursuant to § 993.49 (c) whereby the obligation was determined. Any such tolerance, together with any other rules and regulations to insure proper disposition of the prunes and that such prunes are reasonably comparable to the undersized prunes so received, shall be established by the committee with the approval of the Secretary.

13. In the second sentence of § 993.54, the phrase "the weight obligation of § 993.49 (c)" is deleted, and "undersized prunes" inserted in lieu thereof.

14. In the first sentence of § 993.56, the phrase "the weight obligation of § 993.49 (c)" is deleted, and "undersized prunes" inserted in lieu thereof.

15. Section 993.75 is revised to read as follows:

#### § 993.75 Verification of reports.

For the purpose of checking and verifying reports filed by handlers or the operation of handlers under the provisions of this subpart, the Secretary, and the committee through its duly authorized agents, shall have access to any premises where prunes may be held by any handler and at any time during reasonable business hours, shall be permitted to inspect any prunes so held by such handler and any and all records of such handler with respect to the holding or disposition of all prunes which may be held or which may have been disposed of by him.

16. Make such other changes in the marketing agreement and order as may be necessary to make the entire marketing agreement and order conform to any amendment which may result from this hearing.

Copies of this notice may be obtained from the San Francisco Marketing Field Office, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, 630 Sansome Street, Room 835, San Francisco, CA 94111, or from the Prune Administrative Committee, World Trade Center, San Francisco, CA 94111.

Dated: March 23, 1971.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[FR Doc.71-4211 Filed 3-25-71; 8:52 am]



and personnel on the runway present a hazard to or a burden on other aircraft.

2. To require glider pilots who have use for only one type of glider tow (air or ground) to be tested on both types is a burden since two sets of equipment are required for the test.

The practical test for a private pilot certificate (glider) currently requires in § 61.95(b)(1)(iii) the performance competently of an auto, pulley, or winch tow; or airplane tow. The practical test for a commercial pilot certificate (glider) currently requires in § 61.125(b)(1)(iii) and (iv) the performance competently of both an auto, pulley or winch tow, and an airplane tow above, below, and to one side of slipstream. An applicant for a flight instructor certificate with a glider rating also must perform both an aircraft tow, and an auto or winch tow, under § 61.173(b)(4)(ii) and (iii).

The burden of the current requirements in the practical test for the latter two situations can be removed without adverse effect on safety, by issuing airman certificates with glider ratings that are limited to the type of glider tow performed competently in the practical test, and without limitation if both tows are so performed satisfactorily. At the same time, consistent changes can be made in the provisions affecting private pilot certificates (glider).

It is therefore proposed that appropriate changes be made in the regulations to accomplish these objectives. It also is proposed that passenger-carrying privileges with a private pilot certificate (glider) should be limited to the kind of tow so demonstrated; that passenger-carrying in, or operations for compensation or hire with, a glider with a commercial pilot certificate (glider) should be limited in the same manner; and that the privileges of a flight instructor certificate with a glider rating should also be limited to the operation with the authorized kind of tow. In each case, if the applicant performs with both kinds of tows, no limitation would be placed on his certificate, and an endorsement would be removed from his certificate when he later performs the remaining tow not already performed. Sections 61.95, 61.101, 61.125, 61.131, 61.173, and 61.180 would be amended accordingly.

The proposed provisions would refer to only two kinds of glider tows—"ground tows" and "aircraft tows". The similarity of the principles involved in all types of launches by tow line from the ground, whether by auto, pulley, or winch, makes it appropriate to accept a performance with any one of these as qualification for all ground tows. Thus, for the purpose of clarity and simplicity, the terms "auto, pulley, or winch tow" would be stricken out where they appear in these provisions and the term "ground tow" substituted therefor. The phrase "above, below, and to one side of slipstream" in § 61.125 would be stricken out as unnecessary.

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

1. By amending paragraph (b)(1)(iii) of § 61.95 to read as follows:

§ 61.95 Glider rating: aeronautical skill.

(b) \* \* \*

(1) \* \* \*

(iii) Ground tow and aircraft tow. However, if only one kind of tow is performed the pilot certificate is endorsed "ground tow only" or "aircraft tow only," as appropriate. This endorsement is removed when the certificate holder performs the other kind of tow competently.

2. By adding a new paragraph (c) in § 61.101 to read as follows:

§ 61.101 General privileges and limitations.

(c) *Glider*. The holder of a private pilot certificate (glider) endorsed "ground tow only" or "aircraft tow only" may not act as pilot in command of a glider that is carrying passengers unless that kind of tow is used for the flight.

3. By amending paragraph (b)(1) of § 61.125 to read as follows:

§ 61.125 Glider rating: aeronautical skill.

(b) \* \* \*

(1) Phase I—basic techniques:

(i) Preflight check and oral equipment test.

(ii) Preflight operations.

(iii) Ground tow and aircraft tow. However, if only one kind of tow is performed the pilot certificate is endorsed "ground tow only" or "aircraft tow only" as appropriate. This endorsement is removed when the certificate holder performs the other kind of tow competently.

(iv) 180° approaches to landings in the direction of the prescribed traffic pattern flow, landing within 100 feet beyond a designated line or mark.

4. By amending paragraph (a) and adding new paragraph (d) in § 61.131 to read as follows:

§ 61.131 General privileges and limitations.

(a) Subject to § 61.16 and paragraphs (b), (c), and (d) of this section, a commercial pilot may act as pilot in command of an aircraft that is carrying passengers or property for compensation or hire, and may for compensation or hire act as pilot in command of an aircraft.

(d) The holder of a commercial pilot certificate (glider) endorsed "ground tow only" or "aircraft tow only" may not act as pilot in command of a glider that is carrying passengers or being operated for compensation or hire unless that kind of tow is used for the flight.

5. By amending paragraph (b)(4) in § 61.173, to read as follows:

§ 61.173 Aeronautical skill.

(b) \* \* \*

(4) *Glider*. (i) Preflight operations.

(ii) Ground tow and aircraft tow. However, if only one kind of tow is performed the flight instructor certificate is endorsed "ground tow only" or "aircraft tow only," as appropriate. This endorsement is removed when the certificate holder performs the other kind of tow competently.

(iii) Stalls and slow flight.

(iv) Accuracy 180° approaches and landings.

(v) Spins. (The inspector may accept a logbook record of spin flight instruction in gliders or light airplanes in lieu of a demonstration. Such a record must indicate that the applicant has demonstrated satisfactory entries and recoveries from spins in both directions, and shall be certified by the flight instructor who conducted the flight instruction.)

(vi) Spirals.

6. By adding a new paragraph (g) in § 61.180 to read as follows:

§ 61.180 Limitations.

(g) The holder of a flight instructor certificate with a glider rating that is endorsed "ground tow only" or "aircraft tow only" may not exercise the privileges of that certificate in the operation of a glider unless that kind of tow is used for the flight.

These amendments are proposed under the authority of sections 313(a), 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1422), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on March 22, 1971.

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

[FR Doc. 71-4170 Filed 3-25-71; 8:49 am]

## [ 14 CFR Part 71 ]

[Airspace Docket No. 71-WE-19]

## TRANSITION AREA

### Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Hanksville, Utah, transition area.

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief Airspace and Procedures Branch, Federal Aviation Administration, 5651 West Manchester Avenue, Post Office Box 92007, Worldway Postal Center, Los Angeles, CA 90009. All communications received within 30 days after publication



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

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

The controlled airspace requirements for Hanksville, Utah, have been reviewed in accordance with criteria contained in United States Standard for Terminal Instrument Procedures. As a result of the review it has been determined that the 1,200-foot portion of the transition area should be realigned on the 286° T (271° M) radial to provide controlled airspace protection for the procedure turn and holding airspace. The proposed 700-foot portion of the transition area will provide controlled airspace protection for aircraft executing the prescribed instrument approach and departure procedures while operating between 700 feet and 1,200 feet above the surface.

In consideration of the foregoing, the FAA proposes the following airspace action.

In § 71.181 (36 F.R. 2140) the description of the Hanksville, Utah, transition area is amended to read as follows:

#### HANKSVILLE, UTAH

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hanksville (FAA Site 54) Airport (latitude 38°25'01" N., longitude 110°41'57" W.) and within 3.5 miles each side of the Hanksville VORTAC 106° radial, extending from the 5-mile radius area to 11.5 miles east of the VORTAC; that airspace extending upward from 1,200 feet above the surface within 6 miles north and 9.5 miles south of the Hanksville VORTAC 286° and 106° radials, extending from 7.5 miles west to 18.5 miles east of the VORTAC.

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

Issued in Los Angeles, Calif., on March 17, 1971.

LEE E. WARREN,  
Acting Director, Western Region.

[FR Doc.71-4159 Filed 3-25-71;8:48 am]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 71-SO-5]

#### TRANSITION AREA

#### Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71

of the Federal Aviation Regulations that would designate the Tuskegee, Ala., transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Area Manager, Memphis Area Office, Air Traffic Branch, Post Office Box 18097, Memphis, TN 38118. All communications received within 30 days after publication of this notice in the **FEDERAL REGISTER** will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

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

The Tuskegee transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Moton Field (lat. 32°27'50" N., long. 85°40'45" W.); within 3 miles each side of Tuskegee VOR 025° radial, extending from the 5.5-mile radius area to 8.5 miles north-east of the VOR.

The proposed designation is required to provide controlled airspace protection for IFR operations at Moton Field. A prescribed instrument approach procedure to this airport, utilizing the Tuskegee VOR, is proposed in conjunction with the designation of this transition area.

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

Issued in East Point, Ga., on March 18, 1971.

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

[FR Doc.71-4171 Filed 3-25-71;8:49 am]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 71-SO-42]

#### TRANSITION AREA

#### Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Rome, Ga., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after

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

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

The Rome transition area described in § 71.181 (36 F.R. 2140) would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 12-mile radius of Richard B. Russell Airport (lat. 34°20'57" N., long. 85°09'31" W.); within 5 miles each side of Rome VOR 350° radial, extending from the 12-mile radius area to the VOR.

The proposed alteration is required to provide controlled airspace protection for IFR operations in the Rome terminal in conformance with the application of Terminal Instrument Procedures (TERPs) and current airspace criteria.

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

Issued in East Point, Ga., on March 18, 1971.

JAMES G. ROGERS,  
Director, Southern Region.

[FR Doc.71-4172 Filed 3-25-71;8:49 am]

#### [ 14 CFR Part 71 ]

[Airspace Docket No. 71-SO-43]

#### TRANSITION AREA

#### Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Cedartown, Ga., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the **FEDERAL REGISTER** will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views,



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

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

The Cedartown transition area described in § 71.181 (36 F.R. 2140) would be redesignated as:

That airspace extending upward from 700 feet above the surface within an 8.5-mile radius of Cornelius Moore Field (lat. 34°01'20" N., long. 85°08'50" W.); within 3 miles each side of Rome, Ga., VOR 009° and 189° radials, extending from the 8.5-mile radius area to 8.5 miles N. of the VOR; excluding the portion within Rome, Ga., transition area.

The proposed alteration is required to provide controlled airspace protection for IFR operations in the Cedartown terminal in conformance with the application of Terminal Instrument Procedures (TERPs) and current airspace criteria.

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

Issued in East Point, Ga., on March 18, 1971.

JAMES G. ROGERS,  
Director, Southern Region.

[FR Doc. 71-4173 Filed 3-25-71; 8:49 am]

## Hazardous Materials Regulations Board

### [ 49 CFR Part 173 ]

[Docket No. HM-81; Notice No. 71-8]

## TRANSPORTATION OF HAZARDOUS MATERIALS

### Sulfuric Acid

#### Correction

In F.R. Doc. 71-3789 appearing at page 5299 in the issue for Friday, March 19, 1971, paragraphs (g) and (h) of § 173.272 should read as follows:

(g) *Sulfuric acid concentration of greater than 95 percent to not over 100.5 percent.* Authorized packaging is described in subparagraphs (1) through (4) and (14) through (22) of paragraph (i) of this section.

(h) *Sulfuric acid concentration of over 100.5 percent.* Authorized packaging is described in subparagraphs (1) through (4), (17), and (19) through (22) of paragraph (i) of this section.

## FEDERAL HOME LOAN BANK BOARD

### [ 12 CFR Parts 541, 545 ]

[No. 71-265]

## FEDERAL SAVINGS AND LOAN SYSTEM

### Loan Transactions

MARCH 18, 1971.

Resolved, that the Federal Home Loan Bank Board considers it advisable to amend Parts 541 and 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Parts 541, 545) for the following purposes:

1. To delete the definition of the term "without recourse" since the same subject matter is covered by the Rules and Regulations for Insurance of Accounts (12 CFR Chapter V, Subchapter D) which are also applicable to Federal savings and loan associations.

2. To broaden the authority of Federal savings and loan associations to participate in mortgage loan transactions within their regular lending area.

3. To restate the regulatory requirements relating to certain statutory percentage-of-assets limitations applicable to Federal savings and loan associations.

4. To effect certain other technical changes for purposes of clarification.

Accordingly, the Federal Home Loan Bank Board proposes to amend said Parts 541 and 545, as follows:

#### § 541.7 [Revoked]

A. Amend Part 541 by revoking § 541.7 thereof.

B. Amend Part 545 by revising § 545.6-4 thereof to read as follows:

#### § 545.6-4 Participation loans.

(a) *General.* Any Federal association may, to the extent it has legal authority to do so, participate with any other approved lender or lenders in the making of any loan of a type that it may make under this part on the security of a first lien on real estate; and it may purchase from or sell to any other approved lender a participation interest in any such loan; but it shall comply with the provisions of Part 563 of this chapter with respect to the making of participation loans and the purchase and sale of participation interests in loans.

(b) *Board approval for other transactions.* A Federal association may engage in a participation transaction other than one permitted by paragraph (a) of this section only if it has obtained the prior written approval of the Board with respect to such transaction. Any loan in which a Federal association participates or in which it purchases a participation interest pursuant to such approval may be repayable on such basis and within such period as the Board may authorize

in such approval, without regard to any other provision of this part.

(c) *Percentage-of-assets limitation—*  
(1) *General limitation.* No Federal association may engage in a participation transaction under this section, if, as a result of such transaction, the aggregate amount of its investment in participation interests in loans of the following types (except as otherwise provided in subparagraph (2) of this paragraph) would exceed an amount equal to 20 percent of its assets:

(i) Loans secured by (a) single-family dwellings or (b) homes, if such real estate is located beyond the association's regular lending area; and

(ii) Loans secured by (a) other dwelling units or (b) combinations of dwelling units, including homes, and business property involving only minor or incidental business use, wherever such real estate is located.

(2) *Exclusions from limitation.* Participation interests in any of the following types of loans shall not be counted toward the 20-percent-of-assets limitation of subparagraph (1) of this paragraph:

(i) Insured loans;  
(ii) Guaranteed loans;  
(iii) Loans which (a) meet the requirements of § 545.6-1 (b) (4) and (b) are counted toward the 20-percent-of-assets limitation of that section;

(iv) Loans which are counted toward the 20-percent-of-assets limitation of § 545.6-7; and

(v) Loans which are counted toward the 5-percent-of-assets limitation of § 545.6-18.

(3) *Applicability of other provisions.* Participation interests which are counted toward the 20-percent-of-assets limitation of subparagraph (1) of this paragraph shall not be counted toward the 20-percent-of-assets limitation of § 545.6-7.

(d) *Definition of approved lender.* For the purposes of this section, the term "approved lender" means:

(1) Any lending institution whose accounts or deposits are insured by the Federal Savings and Loan Insurance Corporation or the Federal Deposit Insurance Corporation;

(2) Any agency or instrumentality of the United States or of any State, including the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States, regularly engaged in the making, purchasing, or selling of loans on the security of real estate or in the purchasing or selling of participation interests in such loans;

(3) Any approved Federal Housing Administration mortgagee meeting the requirements specified in subparagraph (4) of paragraph (a) of § 563.9 of this chapter; and



(4) Any service corporation which meets the requirements of § 545.9-1 and in which any Federal association has an investment pursuant to that section.

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

Resolved further, that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Washington, D.C. 20552, by April 12, 1971, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

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

[FR Doc. 71-4162 Filed 3-25-71; 8:48 am]

## [ 12 CFR Part 545 ]

[No. 71-267]

### FEDERAL SAVINGS AND LOAN SYSTEM

#### Sale of Loans and Participation Interests in Loans; Withdrawal of Proposed Rule Making

MARCH 18, 1971.

Whereas, by Resolution No. 24,051, dated April 30, 1970, and duly published in the FEDERAL REGISTER on May 6, 1970 (35 F.R. 7130), this Board resolved to propose that Federal savings and loan associations be permitted to sell packages of loans, or participation interests in loans, in amounts not less than \$100,000, on a "with recourse" basis, by amending Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) as set out in said publication; and

Whereas, careful consideration has been given to such proposed amendment:

It is hereby resolved, that this Board determines not to adopt the amendment proposed by said Resolution No. 24,051.

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

By the Federal Home Loan Bank Board.

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

[FR Doc. 71-4161 Filed 3-25-71; 8:48 am]

## [ 12 CFR Parts 561, 563 ]

[No. 71-266]

### FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

#### Loan Transactions

MARCH 18, 1971.

Resolved that the Federal Home Loan Bank Board considers it advisable to

amend Parts 561 and 563 of the Rules and Regulations for Insurance of Accounts (12 CFR Parts 561, 563) for the following purposes:

1. To make a technical change in the definition of the term "without recourse" as it relates to the sale of loans or participation interests in loans by insured institutions.

2. To increase the authority of insured institutions with respect to participations in mortgage loan transactions in the following respects:

(a) Authorizing participation in mortgage loan transactions with additional classes of lenders;

(b) Broadening the types of real estate security for mortgage loans which may be the subject of participation transactions; and

(c) Decreasing the percentage of the participation in a mortgage loan transaction required to be retained by the institution which will service the mortgage loan, when the security is "residential real estate".

3. To effect certain other technical changes for purposes of clarification.

Accordingly, the Federal Home Loan Bank Board proposes to amend said Parts 561 and 563, as follows:

A. Amend Part 561 by revising § 561.8 thereof to read as follows:

#### § 561.8 Without recourse.

The term "without recourse" means, in connection with the sale of a loan or a participation interest in a loan, without any agreement or arrangement under which the purchaser is to be entitled to receive from the seller any sum of money or thing of value, whether tangible or intangible (including any substitution), upon default in payment of any loan or mortgage involved or any part thereof or two withhold or to have withheld from the seller any sum of money or any such thing of value by way of security against any such default.

B. Amend Part 563 as follows:

1. By revising § 563.9-1 thereof to read as follows:

#### § 563.9-1 Participation loans.

(a) *Loans on real estate located within normal lending territory.* Any insured institution may, to the extent it has legal power to do so, participate with others in making any loan on the security of real estate located within its normal lending territory and purchase from or sell to others participation interests in such loans.

(b) *Loans on real estate located beyond normal lending territory—(1) General.* Subject to the provisions of this section, any insured institution, to the extent it has legal power to do so, may purchase from or sell to any other approved lender a participation interest in any loan secured by a first lien upon real estate located outside its normal lending territory, and may participate with any other approved lender or lenders in the making of any such loan, if:

(i) The loan is an insured loan or a guaranteed loan; or

(ii) The loan is secured by property located within 100 miles of an office of

any other approved lender, which (a) services such loan and (b) at the close of the participation transaction has an interest in the loan of at least

(1) 10 percent, if the loan is secured by residential real estate.

(2) 50 percent, if the loan is secured by real estate other than residential real estate.

(2) *Scheduled items limitation.* (i) No insured institution may, pursuant to subdivision (ii) of subparagraph (1) of this paragraph, purchase a participation interest from, or enter into a participation with, any insured institution which had, at the close of its immediately preceding semiannual period, scheduled items (other than assets acquired in a merger instituted for supervisory reasons) in excess of 4 percent of its specified assets, unless the prior written approval of the Corporation has been obtained as provided in subdivision (ii) of this subparagraph.

(ii) An insured institution having scheduled items in excess of 4 percent of its specified assets may request Corporation approval for other insured institutions to purchase from it participation interests in loans and to participate with it in the making of loans pursuant to subparagraph (1) of this paragraph. Any such request by the institution for Corporation approval shall be transmitted to the Director, Office of Examinations and Supervision, Federal Home Loan Bank Board, Washington, D.C., 20552, with a copy thereof to the Supervisory Agent.

(3) *Requirements as to servicer.* An insured institution may maintain a participation interest in a loan, other than an insured loan or a guaranteed loan, purchased or jointly originated pursuant to subdivision (ii) of subparagraph (1) of this paragraph, only if the loan is serviced by another approved lender having (i) an office located within 100 miles of the real estate securing the loan and (ii) an interest in such loan of at least (a) 10 percent, if the loan is secured by residential real estate, or (b) 50 percent, if the loan is secured by other than residential real estate. In event that the requirements set forth in the preceding sentence cease to be met with respect to a loan in which an insured institution has a participation interest, such institution shall dispose of such participation interest within 90 days from the date that such requirements ceased to be met, unless it has, prior to the expiration of such 90-day period, obtained the written approval of the Corporation to maintain such investment for such longer period as the Corporation may provide.

(4) *Percentage-of-assets limitation.* No insured institution shall engage in a participation transaction under this paragraph (b), except a transaction involving an insured loan or a guaranteed loan, if, as a result of such transaction, the aggregate amount of its investment in participation interests in loans on the security of real estate located beyond its normal lending territory, other than insured loans or guaranteed loans, would exceed



an amount equal to 40 percent of its assets.

(c) *Applicability of other provisions.* The participation by an insured institution in the making of a loan pursuant to the approval granted by this section, or the purchase by an insured institution of a participation interest in a loan pursuant to such approval, shall not be subject to the provisions of § 563.10.

(d) *Definitions.* As used in this section—

(1) The term "approved lender" means:

(i) Any lending institution whose accounts or deposits are insured by the Federal Savings and Loan Insurance Corporation or the Federal Deposit Insurance Corporation;

(ii) Any agency or instrumentality of the United States or of any State, including the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States, engaged in the making, purchasing, or selling of loans on the security of real estate or in the purchasing or selling of participation interests in such loans;

(iii) Any approved Federal Housing Administration mortgagee meeting the requirements specified in subparagraph (4) of paragraph (a) of § 563.9; and

(iv) Any service corporation which meets the requirements of § 545.9-1 of this subchapter and in which any Federal savings and loan association has an investment pursuant to that section.

(2) The term "residential real estate" means real estate (i) improved by a structure or structures designed primarily for residential use and (ii) having at least 80 percent of its total value comprised of the land and improvements attributable to such residential use.

(3) The term "Supervisory Agent" means the President of the Federal Home Loan Bank of the district in which the insured institution is located or any other officer or employee of such bank designated by the Board as agent of the Corporation as provided in § 501.11 of this chapter.

§ 563.9-2 [Revoked]

2. By revoking § 563.9-2 thereof.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071).

Resolved further that interested persons are invited to submit written data, views, and arguments to the Office of the Secretary, Washington, D.C. 20552, by April 12, 1971, as to whether this proposal should be adopted, rejected, or modified. Written material submitted will be available for public inspection at the above address unless confidential treatment is requested or the material would not be made available to the public or otherwise disclosed under § 505.6 of the general regulations of the Federal Home Loan Bank Board (12 CFR 505.6).

By the Federal Home Loan Bank Board.

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

[FR Doc.71-4164 Filed 3-25-71;8:49 am]

## [ 12 CFR Part 563 ]

[No. 71-268]

### FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

#### Sale of Loans and Participation Interests in Loans; Withdrawal of Proposed Rule Making

MARCH 18, 1971.

Whereas, by Resolution No. 24,052, dated April 30, 1970, and duly published in the FEDERAL REGISTER on May 6, 1970 (35 F.R. 7131), this Board resolved to propose that insured institutions be permitted to sell packages of loans, or participation interests in loans, in amounts of not less than \$100,000, on a "with recourse" basis, by amending Part 563 of the Rules and Regulations for Insurance of Accounts (12 CFR Part 563) as set out in said publication; and

Whereas, careful consideration has been given to such proposed amendment:

It is hereby resolved, that this Board determines not to adopt the amendment proposed by said Resolution No. 24,052.

(Secs. 402, 403, 48 Stat. 1256, 1257, as amended; 12 U.S.C. 1725, 1726. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

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

[FR Doc.71-4163 Filed 3-25-71;8:48 am]

## NATIONAL CREDIT UNION ADMINISTRATION

[ 12 CFR Part 703 ]

### INVESTMENTS AND DEPOSITS

#### Notice of Proposed Rule Making

Notice is hereby given that the Administrator of the National Credit Union Administration, pursuant to the authority conferred by section 120, 73 Stat. 635, 12 U.S.C. 1766, is considering the addition of a new Part 703 entitled "Investments and Deposits" to Title 12 of the Code of Federal Regulations.

The proposed new Part 703 would establish mandatory procedures, requirements, and recommendations pertaining to investments and deposits by Federal credit unions.

This notice is published pursuant to section 553 of Title 5 of the United States Code.

To aid in the consideration of the matter by the Administrator, interested persons are invited to submit relevant data, views, or arguments.

Any such material should be submitted in writing to the Administrator, National Credit Union Administration, 1325 K Street NW., Washington, DC 20456, to be received not later than 30 days from pub-

lication of this notice in the FEDERAL REGISTER.

HERMAN NICKERSON, Jr.,  
Administrator.

MARCH 19, 1971.

The proposed new Part 703 would read as follows:

### PART 703—INVESTMENTS AND DEPOSITS

#### § 703.1 Certificates of deposit.

(a) Basic requirements: A deposit evidenced by a time certificate of deposit is within the power of a Federal credit union under sections 107 (8) and (9) of the Federal Credit Union Act: *Provided:* (1) That such credit union itself makes the deposit for which the certificate is issued; (2) that no consideration is received from a third party in connection with the making of the deposit; and (3) that the certificate contains a provision which will authorize the bank to pay a time deposit or a portion thereof before maturity in those instances where the depositor-credit union indicates a need of the money represented by such time deposit. The model wording of this provision is indicated in paragraph (b) of this section.

(b) Model language: The provision referred to in subparagraph (3) of paragraph (a) of this section shall: (1) In the case of member banks of the Federal Reserve System read substantially as follows: "Payment in emergency before maturity—It is understood and agreed that if before maturity of this certificate the depositor signs an application describing the emergency pursuant to 12 CFR 217.4(d), the bank shall pay forthwith to the depositor the portion of the deposit applied for."; and (2) in the case of nonmember insured banks read substantially as follows: "Payment in emergency before maturity—It is understood and agreed that if before maturity of this certificate the depositor signs a written statement pursuant to 12 CFR 329.4(d), the bank shall pay forthwith to the depositor the portion of the deposit stated to be needed." If the bank does not fall within these two classifications, it should provide evidence of authority to pay before maturity in an emergency, and the certificate of deposit should contain an appropriate commitment to do so.

(c) Separate written agreement: If it is more convenient not to incorporate the provision referred to in paragraphs (a) and (b) of this section on the face of the certificate, there shall be a separate written agreement between the bank and the credit union evidencing the provision referred to in these subsections. This separate written agreement may be made to apply to specific certificates or to all certificates then or thereafter issued by that bank to the credit union.

(d) Payment of interest: The credit union shall negotiate with the bank in advance of making the deposit and incorporate in a written agreement provision for the payment of interest both during the term of deposit and in the event that emergency payment is needed



before maturity. The terms of this agreement shall conform with the appropriate regulations governing the payment of interest by the particular bank involved.

(e) Deposits in State financial institutions: Certificates of deposit in State-chartered financial institutions may be obtained by a Federal credit union only from those State-chartered financial institutions located in the State in which the Federal credit union is geographically situated.

(f) The purchase of certificates of deposit that do not meet the above provisions are not authorized for Federal credit unions.

(Sec. 120, 73 Stat. 635; 12 U.S.C. 1766)

[FR Doc. 71-4144 Filed 3-25-71; 8:47 am]

## ENVIRONMENTAL PROTECTION AGENCY

[18 CFR Part 601]

### GRANTS FOR WATER POLLUTION CONTROL

#### Allotments to States

Notice is hereby given that the Administrator, Environmental Protection Agency, proposes to amend Part 601, Subpart B, § 601.22 *Allotments to States*. The purpose of this amendment is to establish regulations for the Administrator, EPA, to reallocate funds appropriated for grants for construction of waste treatment facilities. The proposed revision is set forth below.

#### § 601.22 Allotments to States.

(a) The first \$100 million appropriated for any fiscal year shall be allotted as soon as practicable as follows:

(1) 50 per centum of such sums in the ratio that the population of each State bears to the population of all States, and

(2) 50 per centum of such sums in the ratio that the quotient obtained by dividing the per capita income of the United States by the per capita income of each State bears to the sum of such quotients for all the States.

(b) Funds in excess of \$100 million appropriated for any fiscal year, except as otherwise provided by law, shall be

allotted as soon as practicable in the ratio that the population of each State bears to the population of all the States.

(c) Sums available for allocation to States based on eligibility for reimbursement or severe local and basinwide water pollution problems shall be divided between such purposes in such proportions as the Administrator may determine and shall be allotted among the States in accordance with the procedures and provisions set forth for reallocation of unobligated funds under paragraph (c) of this section. Allocation shall be made at such time or times as may be practicable.

(d) Except as provided in § 601.25(h), sums allotted to a State under paragraphs (a) and (b) of this section which are not obligated within the time period specified by law shall be reallocated in accordance with paragraph (e) of this section.

(e) Reallocation of unobligated funds under paragraph (d) of this section will be made within 90 days following their availability for reallocation as follows:

(1) Unobligated funds under paragraph (d) of this section, subject to subparagraph (3) of this paragraph shall be reallocated among the States having projects eligible for reimbursement under the provisions of section 8(c) of the Act; such reallocation shall be based on the ratio which each State's reimbursement eligibility for work in place as of the end of the most recent quarter for which information is available bears to the total of such reimbursement eligibility for all the States: *Provided*, That each State to receive any such reallocation shall first provide such assurances as the Administrator deems appropriate to assure that such funds shall be applied on an equitable pro rata basis with respect to such work in place.

(2) If any funds remain unobligated, such funds shall be reallocated among the States based on the ratio that its remaining eligibility for reimbursement pursuant to section 8(c) of the Act bears to the total remaining reimbursement eligibility for all the States; provided that each State to be entitled to any such reallocation shall, within 30 days following the date on which funds become available for reallocation, provide a statement satisfactory to the Administrator

listing projects eligible for reimbursement and certified as entitled to priority over other projects eligible for reimbursement, which statement shall also specify the manner in which any reallocated funds should be applied towards the projects so listed.

(3) Prior to making any reallocation under subparagraphs (1) and (2) of this paragraph, the Administrator may determine whether any part of the unobligated funds under paragraph (d) of this section should be applied in situations of special need to meet severe local and basinwide pollution problems in order to promote the purposes of the Act most effectively. In making such determination, the Administrator shall apply the following criteria:

(i) The extent of degradation of water quality;

(ii) The extent of the financial need;

(iii) The extent to which degradation is attributed to untreated or inadequately treated waters of municipalities;

(iv) The extent to which facilities to be constructed will contribute to the enhancement of the environment;

(v) Such other factors as the Administrator considers relevant.

The Administrator shall reallocate such funds to the States in which such special needs exist on such basis as he may deem most advisable, provided that each State to receive any such reallocation shall first provide such assurances as the Administrator may require that such funds should be applied to eligible projects selected by the Administrator to meet such needs.

(Secs. 4, 10, 70 Stat. 499, 506, as amended; 33 U.S.C. 466c, 466i)

Interested persons may submit, in triplicate, written data, views, or arguments in regard to the proposed regulations to the Director, Grants Administration Division, Environmental Protection Agency, Washington, D.C. 20460. All relevant material received not later than 30 days after publication of this revised regulation will be considered.

Dated: March 24, 1971.

WILLIAM D. RUCKELSHAUS,  
Administrator.

[FR Doc. 71-4313 Filed 3-25-71; 9:21 am]



# Notices

## DEPARTMENT OF THE INTERIOR

National Park Service

### FIRE ISLAND NATIONAL SEASHORE

#### Notice of Intention To Negotiate Concession Contract

Pursuant to the provisions of section 5, of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that thirty (30) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Howard T. Rose Co., Inc., authorizing it to provide concession facilities and services for the public at Sailors Haven Site, Fire Island National Seashore, for a period of five (5) years from January 1, 1971 through December 31, 1975.

The foregoing concessioner has performed its obligations under the expired concession authorization to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of a contract or permit and in the negotiation of a new contract or permit. However, under the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted within thirty (30) days after the publication date of this notice.

Interested parties should contact the Chief, Office of Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: March 15, 1971.

THOMAS F. FLYNN, JR.,  
Deputy Director,  
National Park Service.

[FR Doc.71-4138 Filed 3-25-71; 8:47 am]

[Order 2]

#### ADMINISTRATIVE OFFICER, FORT DAVIS NATIONAL HISTORIC SITE

#### Delegation of Authority Regarding Purchasing

The Administrative Officer may issue purchase orders not in excess of \$300 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

Revocation: This order supersedes Order No. 1, Fort Davis National Historic Site.

(National Park Service Order No. 34 (31 F.R. 4255); 39 Stat. 535; 16 U.S.C., sec. 2. Southwest Region Order No. 4 (31 F.R. 8134))

Dated: February 26, 1971.

NICHOLAS J. BLESER,  
Acting Superintendent, Fort  
Davis National Historic Site.

[FR Doc.71-4137 Filed 3-25-71; 8:47 am]

## CIVIL SERVICE COMMISSION

### DIRECTOR, NUTRITION AND TECHNICAL SERVICE STAFF, FOOD AND NUTRITION SERVICE

#### Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on February 16, 1971, for the single position of Director, Nutrition and Technical Service Staff, GS-301-15, Food and Nutrition Service, Department of Agriculture, Washington, D.C. The finding is self-canceling when the position is filled.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE  
COMMISSION,

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

[FR Doc.71-4139 Filed 3-25-71; 8:47 am]

## ENVIRONMENTAL PROTECTION AGENCY

### ATLAS CHEMICAL INDUSTRIES, INC.

#### Notice of Filing of Petition Regarding Pesticide Chemicals

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 1F1116) has been filed by Atlas Chemical Industries, Inc., Wilmington, Del. 19899 proposing the establishment of an exemption from requirement of tolerances (21 CFR Part 420) for residues of xylene and toluene sulfonic acids (and their ammonium, calcium, magnesium, potassium, sodium, and zinc salts) when used as inert ingredients in pesticide formulations applied to growing crops.

The analytical method proposed in the petition for determining residues of the adjuvants is the method of S. Siggia and L. R. Whitlock, *Analyt. Chem.* 42:1719-24 (1970).

Dated: March 23, 1971.

R. E. JOHNSON,  
Acting Commissioner,  
Pesticides Office.

[FR Doc.71-4190 Filed 3-25-71; 8:51 am]

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### ACTING REGIONAL COUNSEL, REGION X (SEATTLE)

#### Designation

The officials appointed to the following listed positions in Region X (Seattle) are hereby designated to serve as Acting Regional Counsel, Region X, during the absence of the Regional Counsel with all the powers, functions, and duties re-delegated or assigned to the Regional Counsel: *Provided*, That no official is authorized to serve as Acting Regional Counsel unless all other officials whose titles precede his in this designation are unable to act by reason of absence:

1. Associate Regional Counsel for Private Market Financing.
2. Associate Regional Counsel for Area Support.

This designation supersedes the designation effective September 1, 1970 (35 F.R. 18301, 12/1/70).

(Redelegation of authority to take final action with respect to certain positions and employees effective as of May 4, 1969)

Effective as of the 14th day of December 1970.

OSCAR PEDERSON,  
Regional Administrator.

[FR Doc.71-4215 Filed 3-25-71; 8:53 am]

## POSTAL RATE COMMISSION

[Docket No. R71-1]

### CHANGES IN RATES OF POSTAGE AND FEES FOR POSTAL SERVICES

#### Notice of Location for Prehearing Conference

MARCH 23, 1971.

Request of the U.S. Post Office Department for recommended decision on changes in rates of postage and fees for postal services.

By notice issued March 5, 1971, the Commission stated that a prehearing conference will be held on March 29, 1971, at 10 a.m., e.s.t., in the main hearing room of the U.S. Tariff Commission, E Street entrance, between 7th and 8th Streets, NW., Washington, D.C.

All interested parties should note that the hearing room is accessible only from the E Street entrance.

GORDON M. GRANT,  
Secretary.

[FR Doc.71-4193 Filed 3-25-71; 8:51 am]



## DEPARTMENT OF AGRICULTURE

## Consumer and Marketing Service

REVISED LIST OF WAREHOUSES AND  
WAREHOUSEMEN LICENSED UNDER  
THE U.S. WAREHOUSE ACT

Pursuant to section 26 of the United States Warehouse Act (7 U.S.C. 266), notice is hereby given as follows: As of December 31, 1970, the following warehouses and warehousemen were licensed and bonded under the United States Warehouse Act. This list of warehouses and warehousemen licensed and bonded under the United States Warehouse Act (7 U.S.C. 241 et seq.) supersedes the list published in the FEDERAL REGISTER of February 28, 1970 (35 F.R. 3928).

## Cotton

## A. For the storage of cotton:

## ALABAMA

## Town, Warehouse, and Warehouseman

Atmore; Farmers and Merchants Warehouse; Dan A. Currie, Jack A. Currie and J. Floyd Currie, copartners trading as Atmore Milling and Elevator Company.  
Attalla; North Alabama Warehouse; North Alabama Warehouse Company.  
Birmingham; Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.  
Decatur; State Bonded Warehouse; State Bonded Warehouse & Storage Company.  
Decatur; Union Compress Warehouse; Union Service Industries, Inc.  
Geraldine; Geraldine Warehouse; Geraldine Warehouse and Storage Company, Inc.  
Greenbrier; Elliott Bonded Warehouse; J. D. Elliott and George R. Elliott, copartners trading as J. D. Elliott and Son.  
Haleyville; Haleyville Cotton Warehouse; Haleyville Mill and Gin Company.  
Huntsville; Huntsville Warehouse; Huntsville Warehouse Company.  
Huntsville; Madison Bonded Warehouse; Madison Bonded Warehouse, Inc.  
Huntsville; Planters Warehouse; Planters Warehouse and Storage Company.  
McCullough; McCullough Bonded Warehouse; Frank P. Currie.  
Mobile; Alabama State Docks Bonded Warehouse; Alabama State Docks Department.  
Montgomery; Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.  
Panola; Panola Bonded Warehouse; E. A. Parker, and Merle Walker Parker and W. O. Parker, Jr., Executrix and Executor of the Trust Estate of W. O. Parker, Deceased, Trading as Panola Bonded Warehouse.  
Scottsboro; Gladish Bonded Warehouse; W. L. Gladish, Jr.  
Selma; Dallas Bonded Warehouse; Dallas Compress Company.  
Selma; Selma Compress Warehouse; Selma Compress Company.  
Sylacauga; Sylacauga Bonded Warehouse; Parker Fertilizer Company, Incorporated.

## ARIZONA

Phoenix; Arizona Compress and Warehouse Company; Arizona Compress and Warehouse Company.  
Phoenix; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Picacho; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Yuma; Federal Compress Warehouse; Federal Compress & Warehouse Company.

## ARKANSAS

Arkadelphia; Golden Cotton Warehouse; Benton Taylor.  
Batesville; Batesville Compress Warehouse; Southern Warehouse Co.  
Blytheville; Blytheville Compress Warehouse; Blytheville Compress Company.  
Blytheville; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Bradley; Bradley Bonded Warehouse; Bradley Warehouse, Inc.  
Brinkley; Southern Compress Warehouse; Southern Compress Company.  
Clarendon; Clarendon Warehouse; Southern Compress Company.  
Cotton Plant; Cotton Plant Warehouse; Cotton Plant Warehouse Company.  
Dardanelle; Dardanelle Compress Warehouse; Planters Compress Company.  
Dell; Dell Compress Warehouse; Dell Compress Company of Dell, Arkansas.  
Dumas; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Earle; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
England; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Eudora; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Evadale (P.O. Wilson); Wilson Compress Warehouse; Memphis Compress & Storage Company.  
Forrest City; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Fort Smith; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Helena; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Helena; Helena Compress Warehouse; Helena Compress Company.  
Hope; Union Compress Warehouse; Union Service Industries, Inc.  
Hughes; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Jonesboro; Jonesboro Compress Company's Warehouse; B. C. Land Company.  
Leachville; Arkansas Compress Warehouse; Arkansas Compress Company, Inc.  
Lepanto; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Lonoke; Lonoke Bonded Warehouse; Southern Compress Company.  
Marianna; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Marked Tree; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Marvell; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
McCrory; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
McGehee; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Newport; Federal Compress Warehouse; Federal Compress & Warehouse Co.  
North Little Rock; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
North Little Rock; Southern Compress Warehouse; Southern Warehouse Co.  
Osceola; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Pine Bluff; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Portland; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Searcy; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Sparkman; P. H. Taylor Cotton Warehouse; Benton Taylor.  
Trumann; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
Waldo; Waldo Bonded Warehouse; Waldo Bonded Warehouse Company.  
Walnut Ridge; Federal Compress Warehouse; Federal Compress & Warehouse Company.

West Memphis; Federal Compress Warehouse; Federal Compress & Warehouse Company.

West Memphis; Planters Compress Warehouse; Planters Compress Company, Inc.  
Wynne; Federal Compress Warehouse; Federal Compress & Warehouse Company.

## CALIFORNIA

Bakersfield; San Joaquin Compress and Warehouse Company; Arizona Compress and Warehouse Company d.b.a. San Joaquin Compress and Warehouse Company.  
Fresno; Allen Warehouse; Allen Warehouse Company of California.  
Fresno; Fresno Warehouse; Bayside Warehouse Company (California Compress Division).

## GEORGIA

Albany; Albany Warehouse; Albany Warehouse Company.  
Arlington; Ward's Bonded Warehouse; Mrs. Carol Clements Ward.  
Athens; Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.  
Atlanta; Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.  
Atlanta; Palmer and Gibbons Bonded Warehouse; Erma W. Palmer and Mary P. Gibbons, copartners, trading as Palmer and Gibbons Bonded Warehouse Company.  
Augusta; S. M. Whitney Warehouse; S. M. Whitney Company, Incorporated.  
Augusta; Georgia-Carolina Warehouse; Georgia-Carolina Warehouse & Compress Company.  
Augusta; Wienges & Company Warehouse; Wienges & Company.  
Augusta; Lyon & Lyon Cotton Warehouse; Lyon, Lyon & Company, Inc.  
Bartow; Bryant's Bonded Warehouse; Bryant's Incorporated.  
Blakely; Farmers Warehouse; The Maddox Corporation.  
Brooklet; Farmers' Bonded Warehouse Farmers Bonded Warehouse, Inc.  
Camilla; Camilla Cotton Oil Company Bonded Warehouse; Camilla Cotton Oil Company.  
Camilla; Walker Gin Bonded Warehouse; Walkers, Inc.  
Carrollton; Martin Bonded Warehouse; J. E. Martin & Son, Inc.  
Cedartown; Cedartown Bonded Warehouse; Cedartown Cotton Warehouse Company.  
Cochran; Cochran Bonded Warehouse; William Carlton Lawson.  
Columbus; W. C. Bradley Co. Warehouse; W. C. Bradley Co.  
Cordele; Nesbitt Bonded Warehouse; Nesbitt Bonded Warehouse, Inc.  
Cordele; McCay Bonded Warehouse; McCay Gin and Warehouse Company, Inc.  
Cuthbert; Walker & Daniel Bonded Warehouse; N. M. Walker and G. W. Daniel, copartners, trading as Walker & Daniel.  
Davisboro; Taylor Bonded Warehouse; Taylor Bonded Warehouse, Inc.  
Dawson; Dawson Compress Bonded Warehouse; Dawson Compress and Storage Company.  
Dawson; Terrell County Bonded Warehouse; Stevens Industries, Inc.  
DeSoto; DeSoto Bonded Warehouse; DeSoto Gin and Peanut Co.  
Donalsonville; Planters Products Company's Warehouse; Planters Products Company.  
Dublin; Dublin Bonded Warehouse; Cecil E. Carroll.  
Dublin; Lovett and Brinson Bonded Warehouse; Lovett and Brinson, Incorporated.  
Dudley; Farmers Warehouse; Mrs. Effie B. Chappell, Roy James Chappell and, John Warthen Chappell, Executors of the Last Will and Testament of Warthen T. Chappell, deceased, and The First National Bank and



## MISSISSIPPI

Trust Company in Macon, and Gladys Combs Hogan, as Executors of the Last Will and Testament of Robert L. Hogan deceased, partners, d.b.a. Chappell and Hogan.  
 Fitzgerald; Ben Hill Bonded Warehouse; Fitzgerald Oil & Fertilizer Company.  
 Fitzgerald; Planters Warehouse and Loan Company's Warehouse; Planters Warehouse and Loan Company.  
 Gay; Gay Bonded Warehouse; Arthur G. Estes, Jr.  
 Glennville; Tattnell Bonded Warehouse; Tattnell Bonded Warehouse, Inc.  
 Hawkinsville; Hawkinsville Bonded Warehouse; L. H. Blount.  
 Kingston; Kingston Bonded Warehouse; J. W. Martin.  
 Leslie; Sumter-Lee Warehouse; Leslie Peanut & Gin Co., Inc.  
 Louisville; Planters Bonded Warehouse; Hardeman Seed Co., Inc.  
 Lyons; Stanley and Pughsley Bonded Warehouse; Stanley & Pughsley Gin and Warehouse Company, Incorporated.  
 Madison; Farmers Trading Company Bonded Warehouse; Farmers Trading Company, Madison, Georgia.  
 Madison; Godfrey Bonded Warehouse; Godfrey's Warehouse, Inc.  
 McDonough; The Planters Warehouse; The Planters Warehouse and Lumber Company.  
 Meigs; Meigs Bonded Warehouse; B & J Company, Inc.  
 Metter; Farmers Union Warehouse; Farmers Union Warehouse of Metter.  
 Midville; Midville Bonded Warehouse; Midville Cotton Warehouse Company.  
 Millen; Millen Warehouse; The Millen Warehouse Company, Inc.  
 Monroe; Launius Bonded Warehouse; J. William Dickinson and Dan M. Briscoe, copartners, trading as Launius Bonded Warehouse Co.  
 Moultrie; C. O. Smith Warehouse; Columbia Nitrogen Corporation.  
 Moultrie; Taylor's Bonded Cotton Warehouse; Floyd M. Taylor, Jr., T. Elkin Taylor and Anna T. Brewer, copartners, trading as Taylor Gin and Warehouse.  
 Ocilla; Murray Bonded Warehouse; Guy Murray.  
 Parrott; W. M. Dunn's Warehouse; W. G. Dunn.  
 Pineview; Pineview Bonded Warehouse; C. R. McLeod and Sons, Inc.  
 Pitts; Shell's Bonded Warehouse; A. C. Shell, Jr.  
 Plains; Carter's Bonded Warehouse; James E. Carter, Jr. and Mrs. Lillian G. Carter, copartners, trading as Carter's Warehouse.  
 Portal; Planters Bonded Warehouse; Planters Cotton Warehouse Company.  
 Rome; Georgia and Alabama Warehouse; Georgia and Alabama Warehouse Company.  
 Rome; Floyd County Bonded Warehouse; Floyd County Bonded Warehouse, Inc.  
 Rome; Rome Warehouse; Ledbetter Trucks, Inc.  
 Rutledge; Hollis Bonded Warehouse; J. W. Hollis.  
 Sandersville; Tarbutton Bonded Warehouse; Tarbutton Realty Company, Inc.  
 Senola; Daniel's Bonded Warehouse; Arthur G. Estes, Jr.  
 Senola; The Brick Bonded Warehouse; Paul R. McKnight, Sr. and Paul R. McKnight Jr., copartners, trading as P. R. McKnight & Son.  
 Social Circle; Social Circle Bonded Warehouse; Duval and Co.  
 Social Circle; Malcom's Bonded Warehouse; B. A. Malcom.  
 Soperton; Waller's Bonded Warehouse; J. Treutlen Waller.  
 Statesboro; Farmers Union Warehouse; Smith Trading Co.

Statesboro; Planters Cotton Warehouse; Planters Bonded Cotton Warehouse, Inc.  
 Sylvania; Farmers Bonded Warehouse; J. P. Evans, David W. Reed, and H. A. Williams, Jr., copartners trading as Evans, Reed & Williams.  
 Sylvania; Sylvania Bonded Warehouse; Screven Oil Mill.  
 Sylvester; Houston Bonded Warehouse; Houston Gin & Warehouse Co.  
 Tennille; Planters Bonded Warehouse; W. B. Smith.  
 Tennille; Tennille Bonded Warehouse; Washington Ginning Company.  
 Twin City; Twin City Bonded Warehouse; Twin City Gin Company.  
 Vienna; J. A. Whitehead & Co. Bonded Warehouse; J. A. Whitehead.  
 Warrenton; Warrenton Bonded Warehouse; H. D. O'Neal.  
 Warrenton; Johnson Cotton Warehouse; W. D. Johnson, an individual, trading as Johnson Cotton Warehouse.  
 Waynesboro; Planters Warehouse; Planters Warehouse Company of Waynesboro.  
 Waynesboro; Neely Bonded Cotton Warehouse; Neely Bonded Cotton Warehouse, Inc.  
 Waynesboro; Burke County Bonded Warehouse; Burke County Gin & Fertilizer Company.  
 Winder; Smith Bonded Warehouse; Smith Bonded Warehouse, Inc.  
 Wrightsville; City Warehouse; T. L. Lovett and L. L. Lovett, Executors of the Estate of Mrs. E. A. Lovett, deceased, and Mrs. H. G. Hatcher, W. H. Lovett, W. E. Lovett and L. L. Lovett, partners d.b.a. City Warehouse.  
 Wrightsville; Union Warehouse; J. F. Jordan.  
 Wrightsville; Lovett's Bonded Warehouse; Lovett & Company, Incorporated.  
 Wrightsville; Rowland's Bonded Warehouse; Rowland's Gin and Bonded Warehouse of Wrightsville, Georgia, Inc.  
 Youth; Byrd Bonded Warehouse; J. T. Byrd.

## LOUISIANA

Alexandria; American Compress Warehouse; Frost-Whited Company, Inc.  
 Bernice; Lindsey Bonded Warehouse; James D. Lindsey, Mrs. Rosalind Lindsey Albritton, et al., copartners, trading as Lindsey Bonded Warehouse Company.  
 Delhi; Union Compress Warehouse; Union Service Industries, Inc.  
 Ferriday; Union Compress Warehouse; Union Service Industries, Inc.  
 Franklinton; Pearl River Warehouse; Willie S. Pettit.  
 Haynesville; Haynesville Cotton Warehouse; Haynesville Cotton Warehouse Company, Incorporated.  
 Lake Providence; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Mansfield; Mansfield Bonded Warehouse; Aileen D. Morgan.  
 Monroe; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Natchitoches; American Compress Warehouse; Frost-Whited Company, Inc.  
 New Orleans; Shippers Compress Warehouse; Meta Davis Atkinson, Clifford Atkinson, Jr., and Eugene Atkinson, Jr., trading as Atkinson & Company.  
 Oak Grove; Union Compress Warehouse; Union Service Industries, Inc.  
 Opelousas; American Compress Warehouse; Frost-Whited Company, Inc.  
 Rayville; Union Compress Warehouse; Union Service Industries, Inc.  
 Shreveport; American Compress Warehouse; Frost-Whited Company, Inc.  
 Tallulah; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Winnboro; Union Compress Warehouse; Union Service Industries, Inc.

Aberdeen; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Batesville; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Belzoni; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Booneville; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Brookhaven; Brookhaven Compress Warehouse; MFC Services (A.A.L.).  
 Canton; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Carthage; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Clarksdale; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Clarksdale; North Delta Compress Warehouse; North Delta Compress & Warehouse Co.  
 Cleveland; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Columbia; Columbia Compress Warehouse; Hattiesburg Compress Company.  
 Columbus; Columbus Compress Warehouse; Columbus Compress & Warehouse Company.  
 Como; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Corinth; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Drew; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Drew; National Compress Warehouse; MFC Services (A.A.L.).  
 Flora (Kearney Park); Flora Compress Warehouse; Flora Compress and Warehouse Company, Inc.  
 Greenville; Delta Cooperative Compress Warehouse; Delta Cooperative Compress.  
 Greenville; Greenville Compress Warehouse; Greenville Compress Company.  
 Greenville; Paxton Bonded Warehouse; Paxton Bonded Warehouse, Inc.  
 Greenwood; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Greenwood; Stapleservice Compress Warehouse; Staple Cotton Services Association (A.A.L.).  
 Grenada; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Gulfport; Mississippi Gulfport Warehouses; Mississippi-Gulfport Compress & Warehouses, Inc.  
 Hattiesburg; Hattiesburg Compress Warehouse; Hattiesburg Compress Company.  
 Hollandale; Deer Creek Compress Warehouse; Deer Creek Compress Company.  
 Holly Springs; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Houston; Houston Compress Warehouse; Houston Compress Co., Inc.  
 Indianola; Sunflower Compress Warehouse; The Sunflower Compress Company.  
 Inverness; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Itta Bena; Itta Bena Cooperative Warehouse; Itta Bena Cooperative Compress Company.  
 Jackson; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Kosciusko; United Warehouse; United Warehouses, Inc.  
 Leland; Leland Compress Warehouse; Leland Compress Company.  
 Macon; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Magee; Cooperative Cotton Warehouse; Magee Cooperative (A.A.L.).  
 Magnolia; Magnolia Compress Warehouse; Hattiesburg Compress Company.  
 Marks; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 New Albany; Federal Compress Warehouse; Federal Compress & Warehouse Company.  
 Newton; Newton Bonded Warehouse; Compress of Union.



Okolona; Federal Compress Warehouse; Federal Compress & Warehouse Company. Philadelphia; The Philadelphia Compress Warehouse; Compress of Union. Pontotoc; Pontotoc Compress Warehouse; Pontotoc Warehouse Company. Prentiss; Prentiss Bonded Warehouse; MFC Services (A.A.L.).

Quitman; Quitman Bonded Warehouse; Daniel Marston Bonney.

Ripley; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Rolling Fork; Rolling Fork Compress Warehouse; Deer Creek Compress Company.

Rosedale; Union Compress Warehouse; Union Service Industries, Inc.

Ruleville; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Shaw; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Shelby; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Shuqualak; Shuqualak Bonded Warehouse; Harrison Evans, an individual trading as E. F. Nunn & Company.

Sledge; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Summit; Federal Champion Cotton Warehouse; Federal Champion Cotton Warehouse, Incorporated.

Tunica; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Tupelo; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Tutwiler; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Tylertown; Tylertown Compress Warehouse; The Kramertown Company, Inc.

Union; Union Bonded Warehouse; Compress of Union.

Vicksburg; Union Compress Warehouse; Union Service Industries, Inc.

West Point; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Yazoo City; Federal Compress Warehouse; Federal Compress & Warehouse Company.

#### MISSOURI

Arbyrd; Arbyrd Compress Warehouse; Arbyrd Compress Company.

Caruthersville; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Charleston; National Compress Warehouse; National Compress & Warehouse Company.

Gideon; Gideon Compress Warehouse; Regenold & Earls Company.

Hayti; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Kennett; Dunklin County Compress Warehouse; Dunklin County Compress and Warehouse Company.

Lilbourn; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Malden; Dunklin County Compress Warehouse; Dunklin County Compress and Warehouse Company.

Portageville; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Sikeston; Federal Compress Warehouse; Federal Compress & Warehouse Company.

#### NEW MEXICO

Artesia; Artesia Compress Warehouse; Alma Sanders Francis, Leslie Paul Francis, William Kavanaugh Francis and Christine Francis Jones, copartners, trading as Artesia Compress Company.

#### NORTH CAROLINA

Charlotte; Charlotte Bonded Warehouse; Charlotte Bonded Warehouse Company.

Charlotte; Standard Warehouse; Standard Warehouse, Inc.

Charlotte; Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.

Charlotte; Merchants Bonded Warehouse; Merchants Bonded Warehouse Company.

Charlotte; Standard Bonded Warehouse; Standard Bonded Warehouse Company.

Elizabeth City; Elizabeth City Bonded Warehouse; Robinson Manufacturing Company.

Gastonia; Gastonia Bonded Warehouse; Chavis Enterprises, Inc.

Gastonia; Avon Bonded Warehouse; Avon Bonded Warehouse, Incorporated.

Gastonia; Peoples Bonded Warehouse; Peoples Bonded Warehouse, Incorporated.

Gastonia; Broad Street Bonded Warehouse; Broad Street Bonded Warehouse, Inc.

Gastonia; Central Bonded Warehouse Division of Bayside Warehouse Company; Bayside Warehouse Company.

Shelby; Planters and Merchants Warehouse; Planters and Merchants Warehouse Company.

Battleboro; Braswell Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Butner; Hancock Bonded Warehouse, Butner Unit; Warehouse Superintendent of the State of North Carolina.

Candor; Candor Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Cherryville; Gaston Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Clinton; Sampson Cotton Storage Warehouse; Warehouse Superintendent of the State of North Carolina.

Conway; Conway Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Dunn; General Utility Company's Warehouse; Warehouse Superintendent of the State of North Carolina.

Durham; Central Carolina Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Edenton; Edenton Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Enfield; Halifax Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Enfield; Enfield Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Fayetteville; Cotton Growers Warehouse; Warehouse Superintendent of the State of North Carolina.

Gibson; Gibson Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Goldsboro; Cotton Growers Warehouse; Warehouse Superintendent of the State of North Carolina.

Henderson; Greenway Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Jackson; Northampton Warehouse; Warehouse Superintendent of the State of North Carolina.

Laurel Hill; Laurel Hill Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Laurinburg; Laurinburg Cotton Warehouse; Warehouse Superintendent of the State of North Carolina.

Laurinburg; Dickson Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Lewiston; Lewiston Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Lincolnton; Lincoln Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Lumberton; National Warehouse; Warehouse Superintendent of the State of North Carolina.

Lumberton; Cotton Growers Warehouse; Warehouse Superintendent of the State of North Carolina.

Mooresville; Iredell Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Morven; Cotton Growers Warehouse; Warehouse Superintendent of the State of North Carolina.

Murfreesboro; Revelle Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Nashville; Cotton Growers Warehouse; Warehouse Superintendent of the State of North Carolina.

Newton; Newton Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Parkton; Parkton Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Pembroke; Pembroke Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Pinetops; Pinetops Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Raeeford; Hoke Cotton Warehouse and Storage Company's Warehouse; Warehouse Superintendent of the State of North Carolina.

Rich Square; Rich Square Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Roanoke Rapids; Farmers Warehouse of Roanoke Rapids; Warehouse Superintendent of the State of North Carolina.

Roanoke Rapids; Rosemary Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Rowland; Barrow Warehouse; Warehouse Superintendent of the State of North Carolina.

Salisbury; Salisbury Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Scotland Neck; Edwards Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Scotland Neck; Cotton Growers Warehouse; Warehouse Superintendent of the State of North Carolina.

Seaboard; Seaboard Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Selma; Price Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Severn; Meherrin Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Shelby; Shelby Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Smithfield; Cotton Growers Warehouse; Warehouse Superintendent of the State of North Carolina.

Statesville; Statesville Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

St. Pauls; McColl Cotton Warehouses; Warehouse Superintendent of the State of North Carolina.

Tarboro; Edgecombe Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Wagram; Farmers Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Wake Forest; Wake Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Washington; Beaufort County Warehouse; Warehouse Superintendent of the State of North Carolina.

Weldon; Cotton Growers Warehouse; Warehouse Superintendent of the State of North Carolina.

Weldon; Jenkins Warehouse; Warehouse Superintendent of the State of North Carolina.



Williamston; Martin Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Wilson; Wilson Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Woodland; Woodland Cooperative Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

#### SOUTH CAROLINA

Anderson; The Standard Warehouse; Standard Corporation.

Bennettsville; Marlboro Warehouses; Marlboro Warehouse Company.

Bishopville; Cotton Growers Warehouses; Cotton Growers Warehouses, Inc.

Bishopville; Farmers Bonded Warehouse; Wiley B. King.

Bishopville; King and Jordan Bonded Warehouse; W. Brent King and B. P. Jordan, copartners trading as King and Jordan Bonded Warehouse.

Branchville; Judy-Moorer Bonded Warehouse; Judy-Moorer Warehouse, Inc.

Clio; Clio Bonded Warehouse; B. H. Martin.

Columbia; Palmetto Compress Warehouse; Palmetto Compress and Warehouse Company.

Columbia; The Standard Warehouse; Standard Corporation.

Denmark; Denmark Bonded Warehouse; J. W. Williamson, Jr., H. M. Williamson, J. A. Williamson and J. S. Williamson, copartners trading as J. W. Williamson Co.

Edgefield; Hart Bonded Warehouse; John Rainsford, Jr.

Greenville; Merchants Cotton Warehouse; W. A. Austin.

Greenville; Black Hawk Warehouse; The Black Hawk Corporation.

Greenville; Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co.

Greenville; Commodity Warehouse; Commodity Warehouse Company, Inc.

Greenville; Industrial Storage Corporation Warehouse; Industrial Storage Corporation.

Greenwood; Alliance Warehouse; Alliance Warehouse Co., Inc.

Greenwood; Textile Bonded Storage; Textile Bonded Storage, Inc.

Hartsville; Hartsville Bonded Warehouse; G. S. Jones.

Manning; United Bonded Warehouse; United Bonded Warehouse, Inc.

Newberry; Farmers Bonded Warehouse; Evelyn M. Brooks, d.b.a. Farmers Bonded Warehouse.

Newberry; The Standard Warehouse; Standard Corporation.

North Charleston; Oakdene Compress Warehouse; Oakdene Compress and Warehouse Company.

Norway; Norway Bonded Warehouse; J. W. Williamson, Jr., H. M. Williamson, J. A. Williamson and J. S. Williamson, copartners trading as J. W. Williamson Co.

Orangeburg; The Standard Warehouse; Standard Corporation.

Spartanburg; Spartanburg Bonded Warehouses; Spartanburg Bonded Warehouses, Incorporated.

Summerton; Sumter Bonded Warehouse No. 2; Sumter Storage Company, Incorporated.

Sumter; Rowland Warehouse; Rowland Warehouse Company.

Turbeville; East Clarendon Bonded Warehouse; East Clarendon Storage Company.

Union; Union Bonded Warehouse; H. B. Richardson, Jr.

#### TENNESSEE

Brownsville; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Chattanooga; The Cotton Warehouse; Alford Warehouse & Storage Co., Inc.

Covington; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Dyersburg; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Five Points; Hammond Bonded Warehouse; Laura Mae Hammond.

Henderson; Henderson Compress Warehouse; Henderson Compress Company, Inc.

Jackson; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Kingsport; Borden Warehouse; The Black Hawk Corporation.

Lawrenceburg; Gladish Bonded Warehouse; Martha E. Gladish.

Lawrenceburg; Augustin Bonded Warehouse; J. B. Augustin.

Memphis; Gulf Atlantic Warehouse (Tri-State Plant); Gulf Atlantic Warehouse Co.

Memphis; Memphis Compress Warehouse; Memphis Compress & Storage Company.

Memphis; Federal Compress Warehouse (Bodley Avenue Plant); Federal Compress & Warehouse Company.

Memphis; Federal Compress Warehouse (South Memphis Plant); Federal Compress & Warehouse Company.

Memphis; Federal Compress Warehouse (Riverside Plant); Federal Compress & Warehouse Company.

Milan; Milan Compress Warehouse; Milan Compress Company.

Ripley; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Tiptonville; Federal Compress Warehouse; Federal Compress & Warehouse Company.

#### TEXAS

Abilene; Abilene Cotton Warehouse; National-Western Compress & Warehouse Co.

Ballinger; Ballinger Compress Warehouse; Ballinger Compress & Warehouse Co.

Brady; Brady Cotton Warehouse; Central Texas Compress Company.

Brownsville; Gulfside Warehouse; Bay-side Warehouse Company.

Brownwood; Brownwood Compress Warehouse; Brownwood Compress & Warehouse Co.

Bryan; Bryan Compress Warehouse; Hearne Cotton Compress Company, Inc.

Cameron; Cameron Compress Warehouse; Central Texas Compress Company.

Corsicana; Corsicana Compress Warehouse; Exporters & Traders Compress & Warehouse Company.

Ennis; Ennis Compress & Warehouse Co.'s Warehouse; Ennis Compress & Warehouse Co.

Fort Stockton; Comanche Warehouse; Comanche Warehouse, Inc.

Hamlin; Hamlin Compress Warehouse; Hamlin Farmers Compress Co.

Hearne; Hearne Cotton Warehouse; Hearne Cotton Compress Company, Inc.

Hillsboro; Exporters & Traders Compress & Warehouse Company's Warehouse; Exporters & Traders Compress & Warehouse Company.

Houston; Ship Channel Compress Warehouse; Petty Terminal Corporation.

Hubbard; Hubbard Compress Warehouse; Exporters & Traders Compress & Warehouse Company.

Knox City; Knox City Cotton Warehouse; Farmers Compress Company.

Marlin; Exporters & Traders Compress & Warehouse Company's Warehouse; Exporters & Traders Compress & Warehouse Company.

Mexia; Mexia Cotton Warehouse; Exporters & Traders Compress & Warehouse Company.

Rosebud; Rosebud Cotton Warehouse; Central Texas Compress Company.

Rule; Rule Compress Warehouse; Farmers Compress Company.

San Angelo; Angelo Compress Warehouse; Ballinger Compress & Warehouse Co.

Snyder; Snyder Cotton Warehouse; National-Western Compress & Warehouse Company.

Sweetwater; Sweetwater Compress Warehouse; National-Western Compress & Warehouse Co.

Temple; Temple Compress Warehouse; Temple Compress Warehouse Co.

Texarkana; Federal Compress Warehouse; Federal Compress & Warehouse Company.

Waco; Exporters & Traders Compress & Warehouse Company's Warehouse; Exporters & Traders Compress & Warehouse Company.

Waxahachie; Waxahachie Compress Warehouse; Waxahachie Compress Warehouse Co.

#### VIRGINIA

Brodnax; Dugger and Dugger Cotton Storage; Richmond H. Dugger, Jr., trading as Dugger and Dugger Cotton Storage.

#### Grain

##### B. For the storage of grain:

#### ALABAMA

##### Town, Warehouse, and Warehouseman

Decatur; AFC Grain Elevator; AFC Marketing Service, Inc.

Decatur; Alabama Flour Mills Elevator; Nebraska Consolidated Mills Company.

Guntersville; Guntersville Plant; Allied Mills, Inc.

Guntersville; Cargill Guntersville Elevator; Cargill, Incorporated.

#### ARKANSAS

Althelmer; Althelmer Grain Warehouse; The Arkansas Rice Growers Cooperative Association.

Augusta; Lockhart-Thompson Elevator; Murray L. Lockhart, d.b.a. Murray L. Lockhart Warehouse Co.

Bradford; White County Grain Warehouse; Riceland Foods, Inc.

Brinkley; Brinkley Warehouse; Riviana Foods, Inc.

Blytheville; Farmers Grain Elevator; Farmers Soybean Corporation.

Carlisle; Carlisle Warehouse; Riviana Foods, Inc.

Corning; Corning Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Dardanelle; Keenan Grain Elevator; Robert Keenan, d.b.a. Keenan Grain Elevator.

Delaplaine; Delaplaine Grain Warehouse; The Arkansas Rice Growers Cooperative Association.

Des Arc; Des Arc Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

DeWitt; C & L Rice Mill Warehouse; C & L Rice Mill, Inc.

DeWitt; Farmers Coop. Elevator; The Farmers Co-operative Elevator Company.

DeWitt; Pioneer DeWitt Elevator; Pioneer Food Industries, Inc.

DeWitt; Growers Elevator; Growers Elevators, Inc.

DeWitt; Rollison Seed Company Elevator; O. G. Rollison and Robert C. Rollison copartners, trading as Rollison Seed Company.

DeWitt; Troy Mitchell Elevator; Troy Mitchell, DBA Troy Mitchell Elevator.

Dumas; Dumas Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Elaine; Elaine Grain Warehouse; The Arkansas Rice Growers Cooperative Association.

England; Federal Drier; Federal Drier and Storage Company.

Eudora; Eudora Grain Warehouse; The Arkansas Rice Growers Cooperative Association.

Eudora; Pioneer Eudora Elevator; Pioneer Food Industries, Inc.

Evadale (P.O. Wilson); Delta Products Warehouse; Delta Products Company.

Fair Oaks; Fair Oaks Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Gibson Switch (P.O. Jonesboro); Craighead Rice Milling Company's Warehouse; Grain Company.

Gillett; Gillett Grain Warehouse; The Arkansas Rice Growers Cooperative Association.

Hazen; Hazen Rice Warehouse; The Arkansas Rice Growers Cooperative Association.



Hazen; Bogard Seed Company Elevator; Bogard Seed Company.

Helena; Helena Cotton Oil Company's Warehouse; Helena Cotton Oil Company. Helena; Helena Grain Warehouse; Rice-land Foods, Inc.

Helena; Targa Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Hickory Ridge; Hickory Ridge Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Holly Grove; Holly Grove Grain Warehouse; The Arkansas Rice Growers Cooperative Association.

Indiana Switch (P.O. DeWitt); Dixie Dryer Elevator; Pioneer Food Industries, Inc.

Jonesboro; Jonesboro Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Jonesboro; Klech Elevator; Earl C. Klech Elevator Company.

Lonoke; Lonoke Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Marianna; Lee County Grain Warehouse; Rice-land Foods, Inc.

Marked Tree; St. Francis Valley Grain Warehouse; St. Francis Valley Seed Company.

Marvell; Marvell Grain Warehouse; The Arkansas Rice Growers Cooperative Association.

McGehee; McGehee Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Mellwood; Mellwood Grain Warehouse; The Arkansas Rice Growers Cooperative Association.

Morrilton; Stallings Brothers Elevator; Joe H. Stallings and Alan E. Stallings, copartners trading as Stallings Brothers Feed Mills.

Needham (P.O. Jonesboro); Klech-Crafton Elevator; Klech-Crafton Elevator Company.

North Little Rock; North Little Rock Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Osceola; Osceola Products Warehouse; Osceola Products Co.

Parkin; East Arkansas Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Patterson; MAC Warehouse Company; G. L. Morris, trading as MAC Warehouse Company.

Penjur (P.O. Hughes); Hughes Granary Elevator; Hughes Grain Corporation.

Pine Bluff; Pioneer Pine Bluff Elevator; Pioneer Food Industries, Inc.

Proctor; Craft Elevator; Robert Craft & Son, Inc.

Rector; Graves Elevator; Graves Enterprises, Inc.

Stuttgart; Acme Warehouse; Riviana Foods, Inc.

Stuttgart; Bogard Elevator; Bogard Grain and Seed Company, Inc.

Stuttgart; Stuttgart Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Stuttgart; Stuttgart Grain Warehouse; Rice-land Foods, Inc.

Stuttgart; Hartz Elevators; Jacob Hartz Seed Co., Inc.

Stuttgart; Producers Warehouse; Producers Rice Mill, Inc.

Tichnor; Tichnor Drier; Tichnor Drier and Storage, Inc.

Tuckerman; Tuckerman Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Van Buren; Van Buren Soybean Processing Plant; Farmland Industries, Inc.

Waldenburg; Waldenburg Warehouse; Riviana Foods, Inc.

Weiner; Weiner Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Wheatley; Wheatley Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

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Wheatley; Wheatley Rice Warehouse; The Arkansas Rice Growers Cooperative Association.

Willmot; Pioneer Willmot Elevator; Pioneer Food Industries, Inc.

Wynne; Gibbs & Harris Rice Drier; Gibbs & Harris Rice Drier, Inc.

## CALIFORNIA

Berenda; Valley Grain Drier Warehouse; Valley Grain Drier, Inc.

Colton; Producers Elevator; Producers Grain Corporation.

East Los Angeles; Pillsbury-Globe Elevator; The Pillsbury Company.

French Camp; Continental Elevator; Continental Grain Company.

Lemoore; Continental Elevator; Continental Grain Company.

Long Beach; Koppel Bulk Terminal; Koppel Bulk Terminal.

Saco Siding (P.O. Bakersfield); Continental Elevator; Continental Grain Company.

Stockton; Stockton Elevators; Stockton Elevators.

West Sacramento; Port of West Sacramento Grain Terminal; Cargill of California, Inc.

Williams; De Pue Warehouse; De Pue Warehouse Company.

Willows; Willows Rice Drier & Storage Company Warehouse; Pacific International Rice Mills, Inc.

Woodland; Sunset Rice Dryer Warehouse; Pacific International Rice Mills, Inc.

## COLORADO

Akron; Farmers Elevator; The Yuma Farmers Milling-Mercantile Co-operative Company of Yuma, Colorado.

Amherst; Farmers Elevator; Amherst Co-operative Elevator, Inc.

Burlington; Equity Elevator; Equity Co-operative Exchange.

Burlington; Mueller-Reid Grain Elevator; Mueller-Reid Grain Co., Inc.

Bristol; Bristol Elevator; South Eastern Colorado Coop.

Byers; Farmers Marketing Elevator; Farmers Marketing Association.

Campo; Stafford Elevator; Van Stafford.

Denver; Cargill Denver Elevator; Cargill, Incorporated.

Denver; Far-Mar-Co Denver Elevator; Far-Mar-Co., Inc.

Dove Creek; Dove Creek Bean & Elevator Co. Warehouse; Dove Creek Bean & Elevator Co.

Dove Creek; Romer Warehouse; David L. Corlett and Jean R. Corlett, copartners trading as Romer Mercantile and Grain Co.

Flagler; Flagler Equity Elevator; The Flagler Equity Co-operative Company.

Greeley; Eisenman Grain Elevator; Eisenman Chemical Co.

Holly; Southeastern Colorado Co-op Elevator; South Eastern Colorado Coop.

Holyoke; Holyoke Cooperative Elevator; Holyoke Cooperative Association.

Hyde (P.O. Otis); Farmers Elevator; The Yuma Farmers Milling-Mercantile Co-operative Co. of Yuma, Colorado.

Lamar; Southeastern Colorado Co-op Elevator; South Eastern Colorado Coop.

Otis; Washington County Grain Company, Division Elevator; Rickel, Inc.

Peetz; Farmers Co-op. Elevators; The Peetz Farmers Co-operative Company.

Roggen; Roggen Farmer's Elevator; Roggen Farmer's Elevator Association.

Schramm (P.O. Yuma); Farmers Elevator; The Yuma Farmers Milling-Mercantile Co-operative Company of Yuma, Colorado.

Selbert; Co-op Elevator; The Selbert Equity Co-operative Association.

Stratton; Co-op Elevator; The Stratton Equity Cooperative Company.

Vilas; Vilas Elevator; Vilas Grain Company.

Watkins; Watkins Elevator; Watkins Elevator, Inc.

Watkins; Watkins Elevator; Watkins Elevator, Inc.

Watkins; Watkins Elevator; Watkins Elevator, Inc.

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Watkins; Watkins Elevator; Watkins Elevator, Inc.

Watkins; Watkins Elevator; Watkins Elevator, Inc.

Watkins; Watkins Elevator; Watkins Elevator, Inc.

Wray; Farmers Union Elevator; The Farmers Union Cooperative Elevator Company.

Yuma; Farmers Elevator; The Yuma Farmers Milling-Mercantile Co-operative Company of Yuma, Colorado.

## DELAWARE

Seaford; Cargill Seaford Elevator; Cargill, Incorporated.

## FLORIDA

Live Oak; Gold Kist Grain Elevator; The Cotton Producers Association.

## GEORGIA

Gainesville; Cargill Gainesville Elevator; Cargill, Incorporated.

## IDAHO

American Falls; Power County Grain Growers Warehouse; Power County Grain Growers, Inc.

Bancroft; Grain Growers Warehouse; Bancroft Grain Growers, Inc.

Buhl; Shields Warehouse; James H. Shields, Jr., James T. Shields and Jane Shields Redman, d.b.a. "Shields".

Cottonwood; Lewiston Grain Growers Warehouse; Lewiston Grain Growers, Inc.

Craigmont; Lewiston Grain Growers Warehouse; Lewiston Grain Growers, Inc.

Downey; Grain Growers Warehouse; Farmers Grain Cooperative.

Drummond; Grain Growers Warehouse; Farmers Grain Cooperative.

Fairfield; Grain Growers Warehouse; Camas Prairie Grain Growers, Inc.

Grace; Grain Growers Warehouse; Farmers Grain Cooperative.

Grangeville; Union Warehouse & Supply Company's Warehouse; Union Warehouse & Supply Co.

Greer; Nezperce Rochdale Warehouse; Nezperce Rochdale Company.

Jerome; Marshall Warehouse; Marshall Warehouses, Inc.

Kendrick; Lewiston Grain Growers Warehouse; Lewiston Grain Growers, Inc.

Kennedy Ford; Latah County Grain Growers Warehouse; Latah County Grain Growers, Inc.

Lamont; Grain Growers Warehouse; Farmers Grain Cooperative.

Lewiston; Lewiston Grain Growers Warehouse; Lewiston Grain Growers, Inc.

McCammon; Grain Growers Warehouse; Farmers Grain Cooperative.

Malad; Grain Growers Warehouse; Oneida County Grain Growers, Inc.

Michaud; Power County Grain Growers Warehouse; Power County Grain Growers, Inc.

Moreland; Shields of Blackfoot Warehouse; Shields of Blackfoot, Inc.

Moscow; Dumas Seed Company, Warehouse; Dumas Seed Company.

Moscow; Latah County Grain Growers Warehouse; Latah County Grain Growers, Inc.

Nampa; Shields Warehouse; James H. Shields, Jr., James T. Shields and Jane Shields Redman, d.b.a. "Shields".

Nezperce; Nezperce Rochdale Warehouse; Nezperce Rochdale Company.

Nezperce; Nezperce Storage Co.; Nezperce Storage Co.

Ririe; Grain Growers Warehouse; Ririe Grain and Feed Cooperative, Inc.

Soda Springs; Soda Springs Elevator; Soda Springs Elevator, Inc.

Soda Springs; Grain Growers Warehouse; Farmers Grain Cooperative.

Talmage; Grain Growers Warehouse; Farmers Grain Cooperative.

Tetonia; Grain Growers Warehouse; Farmers Grain Cooperative.

Twin Falls; Shields Warehouse; James H. Shields, Jr., James T. Shields and Jane Shields Redman, doing business as "Shields".

Shields, Jr., James T. Shields and Jane Shields Redman, doing business as "Shields".

Shields, Jr., James T. Shields and Jane Shields Redman, doing business as "Shields".

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Weston; Grain Growers Warehouse; Farmers Grain Cooperative.

Worley; Rockford Grain Growers Warehouse; Rockford Grain Growers, Inc.

## ILLINOIS

Albany; Bunge Corporation Albany Grain Terminal; Bunge Corporation.

Alhambra; Alhambra & Marine Elevators; Madison Service Company.

Adrian; Adrian Elevator; Hancock Grain Company.

Alton; Terminal Operations; Peavey Company.

Alvin; Alvin Elevator; Jack Conard, trading as Conard Grain Company.

Amboy; Amboy Elevators; Lee FS Inc.

Anchor; Anchor Elevator; Anchor Grain Company.

Andres (P.O. Peotone); Andres Elevator; Andres & Wilton Farmers Grain & Supply Co.

Argenta; Dewein Grain Company Argenta Elevator; Dewein Grain Company.

Ashland; Ashland Elevator; Ashland Farmers Elevator Co.

Ashton; M. L. Ewing Grain Co.; M. L. Ewing, trading as M. L. Ewing Grain Co.

Assumption; Assumption Elevators; Assumption Cooperative Grain Company.

Atkinson; Atkinson Elevator; Atkinson Grain & Fertilizer, Inc.

Atlanta; Atlanta Elevator; Forrest L. Douglas, trading as Douglas Co.

Atwood; Atwood Elevator; Atwood Grain and Supply Co.

Auburn; W. E. Shutt Elevator; Girard Elevator, Inc.

Ballard Station; Ballard Elevator; Leonard Grain Co., Inc.

Barr Station (P.O. Athens); Amac Barr Elevator; Amac, Inc.

Bartonville; Allied Mills Peoria Elevator; Allied Mills, Inc.

Beardstown; Farmers Terminal Elevator; Farmers Terminal Grain Co.

Bellflower; Bellflower Elevator; Foosland Grain Co.

Bement; Farmers Elevator; Bement Grain Company.

Bethany; The Bethany Grain Company, Elevator; The Bethany Grain Company.

Bismarck; Bismarck Grain Co. Elevator; Bismarck Grain Co., Inc.

Blandinsville; King Feed Company Elevator; King Feed Company.

Bloomington; Hasenwinkle Elevator; Hasenwinkle Grain Co.

Bondville; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

Bourbon; Ulrich Grain Co. Elevator; Harvey C. Ulrich, trading as Ulrich Grain Co.

Brocton; Brocton Elevator; Agre Grain Company.

Broughton; L. S. Harper Grain Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

Bushnell; Bushnell O. K. Elevator; O. K. Grain Company.

Cairo; Mikco Grain Co. Elevator; Bunge Corporation trading as Mikco Grain Co.

Campus; Hamilton Elevator; Hamilton Elevator Company.

Carthage; Hancock Pellets Elevator; Hancock Pellets, Inc.

Cayuga (R.R. No. 3, Pontiac); Cayuga Elevator; Jacobson Grain Co.

Centerville Township; Cargill E. St. Louis Elevator "R"; Cargill, Incorporated.

Chatsworth; Chatsworth and Stoddard Siding Warehouses; The Livingston of Chatsworth, Inc.

Chebanse; Hansen Bros. Grain Elevator; Arthur L. Hansen, Orval Hansen, Louie V. Hansen, Vincent Hansen, Laverne Hansen, and Virgil Hansen, Copartners, trading as Clifton Grain Co. at Clifton, Illinois, and Hansen Bros. Grain Elevator at Chebanse, Illinois.

Chenoa; Chenoa Elevator; Leonard Grain Co., Inc.

Chestnut; Chestnut Elevator; The Farmers Grain Company of Chestnut.

Chicago; Calumet Elevators; ADM Grain Co.

Chicago; The Cargill Elevator; Cargill, Incorporated.

Chicago; Continental Elevator C; Continental Grain Company.

Chicago; Continental Elevators; Continental Grain Company.

Chicago; Rialto Elevator; General Mills, Inc.

Chicago; Garvey Elevator; Garvey Grain, Inc.

Chicago; Garvey Rock Island Elevator; Garvey Grain, Inc.

Chicago; Belt Elevator; Carey Grain Corporation.

Chicago; Gateway Elevator; Indiana Farm Bureau Cooperative Association, Inc.

Chicago; Santa Fe Elevator; Garvey Grain, Inc.

Chrisman; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

Cisco; Cisco Grain Elevator; Cisco Cooperative Grain Co.

Clifton; Clifton Grain Elevator; Arthur L. Hansen, Orval Hansen, Louie V. Hansen, Vincent Hansen, Laverne Hansen, and Virgil Hansen, copartners, trading as Clifton Grain Co. at Clifton, Illinois, and Hansen Bros. Grain Elevator at Chebanse, Illinois.

Compton; Torri Grain Company Elevator; A. J. Torri, Joseph A. Torri, and Q. J. Torri, copartners, trading as Torri Grain Company.

Creve Coeur; Illinois Grain Corporation. Creve Coeur Elevator; Illinois Grain Corporation.

Cruger (R.R. 1, Eureka); Farmers Elevators; Farmers Grain Cooperative of Eureka.

Culver Station (P.O. Athens); Culver Elevator; Culver-Fancy Prairie Cooperative Co.

Dalton City; Farmers Co-op Grain Co. Elevator; Farmers Co-operative Grain Company of Dalton City.

Danville; Lauhoff Elevator; Lauhoff Grain Company.

Darrow (P. O. Sheldon); Darrow Elevator; Darrow Farmers Co-operative Grain Company.

Deer Grove (R.R. No. 1); Hahnman Station Elevator; Hahnman Elevator, Inc.

DeLand; DeLand Farmer's Elevators; DeLand Farmer's Cooperative Grain Company.

Delavan; Delavan Elevator; Delavan Cooperative Elevator Co.

De Soto; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

Dewey; Dewey Elevator; Fisher Farmers Grain and Coal Company.

Dorans (P.O. Mattoon); Dorans Elevator; Farmers Grain Company of Dorans.

Downs; Hasenwinkle Elevator; Hasenwinkle Grain Co.

Dwight; Jacobson Elevator; John E. Jacobson, trading as John Jacobson Grain.

Dwight Township (P.O. Dwight); Jacobson Terminal; Jacobson Seaway Grain Terminal Company.

Earlville; Earlville Farmers' Co-operative Elevator; Earlville Farmers' Co-operative Elevator Company.

East Hannibal (P.O. Hannibal, Mo.) Bunge Corporation East Hannibal Grain Terminal; Bunge Corporation.

East Peoria; East Peoria Elevator; Tabor & Co.; Tabor & Co.

East St. Louis; Continental Elevator; Continental Grain Company.

East St. Louis; National Oats Elevator; National Oats Company, Inc.

Edinburg; Rink & Scheib Elevator; Rink & Scheib, Inc.

Edwardsville; Edwardsville Elevator; Madison Service Company.

Edwardsville; Dippold Elevator; H. B. Stubbs, trading as Dippold Bros.

Effingham; Effingham Equity Elevator; Effingham Equity.

Emery (P.O. Maroa); Emery Elevator; Dewein Grain Company.

Emington; Emington O. K. Elevator; O. K. Grain Company.

Esmond; Esmond Elevator; Farmers' Grain Company of Esmond.

Fairbury; Farmers Grain Elevator; Farmers Grain Co. of Fairbury.

Fancy Prairie; Fancy Prairie Elevator; Culver-Fancy Prairie Cooperative Co.

Farmer City; Mitsui Elevator; Pacific Grain Co.

Fisher; Fisher Elevator; Fisher Farmers Grain and Coal Company.

Fithian; Fithian Elevator; Harold P. Izard, Kenneth W. Stotler and Howard A. Stotler, copartners, trading as Fithian Grain Company.

Foosland; Foosland Elevator; Foosland Grain Co.

Galva; Galva Elevator; Galva Co-operative Grain and Supply Company.

Georgetown; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

Gibson City; Farmers Elevator; The Farmers Grain Co. of Gibson City.

Gilman; Continental Elevator; Continental Grain Company.

Girard; Girard Elevator; Girard Elevator, Inc.

Gladstone; Gulfport River Terminal & Gladstone Warehouses; Gladstone Grain Co.

Grant Park; Grant Park Elevator; Grant Park Co-operative Grain Co.

Gridley; Gridley Elevator; Garvey Grain, Inc.

Griggsville; Pike King Elevator; Pike King Feed Company.

Hammond; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

Hampshire; Hampshire Elevator; Gerstenberg and Tucker, Inc.

Hardin; Hardin Elevator; Jersey County Grain Company.

Harmon; Albrecht Elevator; Albrecht Grain Company.

Harpster (P.O. Foosland); Harpster Elevator; Harpster Grain Co.



Henkel (P.O. Mendota); Henkel Grain Co.; Henkel Grain Co., Inc.  
 Heyworth; Hasenwinkle Elevator; Hasenwinkle Grain Co.  
 Homer; Homer Elevators; Homer Grain Company.  
 Honegger (P.O. Fairbury); Fairbury Elevator; Honeggers' & Co., Inc.  
 Illiopolis; Mansfield-Ford Illiopolis Elevator; Mansfield-Ford Grain Company.  
 Illiopolis; Illiopolis Grain Co. Elevator; Illiopolis Grain Co.  
 Iroquois; Iroquois Farmers Elevator; Iroquois Farmers Elevator.  
 Ivesdale; Ivesdale Elevator; Ivesdale Co-op Grain Company.  
 Jamaica (R.R. 1, Fairmount); Farmers Elevator; Farmers Elevator Company of Jamaica, Illinois.  
 Jerseyville; Jerseyville Elevators; Jersey County Grain Company.  
 Kane; Kane Elevator; Jersey County Grain Company.  
 Kaneville; Kaneville Elevator; Kaneville Grain and Supply Company.  
 Kankakee; Kankakee Elevator; A. L. Book, trading as A. L. Book & Co.  
 Kansas; Rardin Elevator; Rardin Grain Company; Kenney; Kenney Elevator; Forrest L. Douglas, trading as Douglas Co.  
 Kerrick (R.F.D. 1 Normal); Kerrick Elevator; Kerrick Grain, Inc.  
 Ladd; Ladd Elevator; The Ladd Elevator Company.  
 Lanesville; Mansfield-Ford Lanesville Elevator; Mansfield-Ford Grain Company.  
 Lee; Schaefer Elevator; H. R. Schaefer Grain Co., Inc.  
 Leroy; Hasenwinkle Elevator; Hasenwinkle Grain Co.  
 Leverett (R.R. 4 Champaign) Leverett Elevator; Lewis P. Burtis, Kenneth W. Stotler, each individually, and Sue Stotler and Kenneth W. Stotler as trustees of the Estate of Howard A. Stotler, copartners, trading as Leverett Grain Company.  
 Lexington; Kemp Elevator; Kemp Grain Co.  
 Lisbon Center (P.O. Newark); Lisbon Center Elevator; Farmers Cooperative Grain & Supply Co. of Lisbon Center.  
 Loami; Loami Elevator; Loami Grain Company, Inc.  
 Lostant; Tabor Elevator; Tabor & Co.  
 Ludlow; Ludlow Elevators; Ludlow Cooperative Elevator Company.  
 Macon; Macon Elevator; Macon Grain Company.  
 Mahomet; James F. Parker Co. Elevator; James F. Parker Co.  
 Manteno; Farmers Elevator; Farmers Elevator Company of Manteno.  
 Maroa; Maroa Farmers Coop. Elevator; Maroa Farmers Cooperative Elevator Company.  
 McNabb; McNabb Elevator; McNabb Grain Company.  
 McNulta (P.O. Foosland); McNulta Elevator; Foosland Grain Co.  
 Meadows; Meadows Elevator; Meadows Cooperative Company.  
 Mechanicsburg; Mechanicsburg Elevator; Mechanicsburg Farmers Grain Co.  
 Mendota; Fasco Elevator; Fasco Mills Company.  
 Meriden (P.O. Mendota); Meriden Elevator; Henkel Grain Co., Inc.  
 Metcalf; Metcalf Elevator; Agre Grain Company.  
 Milmine; Milmine Farmers Elevator; Milmine Grain Company.  
 Minier; Minier Cooperative Elevator; Minier Cooperative Grain Company.  
 Minooka; Minooka Elevator; The Minooka Grain, Lumber and Supply Company.  
 Monticello; Monticello Elevator; Monticello Grain Company.  
 Moweaqua; Moweaqua Elevator; Elocay, Inc.

Mulkeytown; Southern Grain Co.; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Murphysboro; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Myra Station (R.R. 3, Urbana); B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Mt. Auburn; Mt. Auburn Elevator; Blue Mound Grain and Fertilizer Co., Inc.  
 Mt. Carroll; Johnston Feed Service; Johnston Feed Service, Inc.  
 Mt. Vernon; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Newman; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Niantic; Niantic Farmers Elevators; Niantic Farmers Grain Company.  
 Oakland; Miller Grain Co. Elevator; Miller Grain Co.  
 Ogden; Ogden Grain Co. Elevator; E. Z. Spread Fertilizer Company, trading as Ogden Grain Company.  
 Old Shawneetown (RR1, Shawneetown); Bunge Corporation Shawneetown Grain Terminal; Bunge Corporation.  
 Olive Branch; B. C. Christopher & Company Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Paris; Adams Elevator; Agre Grain Company.  
 Paris; Paris Elevator; Illinois Cereal Mills, Inc.  
 Paris; Paris Grain Warehouses; Paris Warehouses, Inc.  
 Parnell (R.R. 2, Farmer City); Walsh Grain Elevator; Walsh Grain Elevator, Inc.  
 Peoria; Riverside Elevator; Riverside Elevator Co.  
 Perdueville (P.O. Paxton); Perdueville Elevator; Ludlow Cooperative Elevator Company.  
 Pesotum; Pesotum Elevator; Janet Horton Boyer, Fred G. Boyer and Mary Martha Messmore copartners trading as Pesotum Grain Company.  
 Petersburg; Amac Petersburg Elevator; Amac, Inc.  
 Pittsfield; King Elevator; M. D. King Milling Company.  
 Polo; Olsen Elevator; Axel Olsen, Jr. and Edward Olsen, copartners, trading as Olsen's Elevator and Feeds.  
 Pontiac; Pontiac Elevator; Jacobson Grain Co.

Poplar Grove; McLay Elevator; McLay Grain Company.  
 Redmon; English Elevator; Edward English, trading as English Grain Company.  
 Ridge Farm; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Roberts; Hicks Grain Terminals; Hicks Grain Terminals, Inc.  
 Rochelle (R.R. 1); Maplehurst Farms Elevator; L. D. Carmichael, trading as Maplehurst Farms.  
 Rowe (R.R. No. 3, Pontiac); Rowe-Cornell Elevator; Jacobson Grain Co.  
 Sadorus; Sadorus Co-op Elevators; Sadorus Co-operative Elevator Co.  
 St. Jacob; St. Jacob Elevator; Toberman Grain Company.  
 Saunemin; Saunemin O. K. Elevator; O. K. Grain Company.  
 Savoy; Savoy Elevator; Savoy Grain Company.  
 Serena; Serena Elevator; La Salle County Farm Supply Company.  
 Seymour; Farmers Grain Co. Elevator; Farmers Grain Co. of Seymour, Illinois.  
 Shawneetown; T. Y. Williams Grain & Seed Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Sheldon; Sheldon Export Elevator; Tidewater International Corporation Ltd.  
 Shipman; Shipman Elevator; Shipman Elevator Company.  
 Sibley; Sibley Grain Company Elevator; The Sibley Grain Company.  
 Sibley; Sibley Complete Feed & Grain Service Elevator; The Sibley Farms Service Corporation.  
 Sidell; B. C. Christopher & Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 South Beloit; Elevator B; Beloit Grain Company.  
 State Line; State Line Elevator; State Line Elevator, Inc.  
 Sterling; Galt Site Elevator; Sterling-Rock Falls Co-operative Marketing Association.  
 Steward; Steward Elevators; Lee FS Inc.  
 Stillman Valley; Griffith Lumber Co. Stillman Valley Elevator; Stanwood C. Griffith, trading as Griffith Lumber Co.  
 Stockland; Stockland Elevator; Stockland Grain Company, Inc.  
 Stonington; Stonington Cooperative Grain Company Elevator; Stonington Cooperative Grain Company.  
 Strawn; Strawn Warehouses; The Livingston of Chatsworth, Inc.  
 Sullivan; Sullivan Elevator; Sullivan Grain Company.  
 Symerton (P.O. Wilmington) Symerton Elevator; Will-DuPage Service Company.  
 Taylorville; Allied Mills Taylorville Elevator; Allied Mills, Inc.  
 Taylorville; Wayne Feed Supply Co. Elevator; Allied Mills, Inc.  
 Thomasville (P.O. Farmersville); Thomasville Elevator; Girard Elevator, Inc.  
 Tolono, R.R. 2; Apex Terminal Warehouses; Apex Terminal Warehouses, Inc.

<sup>1</sup> In Illinois and Indiana.



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## IOWA

1880

<sup>1</sup> In Illinois and Indiana.



trading as Country Boys Lumber and Concrete at Bedford and Mount Ayr, Iowa, and Country Boys Elevator and Lumber Co. at Lenox, Iowa.

Lidderdale; Farmers Elevator; Farmers Cooperative Company.

Loveland; Loveland Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

Lytton; Lytton Elevator; Lytton Cooperative Elevator Company.

Malcom; Malcom Farmers Cooperative Elevator; Malcom Farmers Cooperative Elevator.

Manson; Manson Elevator; Weston Grain Company, Incorporated.

Marcus; Farmers Elevators; Farmers Cooperative Elevator

Matlock; Farmers Elevators; Farmers Coop Elevator Association of Sheldon, Iowa. McGregor; Mississippi River Terminal No. 2; Farmers Grain Dealers Association of Iowa (Cooperative).

Meekers Landing (Rt. 2, Burlington); Mississippi River Terminal; Farmers Grain Dealers Association of Iowa (Cooperative).

Missouri Valley; Loveland Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

Modale; Farmers Elevators; Modale Cooperative Association.

Modale; Loveland Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

Mondamin; Farmers Elevators; Farmers Co-operative Co.

Muscantine; Mississippi River Terminal No. 3; Farmers Grain Dealers Association of Iowa (Cooperative).

Newburg; Farmers Coop Warehouse; Farmers Cooperative.

New Hartford; Farmers Cooperative Elevator; Farmers Cooperative Co.

Oseola; Farmers Cooperative Association; Farmers Cooperative Association of Oseola.

Pacific Junction; Lincoln Grain Elevator; Lincoln Grain, Inc.

Palmer; Farmers Elevator; Farmers Co-operative Company.

Paullina; Paullina Farmers Elevators; Farmers Cooperative Company.

Pella; Farmers Co-operative Exchange Elevator; Farmers' Co-operative Exchange.

Portsmouth; G & R Elevator; G & R Feed and Grain Co., Inc.

Radcliffe; Farmers Cooperative Elevator; Farmers Cooperative Elevator Company.

Ralston; Farmers Elevators; Farmers Co-operative Association.

Redfield; Cargill Redfield Elevator; Cargill, Incorporated.

Red Oak; Farmers Mercantile Elevator; Farmers Mercantile Company, A Cooperative.

Remsen; Farmers Cooperative Elevator; Farmers Cooperative Company.

Remsen; Remsen Roller Mill; Remsen Roller Mill, Inc.

River Sioux; Farmers Elevator; Farmers Co-operative Co.

Sexton; Cargill Sexton Elevator; Cargill, Incorporated.

Shelby; Shelby Elevator; Farmers Elevator.

Sheldon; Big 4 Elevator; Land O'Lakes, Inc.

Sheldon; Farmers Elevators; Farmers Co-operative Elevator Association of Sheldon, Iowa.

Sherman (P. O. Hubbard); Farmers Co-operative Elevator; Farmers Cooperative Elevator Company.

Sioux City; Bartlett Elevator; Bartlett and Company Grain.

Sioux City; Cargill Sioux City Elevator "A"; Cargill, Incorporated.

Sioux Center; Farmers Elevator; Farmers Cooperative Society.

Sioux City; Farmers Union Elevator; Farmers Union Grain Terminal Association.

Sioux City; Terminal Grain Corporation Elevator; Terminal Grain Corporation.

Sioux City; Elevator "B"; Harley G. Hall, trading as Hall Grain Company.

Sloan; Farmers Elevator; Farmers Cereal Company (Cooperative).

Superior; Superior Cooperative Elevator; Superior Cooperative Elevator Company.

Templeton; Farmers Elevator; Farmers Cooperative Company.

Villisca; Villisca Elevator; Villisca Elevator, Inc.

Walnut; Continental Elevator; Continental Grain Company.

Washington; Cargill Washington Elevator; Cargill, Incorporated.

Westfield; Westfield Feed and Grain Co.; Westfield Feed and Grain Co.

Weston (P. O. Manson); Weston Elevator; Weston Grain Company, Incorporated.

Wightman (P. O. Lohrville); Farmers Elevator; Farmers Cooperative Company.

Williams; Farmers Cooperative Elevator; Farmers Cooperative Elevator Company.

#### KANSAS

Abbyville; Abbyville Coop Elevator; The Farmers Cooperative Grain Company.

Abilene; ADM Elevator; ADM Milling Co.

Akron (P. O. Rock); Akron Elevator; Quentin F. Waples, d.b.a. The Rock Grain Co.

Alamota; Alamota Farmers Elevator; The Farmers Cooperative Elevator and Mercantile Association.

Albert; Pawnee Elevator; Pawnee County Cooperative Association.

Alden; Alden Elevator; The Farmers Co-operative Union.

Amy; Amy Farmers Elevator; The Farmers Cooperative Elevator and Mercantile Association.

Andale; Farmers Elevator; The Andale Farmers Cooperative Company.

Anthony; Farmers Cooperative Elevator; Anthony Farmer's Cooperative Elevator Co.

Argonia; Danville Coop. Elevator; Danville Cooperative Association.

Arkansas City; Ark City Elevator; Dixie Portland Flour Mills, Inc.

Arkansas City; New Era Mill; The New Era Milling Company.

Atchison; Lincoln Grain, Inc. Elevator; Lincoln Grain, Inc.

Atlanta; Atlanta Co-op Elevator; The Atlanta Cooperative Association.

Atwood; Equity Elevator; The Atwood Equity Co-operative Exchange.

Baileyville; Coop Elevator; The Nemaha County Co-operative Association.

Bavaria; Farmers Elevator; The Farmers Elevator Cooperative Company.

Bazine; Co-op Elevator; The Co-operative Grain & Supply Company.

Beaver; Beaver Grain Elevator; Beaver Grain Corporation, Inc.

Beeler; Beeler Coop; The Beeler Cooperative Exchange.

Bosse Siding (P. O. Jetmore); Bosse Elevator; Bosse Grains, Inc.

Brenham (P. O. Haviland); Farmers Grain and Supply Elevator; The Farmers Grain and Supply Co. of Kiowa Co., Kans.

Brewster; Coffey-Reid Elevator; Coffey-Reid Elevator, Inc.

Brewster; Coop Elevator; Farmers Co-operative Association.

Bucklin; Bucklin Grain Co.; Bucklin Grain Co., Inc.

Bucklin; The Bucklin Co-op Exchange Elevator; The Bucklin Cooperative Exchange.

Bunker Hill; Bunker Hill Elevator; Agco, Inc.

Cambridge; Holt Grain Company Elevator; E. H. Holt, d.b.a. Holt Grain Company.

Carlton; Carlton Elevator; Farm Co-op Association.

Castleton; Farmers Grain Co. Castleton Elevator; The Farmers Cooperative Grain Company.

Charleston (P. O. Ingalls); Farmers Elevators; The Garden City Co-operative Equity Exchange.

Chase; Chase Co-operative Elevator; The Chase Co-operative Elevator, Mill and Mercantile Union.

Cheney; Cheney Co-op Elevator; The Cheney Co-operative Elevator Ass'n.

Cimarron; The Cimarron Co-operative Elevators; The Cimarron Co-operative Equity Exchange.

Cimarron; Southwestern Grain Elevator; Southwestern Grain, Inc.

Claffin; Coop Elevator; The Claffin Cooperative Association.

Claude; Kensington Coop Elevators; The Kensington Cooperative Association.

Clearwater; Clearwater Coop Elevator; Clearwater Cooperative Association.

Coffeyville; Coop Elevator; Farmland Industries, Inc.

Colby; Cooper Terminal; Cooper Grain, Inc.

Colby; Hi-Plains Co-op Elevator; The Hi-Plains Co-operative Association.

Coldwater; Farmers Elevator; The Protection Cooperative Supply Company.

Colwich; Farmers Elevator; The Andale Farmers Cooperative Company.

Conway Springs; Conway Springs Elevator; Charles P. Garretson, trading as Garretson Grain Company.

Conway Springs; The Farmers Cooperative Grain Association Elevator; The Farmers Cooperative Grain Association.

Coolidge; Coolidge Co-op. Elevator; South Eastern Colorado Co-op.

Coolidge; Sullivan Inc. Elevator; Sullivan, Inc.

Corning; Coop Elevator; The Nemaha County Co-operative Association.

Corwin; Farmers Co-operative Elevators; The Farmers Co-operative Business Association.

Cullison (P. O. Pratt); Farmers Grain Elevator; The Farmers Grain and Mercantile Company.

Culver; Culver Coop Elevator; Cooperative Sales and Services, Incorporated.

Danville; Danville Coop Elevator; Danville Cooperative Association.

Deerfield; Farmers Elevators; The Garden City Co-operative Equity Exchange.

Delphos; Delphos Coop Elevator; The Delphos Cooperative Association.

Dighton; Farmers Elevator; The Farmers Cooperative Elevator and Mercantile Association.

Dillon (P. O. Hope); Dillon Elevator; Farm Co-op Association.

Dillwyn (P. O. Macksville); Coop Elevator; The Dillwyn Grain and Supply Company.

Dodge City; Dodge City Terminal Elevator; The Dodge City Terminal Elevator Company.

Dodge City; Casterline Elevator; Casterline Grain & Seed, Inc.

Dodge City; Grain Products Terminal Elevator; Grain Products, Inc.

Dorrance; Dorrance Elevator; Agco, Inc.

Douglass; Douglass Grain Co. Elevator; James L. Taylor, trading as Douglass Grain Company.

Edgerton; Coop Elevator in Edgerton; The Farmers Cooperative Association.

El Dorado; Taylor Elevators; James L. Taylor and Robert D. Haaga, copartners, trading as Taylor Grain Company.



Ellsworth; Salina Terminal Elevators; The Salina Terminal Elevator Company.  
 Emporia; Kansas Soya Products Co. Elevator; Archer-Daniels-Midland Company.  
 Peterita (P.O. Hugoton); Peterita Co-op Elevator; The Farmers Co-operative Grain and Supply Company.  
 Florence; Coop Elevator; The Burns Farmers Co-operative Union.  
 Fowler; Fowler Equity Elevator "B"; The Fowler Equity Exchange.  
 Fredonia; ADM Elevator; Archer-Daniels-Midland Company.  
 Galva; Galva Grain Elevator; Western Grain, Inc.  
 Garden City; Farmers Elevators; The Garden City Co-operative Equity Exchange.  
 Garden City; Lawrence Warehouse No. 8; Lawrence Warehouse Company.  
 Garden Plain; Farmers Cooperative Elevator; The Farmers Cooperative Elevator Company.  
 Garfield; Garfield Co-operative Elevator; The Garfield Co-operative Company.  
 Garnett; Garnett Elevator; Western Grain, Inc.  
 Goodland; Mueller-Reid Grain Elevator; Mueller-Reid Grain Co., Inc.  
 Goodland; Monfort Elevator; Monfort Feeds Lots, Inc.  
 Grainfield; Farmers Elevator; The Gove County Cooperative Association.  
 Great Bend; Great Bend Elevators; The Great Bend Cooperative Association.  
 Green; Lippert Elevator; Maxine Friedrich, trading as Lippert Grain Co.  
 Greensburg; Farmers Grain and Supply Elevator; The Farmers Grain and Supply Co. of Kiowa Co., Kans.  
 Gypsum; Moore Elevator; Kenneth Moore and Lorene Moore, copartners, trading as Moore Grain and Feed Co.  
 Hamlin; Lincoln Grain, Inc., Elevator; Lincoln Grain, Inc.  
 Hardtner; O. K. Elevators; The O. K. Co-operative Grain & Mercantile Company.  
 Harper; Farmers Cooperative Elevator; Anthony Farmer's Cooperative Elevator Co.  
 Haven; Farmers Grain Co.; The Farmers Co-operative Grain Company.  
 Hazelton; Farmers Co-operative Elevators; The Farmers Co-operative Business Association.  
 Hickok (P.O. Ulysses); Sullivan, Inc., Elevator; Sullivan, Inc.  
 Hickok (P.O. Ulysses); Co-op Elevator; The Ulysses Co-operative Oil and Supply Company.  
 Hoxie; Cooper Terminal; Cooper Grain, Inc.  
 Hugoton; Parker Elevator; Earl Bryan, trading as Parker Grain Co.  
 Hugoton; Hugoton Co-op Elevator; The Farmers Co-operative Grain and Supply Company.  
 Hutchinson; Kelly Elevator; The William Kelly Milling Company.  
 Hutchinson; Continental Elevator; Continental Grain Company.  
 Hutchinson; Grain Belt Elevator; The Salina Terminal Elevator Company.  
 Ingalls; Ingalls Grain Elevator; Ingalls Cooperative.  
 Inman; Chase Elevator; The Chase Grain Co., Inc.  
 Joy; Farmers Grain and Supply Elevator; The Farmers Grain and Supply Co. of Kiowa Co., Kans.  
 Junction City; Mid-Continent Elevator; Western Grain, Inc.  
 Kalvesta; Bosse Elevator; Bosse Grains, Inc.  
 Kanorado; Coffey-Reid, Inc. Elevator; Coffey-Reid, Inc.  
 Kanorado; Kanorado Co-op Elevator; The Kanorado Co-operative Association.  
 Kansas City; Turnpike Elevator; Seaboard Allied Milling Corporation.

Kansas City; Bunge Elevator; Bunge Corporation.  
 Kansas City; Far-Mar-Co Fairfax Elevator; Far-Mar-Co., Inc.  
 Kansas City; River-Rail Elevator; Bartlett and Company Grain.  
 Kellogg (Route 2, Winfield); Kellogg Coop Elevator; Kellogg Farmers Union Cooperative Association.  
 Kensington; Kensington Coop Elevators; The Kensington Cooperative Association.  
 Kiowa; O. K. Elevators; The O. K. Co-operative Grain & Mercantile Company.  
 Kismet; Equity Elevator; The Plains Equity Exchange and Co-operative Union.  
 LaCygne; Farmers Coop Elevator; The Linn County Farmers Cooperative Association.  
 Larned; Pawnee Elevators; The Pawnee County Cooperative Association.  
 Lawrence; Farmers Coop Elevator; The Farmers Cooperative Association.  
 Liberal; Perryton Equity Elevator; Perryton Equity Exchange.  
 Lowe (P.O. Holcomb); Farmers Elevators; The Garden City Co-operative Equity Exchange.  
 Lyons; Central Kansas Elevator; The Salina Terminal Elevator Company.  
 Lyons; Lyons Co-op Elevator; Lyons Co-operative Association.  
 Macksville; English Bros. Elevator; Robert H. English and William T. English, copartners, trading as English Grain Company.  
 Macksville; Farmers Co-op Assn. Elevator; Farmers Co-operative Association.  
 Maize; Maize Mills Elevator; Maize Mills, Inc.  
 Marienthal; West Plains Elevator; West Plains Grain, Inc.  
 Mayfield; Farmers' Co-op Elevator; Farmers' Cooperative Grain Association of Wellington, Kansas.  
 McPherson; Chase Elevator; The Chase Grain Co., Inc.  
 Meade; The Co-operative Elevators; The Co-operative Elevator and Supply Company.  
 Milepost (P.O. Ulysses); Co-Op Elevator; The Ulysses Co-operative Oil and Supply Company.  
 Morrowville; Continental Elevator; Continental Grain Company.  
 Moscow; Thurow Elevator; Carl M. Thurow, trading as Carl G. Thurow & Sons.  
 Moscow; Broilier's C & D Elevator; C & D Grain, Inc.  
 Moscow; Moscow Elevator; Moscow Elevator Company, E. L. Gaskill, Inc.  
 Moscow; Moscow Co-op Elevator; The Farmers Co-operative Grain and Supply Company.  
 Mullinville; Equity Exchange Elevator; The Equity Grain and General Merchandise Exchange.  
 Mulvane; Mulvane Co-op Elevator; The Mulvane Cooperative Union.  
 Nashville; Farmers Co-op Elevator; The Zenda Grain and Supply Company.  
 Neodesha; Neodesha Co-op Elevator; The Neodesha Cooperative Association.  
 Ness City; Co-op Elevator; The Right Cooperative Association.  
 Newton; Ross Elevator; Ross Industries, Inc.  
 Oberlin; Decatur Co-op Elevator; The Decatur Cooperative Association.  
 Ottawa; Ottawa Co-op Elevator; The Ottawa Cooperative Association.  
 Overbrook; Overbrook Farmers Co-Op Elevator; The Overbrook Farmer's Union Co-operative Association.  
 Oxford; Parity Elevator; Parity Mills, Inc.  
 Park; Farmers Elevator; The Gove County Cooperative Association.  
 Peabody; Peabody Co-op Elevator; The Peabody Cooperative Equity Exchange.  
 Pierceville; Farmers Elevators; The Garden City Co-operative Equity Exchange.

Pierceville; Christensen Elevator; Christensen Grain, Inc.  
 Plains; Equity Elevator; The Plains Equity Exchange and Co-operative Union.  
 Preston; Farmers Elevator; The Preston Cooperative Grain & Mercantile Company.  
 Protection; Farmers Elevator; The Protection Cooperative Supply Company.  
 Putnam (P.O. Sedgwick); Galmelster Elevators; Frank Galmelster, trading as Galmelster Grain & Elevator.  
 Rock; Rock Elevator; Quentin F. Waples, d.b.a. The Rock Grain Co.  
 Rome (P.O. Wellington); Rome Elevator; McDaniel-Waples, Inc.  
 Roxbury; Moore Elevator; Kenneth Moore and Lorene Moore, copartners, trading as Moore Grain and Feed Co.  
 Russell; Russell Elevator; Agco, Inc.  
 Salina; International Elevator; International Multifoods Corporation.  
 Santa; Santa Coop Elevator; The Santa Cooperative Grain Company.  
 Scott City; Coop Elevator; The Scott Co-operative Association.  
 Scott City; Scott City Elevator; The Scott City Grain Company, Inc.  
 Sedgwick; Farmers Elevator; The Andale Farmers Cooperative Company.  
 Sedgwick; The Sedgwick Alfalfa Mills; Sedgwick Alfalfa Mills, Inc.  
 Selkirk; Farmco Selkirk Elevator; Farmco, Inc.  
 Sharon; Farmers Co-operative Elevators; The Farmers Co-operative Business Association.  
 Shields; Shields Farmers Elevator; The Farmers Cooperative Elevator and Mercantile Association.  
 Shook (P.O. Anthony); Farmers Cooperative Elevator; Anthony Farmer's Cooperative Elevator Co.  
 South Haven; The Howell Elevator; Ray E. Howell, d.b.a. Howell Grain & Insurance.  
 St. Francis; Equity Elevator; The St. Francis Mercantile Equity Exchange.  
 St. John; Coop Elevator; The Dillwyn Grain and Supply Company.  
 Stafford; Stafford Coop; Stafford Coop.  
 Sterling; Farmers Elevator; The Farmers Cooperative Union.  
 Sublette; Haskell County Elevator; Haskell County Grain Company, Inc.  
 Sublette; Sublette Coop Elevator; The Co-operative Grain Dealers Union.  
 Syracuse; Jackson Elevator; Jackson Grain Co., Inc.  
 Tennis (P.O. Friend); Farmers Elevators; The Garden City Co-operative Equity Exchange.  
 Timken; Timken Coop Elevator; The Timken Cooperative Association.  
 Topeka; Far-Mar-Co Topeka Elevator; Far-Mar-Co., Inc.  
 Tribune; Farmco Tribune Elevator; Farmco, Inc.  
 Turon; Farmers Elevator; The Preston Cooperative Grain & Mercantile Company.  
 Ulysses; Co-Op Elevator; The Ulysses Co-operative Oil and Supply Company.  
 Ulysses; Sullivan Inc. Elevator; Sullivan, Inc.  
 Valley Center; Valley Center Farmers Elevator, Inc.; Valley Center Farmers Elevator, Inc.  
 Wellington; Farmers' Co-op Elevator; Farmers' Cooperative Grain Association of Wellington, Kansas.  
 Wellington; Hunter Elevators; Ross Industries, Inc.  
 White City; Mor-Kan Elevator; Western Grain, Inc.  
 White Cloud; White Cloud Elevator; The White Cloud Grain Company, Inc.  
 Whitewater; Whitewater Elevator; The Whitewater Flour Mills Company.  
 Wichita; Public Terminal Elevator; Sam P. Wallingford, Inc.



Wichita; Western Grain Elevator; Western Grain, Inc.

Wilroads; Co-op Elevator; The Right Co-operative Association.

Wilson; Kyner Elevator; Kyner Elevators, Inc.

Wilson; Soukup Elevator; Arthur C. Soukup, trading as Soukup Grain Co.

Wolf (P.O. Deerfield); Farmers Elevators; The Garden City Co-Operative Equity Exchange.

Wright; Co-op Elevators; The Right Co-operative Association.

Zenda; Farmers Co-op Elevator; The Zenda Grain and Supply Company.

Zenith; Farmers Elevator; Zenith Cooperative Grain Company.

#### KENTUCKY

Fulton; <sup>1</sup> Fulton Elevator; Browder Milling Company, Incorporated.

Livermore; Bunge Corporation Livermore Grain Terminal; Bunge Corporation.

Louisville; Kentucky Public Elevator; The Early and Daniel Company.

Louisville; Cargill Louisville Elevator; Cargill, Incorporated.

Louisville; Distillers' Grain Company Elevator; Distillers' Grain Company, Inc.

Mayfield; Mayfield Milling Co. Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

#### LOUISIANA

Abbeville; Planters Warehouse; Riviana Foods Inc.

Ama; Farmers Export Elevator; Farmers Export Co.

Crowley; Acadia Warehouse; Riviana Foods Inc.

Crowley; Farmers' Warehouse; MFC Services (A.A.L.).

Delhi; Terrick Elevator; Lake Providence Port Elevator, Inc.

Destrehan; Bunge Corporation Elevator; Bunge Corporation.

Destrehan; St. Charles Grain Elevator; Archer-Daniels-Midland Company, a corporation, and Garnac Grain Co., Inc., a joint venture, trading and doing business under the firm name and style of The St. Charles Grain Elevator Company.

Egan; Egan Warehouse; Riviana Foods, Inc.

Gueydan; Gueydan Warehouse; Riviana Foods Inc.

Kaplan; Agnes Warehouse; Riviana Foods Inc.

Jennings; Northern Warehouse; Riviana Foods Inc.

Lake Charles; Lake Charles Warehouse; Riviana Foods Inc.

Lake Providence; Lake Providence Port Elevator; Lake Providence Port Elevator, Inc.

Myrtle Grove (P.O. Belle Chasse); Mississippi River Grain Elevator; Mississippi River Grain Elevator, Inc.

New Orleans; Public Grain Elevator of New Orleans; Public Grain Elevator of New Orleans, Inc.

Port Allen; Port of Baton Rouge Grain Elevator; Cargill, Incorporated.

Rayne; Rayne Warehouse; Riviana Foods, Inc.

Reserve; Bayside Elevator Co., a division of Bayside Warehouse Company; Bayside Warehouse Company.

Tallulah; Omega Grain Co.; Omega River Export Terminal, Inc.

Westwego; Continental Grain Elevator, Port of New Orleans; Continental Grain Company.

#### MARYLAND

Williamsburg; Whiteley Elevator; W. O. Whiteley & Son, Inc.

#### MICHIGAN

Adrian; Adrian Elevator; Adrian Grain Company.

Augusta; Knappen Elevator; Knappen Milling Company.

Dowagiac; Dowagiac Milling Company Elevator; The Dowagiac Milling Company.

Hillsdale; Stock Elevator; DCA Food Industries Inc.

Lowell; King Milling Company Elevator; King Milling Company.

#### MINNESOTA

Breckenridge; Cargill Elevator; Cargill, Incorporated.

Columbia Heights; Cargill Minneapolis Flax Plant; Cargill, Incorporated.

Crookston; Cargill Elevator; Cargill, Incorporated.

Duluth; Cargill Duluth Elevator; Cargill, Incorporated.

Duluth; Elevator A; General Mills, Inc.

Duluth; Capitol Elevator; International Multifoods Corporation.

Marshall; Cargill Elevator; Cargill, Incorporated.

Minneapolis; Elevator K; ADM Grain Co.

Minneapolis; Belco Elevator; Burdick Grain Company.

Minneapolis; Great Northern Elevator; Farmers Union Grain Terminal Association.

Minneapolis; Union Elevator; Farmers Union Grain Terminal Association.

Minneapolis; Searle Elevator; Searle Grain Company.

Minneapolis; Soo Elevator; ADM Grain Co.

Minneapolis; Pillsbury "A" Elevator; The Pillsbury Company.

Minneapolis; Pioneer Steel Elevator; Peavey Company.

Minneapolis; Washburn Elevator; General Mills, Inc.

Minneapolis; Consolidated A; North Star Barge & Warehouse Corporation.

Minneapolis; Calumet Elevator; North Star Barge & Warehouse Corporation.

Minneapolis; Elevator "R"; Victoria Elevator Company of Minneapolis.

Minneapolis; Shoreham Elevator; The McMillan Company.

Minneapolis; The Continental Elevator; Continental Grain Company.

Minneapolis; Electric Steel Elevator; Peavey Company.

Minneapolis; Republic Elevator; Victoria Elevator Company of Minneapolis.

New Ulm; Burdick Elevator; Burdick Grain Company.

Port Cargill (P.O. Savage); Port Cargill Elevator C; Cargill, Incorporated.

Red Wing; Central Elevator; Central Soya of Minnesota, Inc.

Savage; Port Bunge; Bunge Corporation.

Savage; Port Cargill Elevator "A"; Cargill, Incorporated.

Savage; Port Continental Elevator; Continental Grain Company.

Shakopee; Peavey River Concrete Terminal; Peavey Company.

Sleepy Eye; Cargill Elevator; Cargill, Incorporated.

St. Louis Park; Belco Elevator; Burdick Grain Company.

St. Paul; Capital B Elevator; International Multifoods Corporation.

St. Paul; Farmers Union Elevator; Farmers Union Grain Terminal Association.

St. Paul; Walsh River Terminal; Walsh River Terminal Corporation.

St. Paul; Elevator D; ADM Grain Co.

Thief River Falls; The McMillan Elevator at Thief River Falls; The McMillan Company.

Wesota; (P.O. Gluek); Cargill Elevator; Cargill, Incorporated.

Winona; Elevator "F"; Victoria Elevator Company of Minneapolis.

#### MISSISSIPPI

Clarksdale; Clarksdale Grain Elevator; MFC Services (A.A.L.).

Cleveland; Central Delta Warehousing Corporation Warehouse; Central Delta Warehousing Corporation.

Greenville; Greenville Warehouse; Riviana Foods Inc.

Greenville; Farmers Grain Warehouse; Farmers Grain Marketing Terminal (A.A.L.).

Hollandale; Stapiservice Hollandale Elevator; Staple Cotton Services Association (A.A.L.).

Indianola; Grain Storage Company, Division of Archer-Daniels-Midland Company; Archer-Daniels-Midland Company.

Inverness; Stapiservice Inverness Elevator; Staple Cotton Services Association (A.A.L.).

Marks; Riverside Industries Warehouse; Riverside Industries, Inc.

Natchez; Cargill Natchez Elevator; Cargill, Incorporated.

Pascagoula; Jackson County Terminal Elevator; Little Dreyfus Corporation.

Webb; Stapiservice Webb Elevator; Staple Cotton Services Association (A.A.L.).

#### MISSOURI

Advance; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Albany; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Armstrong; Coop Elevator; Mid-Missouri Farmers Cooperative.

Bernie; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Bethany; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Bethany; Bethany Elevator; Bethany Mill and Implement Company.

Boonville; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Brookfield; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Brunswick; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Butler; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Callao; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Carrollton; Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.

Caruthersville; MFA Elevator; Missouri Farmers Association, Inc.

Center; Slater & Fowles Center Elevator; Slater and Fowles, Incorporated.

Centralia; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Chillicothe; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Chillicothe; Reed Elevator; Reeds Seeds, Inc.

Clinton; Larabee Elevator; Archer-Daniels-Midland Company.

Columbia; MFA Exchange Elevator; Missouri Farmers Association, Inc.

Conception Junction; M.F.A. Elevator; Missouri Farmers Association, Inc.

Corning; Corning Elevator; Rickel, Inc.

Craig; Community Elevator; Rickel, Inc.

Dalton; Dalton Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.

<sup>1</sup> In Kentucky and Tennessee.



Dearborn; Halferty Bros. Elevator; Halferty Bros., Inc.  
 Dudley; Dudley Grain Warehouse; The Arkansas Rice Growers Cooperative Association trading as The Arkansas Rice Growers Cooperative Association, Inc., in the State of Missouri.  
 Elmo; M.F.A. Elevator; Missouri Farmers Association, Inc.  
 Elsberry; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Essex; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Fayette; Coop Elevator; Mid-Missouri Farmers Cooperative.  
 Forest City; Cargill Elevator; Cargill, Incorporated.  
 Fortescue; Fortescue Elevator; The White Cloud Grain Company, Inc.  
 Gallatin; Froman Elevator; K. C. Froman, trading as Farmers Grain and Fertilizer.  
 Gallatin; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Gower; G.F.S. Elevator; Frederick L. Schuster, trading as Gower Feeders Supply.  
 Grant City; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Gregory Landing (P.O. Canton); Gregory Elevator; Gabe Logsdon & Sons, Inc.  
 Hamilton; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Hannibal; Hannibal Terminal Elevator; Hannibal Grain Terminal, Inc.  
 Hardin; Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.  
 Hayti; MFA Elevator; Missouri Farmers Association, Inc.  
 Higginsville; M.F.A. Cooperative Elevator; Missouri Farmers Association, Inc.  
 Kansas City; Cargill Milwaukee Elevator; Cargill, Incorporated.  
 Kansas City; General Mills Elevator; General Mills, Inc.  
 Kansas City; Chouteau Elevator; Simonds-Shields-Thels Grain Co.  
 Kansas City; Boulevard Elevator; Seaboard Allied Milling Corporation.  
 Kansas City; K.C.T. Elevator; Kansas City Terminal Elevator Company.  
 Kansas City; Purina Soybean Elevator; Ralston Purina Company.  
 Kennett; Kennett Soybean Elevator; E. M. Regenold d.b.a. Kennett Soybean Co.  
 La Belle; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Laddonia; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Laddonia; Slater & Fowles Laddonia Elevator; Slater and Fowles, Incorporated.  
 Lamar; M.F.A. Cooperative Elevator; Missouri Farmers Association, Inc.  
 Langdon; Langdon Elevator; Mildred Duval Bentley, Executrix of the Estate of Jay Temple Bentley, deceased, trading as Bentley Grain Company.  
 Lexington; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Linneus; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Louisiana; M.F.A. Cooperative Elevator; Missouri Farmers Association, Inc.  
 Macon; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Maitland; Rother Grain and Feed Co. Elevator; Irvin Rother and Helen Bammer, copartners, trading as Rother Grain and Feed Co.  
 Marshall; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Marston; E. B. Gee Cotton & Grain Co. Warehouse; E. B. Gee Cotton & Grain Co., Inc.  
 Marthasville; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Martinsburg; Slater & Fowles Martinsburg Elevator; Slater and Fowles, Incorporated.  
 Maryville; M.F.A. Cooperative Elevator; Missouri Farmers Association, Inc.

Mexico; M.F.A. Cooperative Elevator; Missouri Farmers Association, Inc.  
 Mexico; M-F-A Exchange Elevator; Missouri Farmers Association, Inc.  
 Moberly; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Napton; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Nelson; Nelson Elevator; Nelson Elevator, Inc.  
 New Franklin; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Norborne; B. F. Knipschild & Brothers Elevator; B. F. Knipschild, A. L. Knipschild, E. O. Knipschild and J. T. Knipschild, copartners, trading as B. F. Knipschild and Brothers.  
 Norborne; Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.  
 North Kansas City; Monarch Elevator; ADM Milling Co.  
 North Kansas City; Checkerboard Elevator; Ralston Purina Company, trading as Checkerboard Grain Company.  
 North Kansas City; International Elevator; International Multifoods Corporation.  
 North Kansas City; NCM Elevator; Nebraska Consolidated Mills.  
 Odessa; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Orrick; Arnold Bros. Produce Warehouse; Paul Arnold and Wilbur Arnold, copartners, trading as Arnold Bros. Produce.  
 Orrick; Orrick Farm Service Elevator; Orrick Farm Service, Inc.  
 Osage City; Osage City Elevator; W. A. Rootes and Company.  
 Palmyra; Farmers Coop Elevator; Farmers Cooperative Services, Inc. of Palmyra, Missouri.  
 Pattonsburg; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Perry; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Phelps City (P.O. Rock Port); Stanton Elevator; Stanton Grain Co.  
 Poplar Bluff; Butler County Grain Warehouse; The Arkansas Rice Growers Cooperative Association, trading as The Arkansas Rice Growers Cooperative Association, Inc., in the State of Missouri.  
 Ravenwood; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Rea; Rea Elevator; Rea Grain & Feed Co.  
 Richmond; Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.  
 Ristine (P.O. New Madrid); Checkerboard Elevator; Ralston Purina Company, trading as Checkerboard Grain Company.  
 Salisbury; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Senath; Senath Grain Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Sedalia; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Shelbina; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Sheridan; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 St. Joseph; Far-Mar-Co St. Joseph Elevator; Far-Mar-Co, Inc.  
 St. Joseph; Bartlett Elevator; Bartlett and Co. Grain.  
 St. Joseph; Krause St. Joseph Elevator; Krause Milling Company.  
 St. Joseph; Mo-Kan Elevator; Mo-Kan Grain, Inc.  
 St. Joseph; Burlington Elevator; The Pillsbury Company.  
 St. Joseph; B. & E. Elevator; The B. & E. Grain Company.

St. Louis; Missouri Pacific Elevator; Jerry W. Fowles, Trading as Fowles Grain Company.  
 St. Louis; Pillsbury St. Louis Elevator; The Pillsbury Company.  
 St. Louis; St. Louis Grain Corporation Elevator; St. Louis Grain Corporation.  
 St. Marys; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Stanberry; Alldredge Grain & Storage Elevator; Alldredge Grain & Storage, Inc.  
 Sumner; Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.  
 Tebbetts; Rootes Elevator; W. A. Rootes and Company.  
 Trenton; Hoffman & Reed Elevator; Hoffman and Reed, Inc.  
 Trenton; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Triplett; Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.  
 Vandalia; Wasson Grain Elevator; Jack Wasson Grain Incorporated.  
 Vandalia; MFA Exchange Elevator; Missouri Farmers Association, Inc.  
 Wakenda; Ray-Carroll Elevator; Ray-Carroll County Grain Growers, Inc.  
 Watson; Stanton Elevator; Stanton Grain Co.  
 Wayland; Logsdon's Elevator; Gabe Logsdon & Sons, Inc.

## NEBRASKA

Ashland; Kuhl-Reece Company's Elevator; Kuhl-Reece Company.  
 Aurora; Dowd Elevator; Dowd Grain Company, Inc.  
 Bancroft; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Beatrice; Farmers Cooperative Elevator; Farmers Cooperative Elevator Company.  
 Beaver Crossing; Farmers Elevators; Farmers Cooperative Company.  
 Bellwood; Farmers Elevator; Farmers Cooperative Grain Company.  
 Benedict; Farmers Grain Association Elevator; Farmers Co-Operative Grain Association of Benedict, Nebraska.  
 Benkelman; Benkelman Elevators; Independent Elevators, Inc.  
 Berea (P.O. Alliance); Deaver Elevator; Deaver Grain Co., Inc.  
 Bertrand; Bertrand Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Bixby; Bixby Cooperative Elevator; Bixby Cooperative Company.  
 Blair; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Bloomfield; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Brownville; Continental Elevator; Continental Grain Company.  
 Cambridge; Urling Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Central City; Levitt Elevator; Merrick County Grain Co.  
 Chappell; Farmers Elevators; Farmers Elevator Company, A Cooperative.  
 Coleridge; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Columbus; Farmers Grain Terminal; Foreman-Gammel Grain Co., Inc.  
 Cornlea; Continental Elevator; Continental Grain Company.  
 Craig; Farmers Union Elevator; Farmers Union Co-Operative Association.



Crete; Crete Mills Division Elevator; Lauhoff Grain Company.  
 Doane; Doane Elevators; Independent Elevators, Inc.  
 Dorchester; Farmers' Elevators; The Dorchester Farmers Cooperative Grain and Livestock Company.  
 Durant; Richters Elevator; Elmer H. Richters, trading as Durant Grain Company.  
 Elmwood; Farmers Elevator; Farmers Cooperative Association of Elmwood, Nebraska.  
 Elsie; Kellogg Elevator; O. M. Kellogg Grain Company.  
 Enders; Farmers Elevator; Farmers Co-operative Exchange.  
 Fairbury; Farmers Union Co-op Elevator; Farmers Union Co-operative Association of Fairbury, Nebraska.  
 Farwell; Loup Valley Elevators; Scoular-Bishop Grain Company.  
 Fremont; Fremont Cake & Meal Elevator; Archer-Daniels-Midland Company.  
 Fremont; Far-Mar-Co., Fremont Elevator; Far-Mar-Co., Inc.  
 Fremont; Nebraska Consolidated Mills Elevator; Nebraska Consolidated Mills Company.  
 Friend; Friend Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Geneva; Koehler Elevator; A. Koehler Company.  
 Gibbon; Fox Elevator; Scoular-Bishop Grain Company.  
 Grand Island; Nebraska Consolidated Mills Elevator; Nebraska Consolidated Mills Company.  
 Grand Island; Grand Island Grain Division Elevator; Eisenman Chemical Co.  
 Grant; Co-Operative Elevator; The Grant Co-Operative Exchange.  
 Grant; Perkins County Elevator; Scoular-Bishop Grain Company.  
 Hartington; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Hartington; Hartington Elevator; Hartington Elevator Company.  
 Harvard; Farmers Elevators; The Farmers Union Co-operative Elevator Company.  
 Hastings; Garvey Elevator; Garvey Elevators, Inc.  
 Hemingford; Farmers Co-Operative Elevator; Farmers Co-operative Elevator Company.  
 Herman; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Imperial; Farmers Elevator; Frenchman Valley Farmers Cooperative, Inc.  
 Indianapolis; Urling Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Jacinto (P.O. Dix); Point of Rocks Elevator; Point of Rocks Elevators, Inc.  
 Laurel; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Lincoln; Lincoln Grain, Inc. Elevator; Lincoln Grain, Inc.  
 Lincoln; Far-Mar-Co Lincoln Elevator; Far-Mar-Co., Inc.  
 Lincoln; Fairchild Division Elevator; Honeggers & Co., Inc.  
 Lincoln; Gooch Mill Elevators; ADM Milling Co.  
 Lincoln; ADM Elevator; Archer-Daniels-Midland Company.  
 Lyons; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Maywood; Farmers Elevators; Maywood Cooperative Association.  
 Nebraska City; Bartlett Elevator; Bartlett and Company Grain.

North Bend; North Bend Elevator; North Bend Grain Company, Inc.  
 Oakland; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Ogallala; Cogil Elevators; Ogallala Grain, Inc.  
 Omaha; Allied Mills Elevator; Allied Mills, Inc.  
 Omaha; Far-Mar-Co Omaha Elevator; Far-Mar-Co., Inc.  
 Omaha; Illinois Central Elevator; ADM Grain Co.  
 Omaha; Nebraska Consolidated Mills Elevator; Nebraska Consolidated Mills Co.  
 Omaha; The Pillsbury Company Elevator "B"; The Pillsbury Company.  
 Omaha; Scoular-Welsh Omaha Elevator; Scoular-Welsh Grain Co.  
 O'Neill; Dowd Elevator; Dowd Grain Company, Inc.  
 Osceola; Farmers Grain Elevator; Farmers Cooperative Grain Co.  
 Osceola; Smith Elevator; Smith Grain Company.  
 Parks; Parks Elevator; Independent Elevators, Inc.  
 Potter; Point of Rocks Elevator; Point of Rocks Elevators, Inc.  
 Potter; Farmers Elevators; Potter Cooperative Grain Company.  
 Ranch Spur (P. O. Herman); Ranch Spur Elevator; H. C. Fankhouser and V. R. Fankhouser, copartners trading as Fankhouser Bros.  
 Red Willow (P. O. McCook); Urling Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Lawrence P. Hogan, Lowell H. Listrom, Norman Supper, Ludwell G. Gaines III, Robert F. Wilson, Philipp Kuhn, William L. Evans, Jr., Donald F. George and Edward A. Connelly.  
 Rock Bluff (P.O. Plattsmouth); Far-Mar-Co Rock Bluff Elevator; Far-Mar-Co., Inc.  
 Rogers; Golden West Grain Company's Rogers Elevator; Golden West Grain Company.  
 Rosalie; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Roscoe; Roscoe Elevator; John L. Gordon and Jeanette D. Gordon, copartners, d.b.a. Roscoe Grain Company.  
 Schuyler; Golden West Grain Company's Elevator; Golden West Grain Company.  
 Scribner; Farmers Elevator; Farmers Co-operative Mercantile Company, Non-Stock.  
 Scribner; Scribner Elevator; Scribner Grain & Lumber Company.  
 Seward; Allied Mills Elevator; Allied Mills, Inc.  
 Silver Creek; Farmers Grain Elevators; Farmers Cooperative Grain Co.  
 Shelton; Continental Elevator; Continental Grain Company.  
 St. Paul; Loup Valley Elevators; Scoular-Bishop Grain Company.  
 Staplehurst; Continental Elevator; Continental Grain Company.  
 Strang; Strang Grain Elevator; Strang Lumber and Grain Company.  
 Stromsburg; Farmers Elevators; Farmers Cooperative Grain Association of Stromsburg.  
 Superior; Scoular-Bishop Elevator; Scoular-Bishop Grain Company.  
 Tekamah; Farmers Elevator; Farmers Non-Stock Cooperative Grain Association.  
 Tekamah; Holmquist Elevator; The Holmquist Grain and Lumber Co.  
 Thurston; Merry Elevator; Darrel Merry, trading as Merry Grain & Lumber Co.  
 Ulysses; Farmers Cooperative Elevators; Farmers Cooperative Grain & Supply Co.  
 Utica; Utica Co-operative Grain Company's Elevators; Utica Co-operative Grain Company.  
 Venango; Dudden Elevator; Dudden Elevator, Inc.

Venango; Farmers' Elevators; Farmers Union Cooperative Grain Co. of Venango, Nebraska.  
 Verdell; Allied Mills Elevator; Allied Mills, Inc.  
 Wallace; Kellogg Elevator; O. M. Kellogg Grain Company.  
 Walthill; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Wauneta; Farmers Elevator; Farmers Co-operative Exchange.  
 Winnebago; Holmquist Elevator; The Holmquist Grain and Lumber Company.  
 Winnebago; Merry Grain Company Elevator; Holmquist Elevator Company.  
 Winnetoon; Allied Mills Elevator; Allied Mills, Inc.  
 Winslow; Farmers Elevator; Farmers Co-operative Mercantile Company, Non-stock.

## NEW MEXICO

Clovis; El Rancho Elevator; El Rancho Milling Co. (no stockholders' liability).  
 Clovis; Farmers Cooperative Elevators; Farmers Cooperative Elevators, Inc.  
 Clovis; New Mexico Mill Elevator; New Mexico Mill & Elevator Co. (no stockholders' liability).  
 Clovis; Worley Mills Elevator; Worley Mills, Inc. (no stockholders' liability).  
 Grier; Farmers Cooperative Elevators; Farmers Cooperative Elevators, Inc.  
 Melrose; Farmers Cooperative Elevators; Farmers Cooperative Elevators, Inc.  
 Melrose; Melrose Elevator; Melrose Grain & Elevator Co., Inc.  
 Portales; Worley Mills Elevator; Worley Mills, Inc. (no stockholders' liability).  
 Texico; New Mexico Mill Elevator; New Mexico Mill & Elevator Co. (no stockholders' liability).  
 Texico; State Line Elevator; State Line Grain, Inc.  
 Tucumcari; Worley Mills Elevator; Worley Mills, Inc. (no stockholder's liability).

## NEW YORK

Albany; Port of Albany Elevator No. 1; Cargill, Incorporated.  
 Buffalo; Continental Concrete Central Elevator; Continental Grain Company.  
 Buffalo; Standard Elevator; Standard Milling Company, d.b.a. Standard Milling Company, Inc., in New York State.

## NORTH CAROLINA

Battleboro; E-B Grain Company, Inc.; Warehouse Superintendent of the State of North Carolina.  
 Camden; Wood Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.  
 Fayetteville; Cargill Fayetteville Elevator; Cargill, Incorporated.  
 Greenville; Fred Webb Elevator; James Fred Webb.  
 Monroe; Producers Feed Mill Warehouse; Warehouse Superintendent of the State of North Carolina.  
 Mooresville; Mooresville Grain Elevator; Warehouse Superintendent of the State of North Carolina.  
 Newton Grove, R.F.D. 2; House Grain Elevators; Warehouse Superintendent of the State of North Carolina.  
 Selma; Gurley Milling Co. Grain Elevator; Warehouse Superintendent of the State of North Carolina.  
 Washington; Cargill Washington, N.C. Elevator; Cargill, Incorporated.  
 Wilson; Cargill Elevator; Cargill, Incorporated.

## NORTH DAKOTA

Grand Forks; Garvey Elevator; Garvey Elevators, Inc.  
 Jamestown; Garvey Elevator; Garvey Elevators, Inc.



## OHIO

Arcanum; Continental Elevator; Continental Grain Company.  
 Chillicothe; Standard Elevator; The Standard Elevator and Supply Company.  
 Cincinnati; Fairmount and Riverside Elevators; The Early and Daniel Company.  
 Columbus; Farm Bureau Columbus Elevator; The Farm Bureau Cooperative Association, Inc.  
 Columbus; Continental Elevator; Continental Grain Company.  
 Columbus; Eshelman Grain Company Elevator; International Multifoods Corporation.  
 Coshocton; Coshocton Elevator; Coshocton Grain Co.  
 Elgin; Elgin Elevator; Elgin Grain Company.  
 Fletcher; Fletcher Elevator; Shepard Grain Company, Inc.  
 Fostoria; Fostoria Elevator; The Ohio Farmers' Grain Corporation.  
 Fostoria; Mennel Elevator; The Mennel Milling Company.  
 Glandorf; Glandorf Elevator; Glandorf Feed Company.  
 Green Camp; Green Camp Co-operative Elevator; The Green Camp Co-operative Elevator Company.  
 Harrison (Route 4); J. A. Cornelius Grain Elevator; J. A. Cornelius.  
 Hume (R.R. No. 4, Lima); Hume Elevator; The Welker Grain Company.  
 Killeville (P.O. R.R. No. 3, Plain City); Killeville Elevator; The Ohio Grain Company.  
 Lima; Cargill Lima Elevator; Cargill, Incorporated.  
 Mansfield; General Grain Elevator; General Grain, Inc.  
 Marysville; Marysville Elevator; The Ohio Grain Company.  
 Maumee; Cargill Toledo Elevator; Cargill, Incorporated.  
 Mechanicsburg; Mechanicsburg Elevator; The Ohio Grain Company.  
 Pittsburg; Pittsburg Grain Elevator; Pittsburg Feed and Grain, Inc.  
 Shelby; Shelby Equity Elevator; The Shelby Equity Exchange Company.  
 Spencerville; Farmers Union Company Elevator; The Spencerville Farmers Union Company.  
 Thackery; Thackery Elevator; Shepard Grain Company, Inc.  
 Toledo; Cargill East Side Elevator; Cargill, Incorporated.  
 Troy; Troy Elevator; The Early and Daniel Company.  
 Van Wert; Welker Elevator; The Welker Grain Company.

## OKLAHOMA

Afton; Afton Co-op Elevator; Afton Co-operative Association.  
 Apache; Apache Farmers Co-operative; Apache Farmers Co-operative.  
 Beaver; Perryton Equity Elevator; Perryton Equity Exchange.  
 Bison; Farmers Elevator; Bison Cooperative Association.  
 Blackwell; Blackwell Co-op Elevator; Blackwell Co-operative Elevator Association.  
 Boise City; Consumers Elevator; Boise City Farmers Cooperative.  
 Brame; Brame Co-op Elevator; Blackwell Co-operative Elevator Association.  
 Broken Arrow; Farmers Co-op Elevator; Farmers Cooperative.  
 Buffalo; Buffalo Farmers Elevator; The Buffalo Farmers' Co-operative Elevator Company.  
 Cashion; Farmers Exchange Elevator; Farmers Exchange of Cashion.  
 Cherokee; Farmers Elevator; Farmers Co-operative Elevator Association.  
 Clinton; Farmers Elevator; Farmers Co-operative Association.

Clyde; Clyde Elevator; Clyde Co-operative Association.  
 Cordell; Farmers Elevator; Farmers Co-operative Association.  
 Crescent; Crescent Cooperative Elevator; Crescent Cooperative Association.  
 Custer City; Farmers Elevator; Custer City Farmers Cooperative Exchange.  
 Deer Creek; Deer Creek Elevator; Clyde Co-operative Association.  
 Douglas; Farmers Elevators; Farmers Co-operative Elevator Company of Douglas.  
 Enid; Continental Elevator; Continental Grain Company.  
 Enid; Union Equity Co-operative Exchange Elevator; Union Equity Co-operative Exchange.  
 Enid; Enid Terminal Elevators; Interstate Grain Corporation.  
 Fairview; Sooner Co-op Elevator; Sooner Cooperative, Incorporated.  
 Fargo; Farmers Elevator; Farmers Co-operative Association.  
 Garber; Cooperative Elevator; Garber Co-operative Association.  
 Goodwell; Farmers Elevator; Farmers Elevator of Goodwell, Oklahoma, Inc.  
 Grandfield; Union Equity Elevator; Union Equity Co-operative Exchange.  
 Guymon; Knutson Elevator; Knutson Elevators, Inc.  
 Hardesty; Perryton Equity Elevator; Perryton Equity Exchange.  
 Helena; Farmers Elevator; Farmers Cooperative Association.  
 Hennessey; Farmers Co-operative Elevator; Farmers Elevator and Co-operative Association.  
 Homestead; Sooner Co-op Elevator; Sooner Cooperative, Incorporated.  
 Hooker; Equity Exchange Elevator; The Hooker Equity Exchange.  
 Hough (P.O. Guymon); Hough Elevator; Knutson Elevators, Inc.  
 Hunter; Hunter Farmers Elevator; Farmers Grain Company.  
 Hydro; Farmers Elevator; Hydro Cooperative Association.  
 Imo; Imo Farmers Elevators; Farmers Co-operative Elevator Company.  
 Kingfisher; Kingfisher Cooperative Elevator; Kingfisher Cooperative Elevator Association.  
 Knowles; Perryton Equity Elevator; Perryton Equity Exchange.  
 Kremlin; Farmers Elevator; Farmers Grain Company.  
 Lamont; Lamont Elevator; Clyde Co-operative Association.  
 Lawton; Cooperative Elevator A; Lawton Cooperative Association.  
 Marshall; United Co-op Elevator; United Cooperative, Inc.  
 May; May Elevator; Woodward Cooperative Elevator Association.  
 Medford; Medford Elevator; Clyde Co-operative Association.  
 Miami; Miami Co-op Elevator; The Miami Cooperative Association.  
 Midway (P.O. Hooker); Midway Elevator; Knutson Elevators, Inc.  
 Mooreland; Farmers Co-op Elevator; Farmers Co-operative Trading Company.  
 Nardin; Cooperative Elevator; Clyde Co-operative Association.  
 Okeene; Sooner Co-op Elevator; Sooner Cooperative, Incorporated.  
 Oklahoma City; Garrison Elevator; Garrison Milling Company, Inc.  
 Perry; Farmers Cooperative Elevator; Farmers Cooperative Exchange.  
 Pond Creek; Farmers Elevator; Farmers Grain Company.  
 Ranch Drive (P.O. Ponca City); Ranch Drive Elevator; Farmers Cooperative Association.  
 Red Rock; Farmers Co-Op. Elevator; Red Rock Farmers Co-operative.

Renfrow; Renfrow Elevator; Clyde Co-operative Association.  
 Saltfork; (P.O. Hunter) Saltfork Elevator; Clyde Co-operative Association.  
 Selman; Selman Farmers Elevator; The Buffalo Farmers' Co-operative Elevator Company.  
 Shawnee; Shawnee Elevator; Shawnee Milling Company.  
 Tonkawa; Tonkawa Elevator; Farmers Co-operative Association.  
 Tuttle; MFC Elevator; Mid-Continent Farmers Co-op.  
 Vici; Farmer's Co-op. Ass'n Elevator; Farmers Cooperative Association of Vici.  
 Wakita; Farmers Co-operative Elevators; Farmers Co-operative Elevator Company of Wakita.  
 Weatherford; Co-Op. Elevator; Farmers Co-operative Exchange.  
 Woodward; Woodward Elevator; Woodward Cooperative Elevator Association.  
 Yukon; MFC Elevator; Mid-Continent Farmers Co-op.

## OREGON

Athens; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Biggs (P.O. Wasco); Sherman Co-operative Grain Growers Warehouse; Sherman Co-operative Grain Growers.  
 Biggs; Moro Grain Growers Warehouse; Moro Grain Growers Association.  
 Condon; Condon Grain Growers Warehouse; Condon Grain Growers, Inc.  
 Dufur; Dufur Elevator; Dufur Elevator Company.  
 Eakin's Siding; Eakin Elevator; Eakin Co-operative Grain Growers.  
 Echo; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Elgin; The Elgin Flouring Mill Warehouse; The Elgin Flouring Mill Co.  
 Enterprise; Wallowa County Grain Growers Warehouse; Wallowa County Grain Growers.  
 Grass Valley; Grass Valley Grain Growers Warehouse; Grass Valley Grain Growers, Inc.  
 Haines; Haines Elevator; Haines Grain and Feed Company, Inc.  
 Helix; Farmers Mutual Warehouse Co-op; Farmers Mutual Warehouse Cooperative.  
 Heppner; Morrow County Grain Growers Warehouse; Morrow County Grain Growers, Inc.  
 Hogue-Warner; Morrow County Grain Growers Warehouse; Morrow County Grain Growers, Inc.  
 Holdman; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Imbler; Grande Ronde Grain Warehouse; Grande Ronde Grain Co.  
 Ione; Morrow County Grain Growers Warehouse; Morrow County Grain Growers, Inc.  
 Island City; Pioneer Flouring Mill Warehouse; Pioneer Flouring Mill Co.  
 Jordan; Jordan Elevator Company's Warehouse; Jordan Elevator Company.  
 LaGrande; LaGrande Milling Warehouse; LaGrande Milling Company.  
 Lakeview; Interstate Cooperative Elevator; Interstate Cooperative.  
 Lexington; Morrow County Grain Growers Warehouse; Morrow County Grain Growers, Inc.  
 Maupin; Blue Line Exchange Warehouse; Blue Line Exchange.  
 McNab; Morrow County Grain Growers Warehouse; Morrow County Grain Growers, Inc.  
 Milton-Freewater; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.  
 Morgan; Morgan Elevator; John Eubanks.  
 Moro; Moro Grain Growers Warehouse; Moro Grain Growers Association.  
 North Lexington; Morrow County Grain Growers Warehouse; Morrow County Grain Growers, Inc.



North Powder; North Powder Milling and Mercantile Company's Warehouse; North Powder Milling and Mercantile Company.  
Pendleton; Pendleton Grain Growers Warehouse No. 2; Pendleton Grain Growers, Inc.

Portland; Blue Line Exchange Warehouse; Blue Line Exchange.

Ruggs; Morrow County Grain Growers Warehouse; Morrow County Grain Growers, Inc.

Umatilla; Pendleton Grain Growers Warehouse; Pendleton Grain Growers, Inc.

Union; The Union Flouring Mill Warehouse; The Union Flouring Mill Company.

#### PENNSYLVANIA

Erie; Continental Erie Elevator; Continental Grain Company.

High Spire; Highspire Flour Mills Elevator; Standard Milling Company.

Philadelphia; Girard Point Elevator; Tidewater Grain Company.

#### SOUTH DAKOTA

Aberdeen; Cargill Elevator; Cargill, Incorporated.

Beardsley; Terminal Grain Elevator; Terminal Grain Corporation.

Centerville; Centerville Grain Elevator; McMaster Grain Company.

Colome; Colome Elevator—Dallas Branch; Farmers Co-operative Association of Dallas, South Dakota.

Cresbard; Elchinger Elevator; Cresbard Grain Company.

Dallas; Farmers Elevators; Farmers Cooperative Association of Dallas, South Dakota.  
Marion; Terminal Grain Elevator; Terminal Grain Corporation.

Milbank; Cargill Elevator; Cargill, Incorporated.

Monroe; Terminal Grain Elevator; Terminal Grain Corporation.

Onida; Oahe Elevator; Oahe Grain Corporation.

Parker; Terminal Grain Elevator; Terminal Grain Corporation.

Roscoe; Roscoe Grain and Feed Company Elevator; Roscoe Grain and Feed Company, Inc.

Trent; Cargill Elevator; Cargill, Incorporated.

Vermillion; Terminal Farm Service Elevator; Terminal Grain Corporation.

Wagner; Terminal Grain Elevator; Terminal Grain Corporation.

Winner; Deaver-Meyer Elevator; Deaver-Meyer Grain Company.

#### TENNESSEE

Chattanooga; Cargill Chattanooga Elevator; Cargill, Incorporated.

Memphis; ADM Elevator; ADM Grain Co. Memphis; Riverside Elevator No. 1, Cook Industries, Inc.

Memphis; Port of Memphis Grain Elevator; Cargill, Incorporated.

Memphis; Cargill President Island Oil Plant; Cargill, Incorporated.

Memphis; Continental Memphis Elevator; Continental Grain Company.

South Fulton; Fulton Elevator; Browder Milling Company, Incorporated.

Trenton; Boyd Price Grain Co., Warehouse; Boyd Price, trading as Boyd Price Grain Co.

Union City; Farmers Grain Elevator; Farmers Grain & Fertilizer Company, Inc.

Union City; Watterfield Elevator; Watterfield Grain Company.

#### TEXAS

Adrian; Wheat Growers Elevator; Adrian Wheat Growers, Inc.

Amarillo; Interstate Grain Co. Warehouse; The Kearns Grain & Seed Co., Inc.

Amarillo; Producers Elevator; Producers Grain Corporation.

Anna; Shirley Elevator; Norman E. Jones, trading as N. E. Jones Grain.

Beaumont; Beaumont Elevator; Continental Grain Company.

Black; Black Grain Co. Elevator; Friona Feed Yard, Inc.

Black; Tri-County Elevator; Tri-County Elevator Company, Inc.

Booker; Booker Equity Elevator; Booker Equity Union Exchange.

Bovina; Wheat Growers Elevator; Bovina Wheat Growers, Inc.

Bovina; Shirley Elevator; Shirley Grain Company.

Brownfield; Goodpasture, Inc.—Brownfield Elevator; Goodpasture, Inc.

Bushland; Neely Elevator; H. T. Neely and Wm. K. Irwin, copartners, doing business as Neely Elevator.

Canadian; Co-op Elevator; Canadian Grain Co-op.

Capps Switch (P.O. Sunray); Continental Elevator; Continental Grain Company.

Channelview; Cargill Houston Elevator; Cargill, Incorporated.

Comyn (P.O. Dublin); Harvest Queen Elevators; L. R. Stringer.

Conway; Coop Elevator; Conway Wheat Growers, Inc.

Dalhart; Consumers Elevator; Dalhart Consumers Fuel Association, Inc.

Dalhart; Welch Elevator; T. I. Welch and Thompson Irwin Welch, copartners, trading as Welch Grain Company.

Darrouzett; Farmers Elevators; Darrouzett Cooperative Association.

Dawn; Dawn Co-op Elevator; Dawn Co-op. Deer Park; Union Equity Export Elevator; Union Equity Co-operative Exchange.

Dimmitt; Farmers Elevator; Dimmitt Wheat Growers, Inc.

Dumas; Co-op Elevator; Dumas Co-op. Etter (P.O. Dumas); Continental Elevator; Continental Grain Company.

Etter (P.O. Dumas); Etter Grain Company Elevator; Etter Grain Company, Inc.

Farnsworth; Batman Elevator; Batman Grain, Inc.

Farnsworth; Perryton Equity Elevator; Perryton Equity Exchange.

Farwell; Worley Grain Company Elevator; Worley Grain Co. (no stockholder's liability).

Farwell; Shirley-Anderson-Pitman Elevator; Shirley-Anderson-Pitman, Inc.

Follett; Farmers Grain & Supply Co. Elevator; Farmers Grain and Supply Company of Follett.

Fort Worth; Katy Elevator; Bunge Corporation.

Fort Worth; Producers Elevator Section B; Producers Grain Corporation.

Friona; Sante Fe Elevator; Continental Grain Company.

Friona; Farmers Cooperative Elevator; Friona Wheat Growers, Inc.

Friona; Frisco Elevator; Continental Grain Company.

Galena Park; Goodpasture Elevator; Goodpasture, Inc.

Galveston; Galveston "B" Elevator; Galveston Elevator Company, Inc.

Groom; Wheat Growers Elevator; Groom Wheat Growers, Inc.

Groom; Wheeler-Evans Elevator; Wheeler-Evans Grain, Inc.

Gruver; Continental Elevator; Continental Grain Company.

Hamlin; Moore Elevator; Moore Elevator, Inc.

Hart; Farmers Grain Elevator; The Farmers Grain Company of Hart, Texas.

Hartley; Farmers Supply Company Elevators; Farmers Supply Company of Hartley, Texas.

Happy; Wheat Growers Elevator; Happy Wheat Growers, Inc.

Hereford; Farmers Co-op Elevator; Hereford Grain Corp.

Hereford; Pitman-Easley Elevator; Pitman-Easley Industries, Inc.

Hereford; Hereford Elevator; Continental Grain Company.

Higgins; Wheat Growers Elevator; Higgins Wheat Growers, Inc.

Holden Spur (P.O. Mexia); Harvest Queen Elevators; L. R. Stringer.

Huntton; Perryton Equity Elevator; Perryton Equity Exchange.

Kress; Kress Farmers Elevator; Kress Farmers Elevator Co. of Kress, Texas.

Kress; Hipp Elevator; Geo D. Hipp, Joe F. Hipp, Harold D. Hipp, James P. Hipp, Hipp Brothers Grain Company, Incorporated, and The Star Grain Company of Tulsa, Texas, copartners, trading as Hipp Grain Company.

Lariat; Shirley-Anderson Elevator; Shirley-Anderson Grain Company.

Lockney; Patterson Elevator; Patterson Grain Company, Inc.

Lockney; Lockney Co-op Elevator; Lockney Cooperative Gin.

Lubbock; Goodpasture, Inc.—Lubbock Elevator; Goodpasture, Inc.

Lubbock; Producers Elevator; Producers Grain Corporation.

Mathis; Mathis Elevator; Mathis Grain & Elevator Corp.

McKibben (P.O. Spearman); Perryton Equity Elevator; Perryton Equity Exchange.

Morse; Perryton Equity Elevator; Perryton Equity Exchange.

Mulshoe; Mulshoe Elevator; The Kearns Grain & Seed Co., Inc.

Mulshoe; Farmers Cooperative Elevator; Farmers Cooperative Elevator of Mulshoe, Texas.

O'Donnell; Farmers Co-op Elevator; Farmers Co-operative Association of O'Donnell, Texas.

Perryton; Perryton Equity Elevators; Perryton Equity Exchange.

Plainview; Harvest Queen Elevator; L. R. Stringer.

Plainview; Plainsman Elevator; Plainsman Elevators, Inc.

Plainview; Producers Elevator; Producers Grain Corporation.

Plainview; Southwestern Grain Elevator; Southwestern Grain, Inc.

Plainview; Cargill Plainview Elevator; Cargill, Incorporated.

Port Arthur; Cargill Port Arthur Elevator; Cargill, Incorporated.

Pringle; Perryton Equity Elevator; Perryton Equity Exchange.

Saginaw; Continental Elevator; Continental Grain Company.

Saginaw; Union Equity Ft. Worth Elevator; Union Equity Co-operative Exchange.

Silverton; Silverton Elevator; Silverton Elevators, Inc.

Spearman; Perryton Equity Elevator; Perryton Equity Exchange.

Sudan; Feeders Elevator; Feeders Grain, Inc.

Suman Switch (P.O. Hearne); Harvest Queen Elevators; L. R. Stringer.

Sunray; Sunray Co-op Elevator; Sunray Co-op.

Sunray; Continental Elevators; Continental Grain Company.

Texarkana; Pioneer of Texarkana Elevator; Pioneer Food Industries, Inc.

Texhoma; Wheat Growers Elevator; Texhoma Wheat Growers, Inc.

Texline; Texline Elevator; The Kearns Grain & Seed Co., Inc.

Tulla; Wheat Growers Elevator; Tulla Wheat Growers, Inc.

Tulla; Prairie Elevator; Prairie Cattle and Grain Co.

Tulla; Star Grain Co. Elevator; The Star Grain Company of Tulsa, Tex.

Tulla; Harvest Queen Elevators; L. R. Stringer.

<sup>1</sup> In Kentucky and Tennessee.



Twitchell; Perryton Equity Elevator; Perryton Equity Exchange.

Vega; Wheat Growers Elevator; Vega Wheat Growers, Inc.

Waka; Perryton Equity Elevator; Perryton Equity Exchange.

Wichita Falls; Berend Bros. Elevator, Berend Brothers Feed Stores, Inc.

Wildorado; Wildorado Producers Elevator; Wildorado Producers Ass'n.

#### UTAH

Cache Junction; West Cache Growers Warehouse; West Cache Growers, Inc.

Murray; Brookfield Elevator; Brookfield Products, Inc.

Richmond; Gilt Edge Flour Mills Warehouse; Gilt Edge Flour Mills, Inc.

#### VIRGINIA

Chesapeake; Cargill Norfolk Elevator; Cargill, Incorporated.

Norfolk; N. & W. Grain Elevator; Continental Grain Company.

Roanoke; City Mills Elevator; Roanoke City Mills, Incorporated.

#### WASHINGTON

Albion; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc.

Asotin; Lewiston Grain Growers Warehouse; Lewiston Grain Growers, Inc.

Centerville; Grain Growers Warehouse; Klickitat Valley Grain Growers, Inc.

Colfax; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc.

Connell; Connell Grain Growers Warehouse; Connell Grain Growers, Inc.

Dayton; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc.

Endicott; Wheat Growers of Endicott Warehouse; Wheat Growers of Endicott, Inc.

Fallon; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc.

Goldendale; Grain Growers Warehouse; Klickitat Valley Grain Growers, Inc.

Huntsville; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc.

Johnson (P.O. Star Route, Pullman); Johnson Union Warehouse; Johnson Union Warehouse Company.

Kahlotus; Kahlotus Cooperative Elevator; Kahlotus Cooperative Elevator Company.

McKay; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc.

Mockonema; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc.

Oakesdale; Oakesdale Grain Growers Warehouse; Oakesdale Grain Growers, Inc.

Pomeroy; Pomeroy Grain Growers Warehouse; Pomeroy Grain Growers, Inc.

Prescott; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc.

Pullman; Dumas Seed Company Warehouse; Dumas Seed Company.

Pullman; Pullman Grain Growers Warehouse; Pullman Grain Growers, Inc.

Rockford; Rockford Grain Growers Warehouse; Rockford Grain Growers, Inc.

Roosevelt; Farmers Warehouse & Commission Co.; Farmers Warehouse Commission Company.

Starbuck; Columbia County Grain Growers Warehouse; Columbia County Grain Growers, Inc.

Thornton; Colfax Grain Growers Warehouse; Colfax Grain Growers, Inc.

Uniontown; Uniontown Co-Operative Warehouse; Uniontown Co-Operative Association.

Waitsburg; The Touchet Valley Grain Growers Warehouse; The Touchet Valley Grain Growers, Inc.

Washtucna; Washtucna Grain Growers Warehouse; Washtucna Grain Growers, Inc.

#### WISCONSIN

Green Bay; Strid Grain Company Elevator; T. A. Strid and Roland G. Strid, copartners trading as Strid Grain Company.

La Crosse; Cargill La Crosse Elevator; Cargill, Incorporated.

Superior; Great Northern Elevators S-X; ADM Grain Co.

Superior; Continental Elevator, Superior; Continental Grain Company.

Superior; Farmers Union Elevator; Farmers Union Grain Terminal Association.

Superior; M & O Elevators; M & O Elevators, Inc.

#### WYOMING

Egbert; Point of Rocks Elevator; Point of Rocks Elevators, Inc.

#### Beans

##### C. For the storage of beans:

#### COLORADO

##### Town, Warehouse, and Warehouseman

Dove Creek; Romer Warehouse; David L. Corlett and Jean R. Corlett, copartners, trading as Romer Mercantile and Grain Co.

Dove Creek; Dove Creek Bean & Elevator Co. Warehouse; Dove Creek Bean & Elevator Co.

Eaton; Co-Op Bean Warehouse; Agland, Incorporated.

Fowler; Fowler Warehouse; Fowler Cooperative Association.

Olathe; Co-op Warehouse; The Olathe Potato Growers' Cooperative Association.

Roggen; Roggen Farmer's Bean Warehouse; Roggen Farmer's Elevator Association.

#### IDAHO

Buhl; Shields Warehouse; James H. Shields, Jr., James T. Shields and Jane Shields Redman, d.b.a. "Shields".

Filer; Idaho Bean and Elevator Warehouse; Idaho Bean & Elevator Co. of Twin Falls. Hansen; L. W. Moore Warehouse; L. W. Moore.

Jerome; Marshall Warehouse; Marshall Warehouses, Inc.

Kendrick; Lewiston Grain Growers Warehouse; Lewiston Grain Growers, Inc.

Nampa; Shields Warehouse; James H. Shields, Jr., James T. Shields and Jane Shields Redman, d.b.a. "Shields".

Twin Falls; Idaho Bean and Elevator Warehouse; Idaho Bean & Elevator Co. of Twin Falls.

Twin Falls; Shields Warehouse; James H. Shields, Jr., James T. Shields and Jane Shields Redman, doing business as "Shields".

#### KANSAS

Leoti; Western Seed & Supply Warehouse; Charles R. Whitham, trading as Western Seed & Supply.

Marienthal; Webster Warehouse; Webster Seed and Supply Inc.

#### TEXAS

Texline; Texline Elevator; The Kearns Grain & Seed Co., Inc.

#### Sirup

##### D. For the storage of sirup:

#### CALIFORNIA

##### Town, Warehouse, and Warehouseman

Anaheim; Anaheim Warehouse; Sioux Honey Association, Cooperative.

Stockton; Valley Honey Warehouse; Valley Honey Cooperative.

#### FLORIDA

Sunset Harbor (P.O. Summerfield); Sunset Harbor Warehouse; Sioux Honey Association, Cooperative.

Umatilla; Umatilla Warehouse; Sioux Honey Association, Cooperative.

#### GEORGIA

Waycross; Waycross Warehouse; Sioux Honey Association, Cooperative.

#### IDAHO

Wendell; Sioux Honey Association Warehouse; Sioux Honey Association, Cooperative.

#### IOWA

Sioux City; Sioux Honey Association Warehouse; Sioux Honey Association, Cooperative.

#### TEXAS

Temple; Temple Honey Warehouse; Sioux Honey Association, Cooperative.

#### Wool

##### E. For the storage of wool:

#### IDAHO

##### Town, Warehouse, and Warehouseman

Nampa; Shields Warehouse; James H. Shields, Jr., James T. Shields and Jane Shields Redman, d.b.a. "Shields".

#### MISSOURI

North Kansas City; Midwest Wool Warehouse; Midwest Wool Marketing Cooperative.

#### OHIO

Columbus; Ohio Wool Warehouse; The Ohio Wool Growers Cooperative Association.

#### SOUTH CAROLINA

Greenville; Black Hawk Warehouse; The Black Hawk Corporation.

#### Cottonseed

##### F. For the storage of cottonseed:

##### Town, Warehouse, and Warehouseman

#### ALABAMA

Decatur; Tennessee Valley Cotton Oil Mills; Tennessee Valley Cotton Oil Mill.

#### ARKANSAS

Evadale (P.O. Willson); Delta Products Warehouse; Delta Products Company.

Forrest City; Forrest City Cotton Oil Mill Warehouse; Forrest City Cotton Oil Mill, Inc.

Helena; Helena Cotton Oil Company's Warehouse; Helena Cotton Oil Company, Inc.

Osceola; Osceola Products Warehouse; Osceola Products Company.

#### LOUISIANA

West Monroe; Union Oil Mill Warehouse; The Union Oil Mill, Inc.

#### MISSISSIPPI

Marks; Riverside Industries Warehouse; Riverside Industries, Inc.

#### Nuts

##### G. For the storage of nuts:

#### NORTH CAROLINA

##### Town, Warehouse, and Warehouseman

Lewiston; Lewiston Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Murfreesboro; Revelle Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

Tarboro; Edgecombe Bonded Warehouse;



Warehouse Superintendent of the State of North Carolina.  
Williamston; Martin Bonded Warehouse; Warehouse Superintendent of the State of North Carolina.

# **List of Warehouses Canceled or Terminated Since December 31, 1969**

## **Cotton**

### **A. For the storage of cotton.**

#### **ALABAMA**

Anniston; Robinson Brothers Warehouse; Robinson Brothers Compress & Warehouse Co., Inc. Canceled at warehouseman's request.

Cullman; Ponder's Bonded Warehouse; Elbert E. Ponder and George W. Ponder, Jr., Trustees of Trust Estate B, under the Last Will of the late George W. Ponder. Canceled at warehouseman's request.

Fort Deposit; Norman Bonded Warehouse; Norman Trading and Milling Company, Inc. Canceled at warehouseman's request.

Huntsville; Cummings Bonded Warehouse; Charles H. Cummings. Canceled at warehouseman's request.

Monroeville; Monroe Bonded Warehouse; Monroe Bond and Mortgage Co. Canceled at warehouseman's request.

Panola; Panola Bonded Warehouse; W. O. Parker and E. A. Parker, copartners, trading as Panola Bonded Warehouse. Terminated, death of partner.

Talladega; Robinson Brothers Warehouse; Robinson Brothers Compress & Warehouse Co., Inc. Canceled at warehouseman's request.

Troy; Thompson Company Warehouse; Thompson Co., Inc. Canceled at warehouseman's request.

#### **GEORGIA**

Americus; Farmers Bonded Warehouse; Farmers Bonded Warehouse of Sumter, Inc. Canceled at warehouseman's request.

Augusta; Gulf Atlantic Warehouse; Gulf Atlantic Warehouse Co. Canceled at warehouseman's request.

Monroe; Launius Bonded Warehouse; P. N. Briscoe, J. William Dickinson and Dan M. Briscoe, copartners, trading as Launius Bonded Warehouse Co. Terminated, death of partner.

Sparta; Moate's Bonded Warehouse; Marvin E. Moate. Canceled at warehouseman's request.

#### **LOUISIANA**

Homer; The Peoples Cotton Warehouse; C. G. Dowles. Canceled at warehouseman's request.

Newellton; Federal Compress Warehouse; Federal Compress & Warehouse Co. Canceled at warehouseman's request.

#### **MISSISSIPPI**

Amory; Federal Compress Warehouse; Federal Compress & Warehouse Co. Canceled at warehouseman's request.

Quitman; Quitman Bonded Warehouse; Daniel Marston Bonney; Executor of the Last Will and Testament of Robert Bonney. Deceased. Canceled at warehouseman's request.

#### **NORTH CAROLINA**

Bladenboro; Bridger Corporation Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Dunn; Tart Estate Bonded Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Gibson; Southern Bonded Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Kings Mountain; Kings Mountain Bonded Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Louisburg; J. S. Howell Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Louisburg; L. H. Dickens Bonded Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Maxton; Maxton Bonded Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Monroe; Union County Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Mt. Olive; Cotton Growers Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Raleigh; Capital Bonded Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Rockingham; Rockingham Bonded Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Sanford; W. S. W. Bonded Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Smithfield; Farmers Cotton Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

Weldon; Long Cotton Warehouse; Warehouse Superintendent of the State of North Carolina. Canceled at warehouseman's request.

#### **SOUTH CAROLINA**

Laurens; Merchants and Farmers Bonded Warehouse; Merchants and Farmers Bonded Warehouse. Terminated warehouseman elected not furnish bond.

Lynchburg; Lee Bonded Warehouse; Lee Bonded Warehouse, Inc. Canceled at warehouseman's request.

#### **TENNESSEE**

Memphis; Navy Yard Compress, Division of the Bayside Warehouse Co.; Bayside Warehouse Co. Canceled at warehouseman's request.

#### **TEXAS**

Brenham; Seidel Bros. Warehouse; Grace G. Seidel, Fred Wm. Seidel, Lathel S. Schroeder and Dorothy S. Meacham, copartners, trading as Seidel Bros. Terminated, warehouseman elected not furnish bond.

Galveston; Bayside Warehouse Company; Bayside Warehouse Company. Canceled at warehouseman's request.

Houston; Turning Basin Compress Warehouse; Turning Basin Compress Co. Canceled at warehouseman's request.

Mart; Exporters & Traders Compress & Warehouse Co.'s Warehouse; Exporters & Traders Compress & Warehouse Co. Canceled at warehouseman's request.

## **Grain**

### **B. For the storage of grain:**

#### **ARKANSAS**

Cherry Valley; Carwell Elevator Co. Warehouse; Carwell Elevator Co. J. L. Carwell, Jr. Leased out Warehouse.

DeWitt; DeWitt Rice Warehouse; L. A. Black Rice Milling Association, Inc. Failed to furnish bond.

DeWitt; Rollison Seed Company Elevator; O. G. Rollison, Rose Rollison and Robert C. Rollison, Copartners, trading as Rollison Seed Company. Death of partner.

Newport; Newport Rice Warehouse; Empire Rice Mills, Incorporated. Lease not renewed.

Parkdale, Route No. 1; Bayou Grain Elevator; Bayou Grain & Chemical Corporation. Failed to furnish bond.

Proctor; Craft Elevator; Continental Grain Company. Lease not renewed.

#### **CALIFORNIA**

Long Beach; Cerritos Elevator; Koppel Bulk Terminal. Relicensed as part of Koppel Bulk Terminal, Long Beach, Cal.

San Joaquin; Cargill San Joaquin Elevator; Cargill of California Inc. Lease not renewed.

#### **COLORADO**

Burlington; Mueller Grain Co. Elevator; Mueller Grain Co., Inc. Leased out warehouse.

#### **IDAHO**

Corral; Grain Growers Warehouse; Camas Prairie Grain Growers Inc. Relicensed as part of Grain Growers Warehouse, Fairfield, Idaho.

Hill City; Grain Growers Warehouse; Camas Prairie Grain Growers Inc. Relicensed as part of Grain Growers Warehouse, Fairfield, Idaho.

Rands; Grain Growers Warehouse; Camas Prairie Grain Growers Inc. Relicensed as part of Grain Growers Warehouse, Fairfield, Idaho.

#### **ILLINOIS**

Amboy; Amboy Elevators; Lee County Grain Association. Merger of corporations. Ashmore; See's Grain Elevator; L. W. See, trading as See's Grain Elevator. Discontinued business.

Brownwood; Brownwood Elevator; Delavan Cooperative Elevator Co. Relicensed as part of Delavan Elevator, Delavan, Ill.

Buckingham; Buckingham O. K. Elevator; O. K. Grain Company. Destroyed by fire.

Edinburg; Edinburg Grain Elevator; Edinburg Grain, Inc. Merger of corporations.

Genoa; Merriman & Sons Elevator; Frank Merriman, James Merriman and Robert Merriman copartners, trading as Merriman & Sons. Failed to furnish bond.

Goodfield; Lawrence Warehouse Company Goodfield Elevators; Lawrence Warehouse Company. Lease not renewed.

LeRoy; LeRoy Elevator; LeRoy Elevator Co., Inc. Leased out warehouse.

Myra (R.R. #3, Urbana); Myra Grain Elevator; Richard Reeser, trading as Myra Grain Elevator. Leased out warehouse.

Parnell (P.O. Farmer City R. #2); Walsh Grain Elevator; Robert E. Walsh and Elizabeth Walsh, copartners trading as Walsh Grain Elevator. Failed to furnish bond.

Pinckneyville; B. C. Christopher & Co. Elevator; partnership under laws of Missouri B. C. Christopher & Company, a limited. Lease not renewed.

Sheldon; Sheldon Elevator; ADM Grain Co. Warehouse sold.

Staley (R.F.D. #1, Champaign); Staley Elevator; Staley Grain And Supply Company. Warehouse closed.

Steward; Steward Elevators; Lee County Grain Association. Merger of corporations.

#### **INDIANA**

Bicknell; Barr Elevator; O. L. Barr Grain Co., Inc. Warehouse closed.

Millersburg; Millersburg Elevator; Lyon and Greenleaf Company, Incorporated. Warehouse sold.



## IOWA

Blockton; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Clearfield; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Sheldon; Big 4 Elevator; Farmers Regional Cooperative, trading as Farmers Regional Cooperative, Inc. in the State of Iowa. Merger of corporations.

## KANSAS

Abilene; ADM Elevator; Archer-Daniels-Midland Company. Warehouse sold.  
 Concordia; Concordia Mill Elevator; W. Bennett, Jr., and J. D. Bennett, Copartners trading as Concordia Milling Company. Warehouse sold.  
 Furley; Furley Grain Elevator; The Furley Grain, Incorporated. Warehouseman's request.  
 Green; Lippert Elevator; Maxine Lippert Friederich as an Individual and Executrix of the Estate of Warren R. Lippert, trading as Lippert Grain Co. Estate settled.  
 Laird (P.O. Ness City); Co-op Elevator; The Right Cooperative Association. Relicensed as part of Co-op Elevator, Ness City, Kansas.  
 Saliana; International Milling Company Elevator; International Milling Company Inc. Merger of corporations.  
 Wilmore; Wilmore Elevator; The Bowersock Mills & Power Company. Warehouseman's request.

## LOUISIANA

Eunice; St. Landry Warehouse; Riviana Foods, Inc. Warehouse closed.

## MARYLAND

Baltimore; Baltimore Terminal Elevator; Peavey Company. Warehouse sold.

## MINNESOTA

Duluth; Capitol Elevator; International Milling Company Inc. Merger of corporations.  
 Duluth; Peavey-Occident Elevator; Peavey Company. Warehouse sold.  
 Minneapolis; Republic Elevator; Peavey Company. Warehouse sold.  
 St. Paul; Capital B. Elevator; International Milling Company Inc. Merger of corporations.  
 Winona; Peavey Company Terminal Operations—Winona; Peavey Company Warehouse sold.

## MISSISSIPPI

Marks; Riverside Oil Mill; Riverside Oil Mill. Warehouse sold.

## MISSOURI

Advance; Advance MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Albany; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Bernie; Bernie MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Bethany; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Boonville; Boonville MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Brookfield; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Brunswick; MFA Central Cooperative Elevator; MFA Central Cooperative. Warehouse sold.  
 Butler; Butler MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Callao; Callao Elevator; B. C. Christopher & Company, a limited partnership with Hearne Christopher, John H. Collett, Edward G. Mader, Gus D. Welch, Lawrence P. Hogan, Norman Supper, Ludwell G. Gaines III, Philipp Kuhn, Lowell H. Listrum, Leslie H. Pihlblad and Robert W. Wilson, General Partners B. C. Christopher & Company. Gave up lease.

Centralia; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Chillicothe; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Columbia; Boone County MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Dearborn; Halferty Bros. Elevator; J. B. Halferty and Carl Halferty Copartners, doing business as Halferty Brothers. Warehouse sold.  
 Elsberry; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Essex; Essex MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Gallatin; Gallatin MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Grant City; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Hamilton; Farmers Elevator; Farmers Produce and Grain Co. Warehouse sold.  
 La Belle; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Laddonia; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Lexington; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Linneus; MFA Central Cooperative Elevator; MFA Central Cooperative. Warehouse sold.  
 Macon; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Marshall; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Marthasville; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Moberly; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Napton; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Netherlands; MFA Elevator; Missouri Farmers Association, Inc. Lease not renewed.  
 New Franklin; New Franklin MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 North Kansas City; Monarch Elevator; Archer-Daniels-Midland Company. Warehouse sold.  
 North Kansas City; International Milling Company Elevator; International Milling Company, Inc. Merger of corporations.  
 Pattonsburg; Pattonsburg MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Perry; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Salisbury; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Sedalia; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Shelby; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Sheridan; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 St. Marys; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Trenton; MFA Elevator; MFA Central Cooperative. Warehouse sold.  
 Vandalla; MFA Elevator; MFA Central Cooperative. Warehouse sold.

## NEBRASKA

Grant; Continental Elevator; Continental Grain Company. Lease not renewed.  
 Lincoln; Gooch Mill Elevators; Gooch Milling & Elevator Company. Warehouse sold.  
 Scribner; Scribner Elevator; Scribner Grain & Lumber Company. Warehouse sold.

## NEW MEXICO

Tucumcari; Farmers Elevator; Farmers Cooperative Association. Failed to furnish bond.

## NEW YORK

Buffalo; Cargill Electric Elevator; Cargill, Incorporated. Warehouseman's request.  
 Buffalo; Cargill Superior Elevator; Cargill, Incorporated. Warehouseman's request.

## NORTH CAROLINA

Elizabeth City; Continental Grain Elevator; Continental Grain Company. Warehouseman's request.  
 Engelhard; R. L. Gibbs and Company Grain Elevator; Warehouse Supt. of the State of North Carolina. Warehouseman's request.  
 Warsaw; Farmers Grain Elevator; Warehouse Supt. of the State of North Carolina. Warehouseman's request.

## NORTH DAKOTA

Grand Forks; G-F Elevator; G-F Grain Co. Warehouse sold.

## OHIO

Columbus; Eshelman Grain Company Elevator; International Milling Company. Merger of corporation.

## OKLAHOMA

Cherokee; Cherokee Mills Elevator; Flour Mills of America, Inc. Warehouse sold.  
 Hitchcock; Sooner Coop Elevator; Sooner Cooperative, Incorporated. Relicensed as part of Sooner Coop Elevator, Okeene, Oklahoma.

## OREGON

Mikkalo; Condon Grain Growers Warehouse; Condon Grain Growers, Inc. Relicensed as part of Condon Grain Growers Warehouse, Condon, Oregon.

## SOUTH CAROLINA

Anderson; Anderson Grain Elevator; South Carolina Farm Bureau Marketing Association. Warehouseman's request.  
 Easley; Easley Grain Elevator; South Carolina Farm Bureau Marketing Association. Warehouseman's request.  
 North Charleston; S.C. Farm Bureau Elevator; South Carolina Farm Bureau Marketing Association. Warehouseman's request.

## SOUTH DAKOTA

Redfield; Western Grain Elevator; Western Grain, Inc. Warehouse sold.  
 Woonsocket; Woonsocket Elevator; Roscoe Grain and Feed Company, Inc. Warehouse sold.

## TENNESSEE

Franklin; Lillie Mills Elevator; Lillie Mills Elevators, Inc. Warehouse sold.

## TEXAS

Deer Park; Equity Export Elevator; Equity Export Corporation, Inc. Warehouse sold.  
 Fort Worth; Boys Town of the Desert Elevator; Boys Town of the Desert. Failed to furnish bond.  
 Hale Center; Wheat Growers Elevator; Hale Center Wheat Growers Inc. Warehouseman's request.  
 Hamlin; Moore Elevator; Fred B. Moore, Sr., and F. Barry Moore III, Independent Executors of the Estate of Fred B. Moore, Jr., deceased, trading as Moore Elevator. Estate closed.  
 Hart; Hart Grain Co. Elevator; Hart Grain Co., Inc. Leased out warehouse.  
 Kaffir (P.O. Tulla); Wheat Growers Elevator; Tulla Wheat Growers Inc. Relicensed as part of Wheat Growers Elevator, Tulla, Texas.  
 Kress; Hipp Elevator; Geo. D. Hipp, Harold D. Hipp, Joe F. Hipp, and James P. Hipp, Copartners, trading as Hipp Grain Company. Warehouse sold.  
 Sterley; Sterley Co-op Elevator; Lockney Cooperative Gin. Relicensed as part of Lockney Co-op Elevator, Lockney, Texas.  
 Tulla; Farmers Elevator; The Farmers Grain Company of Tulla, Texas. Leased out warehouse.



## WASHINGTON

Glenwood; Colfax Grain Growers Warehouse; Colfax Grain Growers Inc. Relicensed as part of Colfax Grain Growers Warehouse, Colfax, Wash.

Manning; Colfax Grain Growers Warehouse; Colfax Grain Growers Inc. Relicensed as part of Colfax Grain Growers Warehouse, Thomson, Wash.

Stepoe; Colfax Grain Growers Warehouse; Colfax Grain Growers Inc. Relicensed as part of Colfax Grain Growers Warehouse, Thomson, Wash.

Peyton; Pomeroy Grain Growers Warehouse; Pomeroy Grain Growers, Inc. Warehouse sold.

## Sirup

C. For the storage of sirup.

## OHIO

Lima; Lima Warehouse; Sioux Honey Association, Cooperative. Warehouse closed.

Done at Washington, D.C., March 17, 1971.

JOHN C. BLUM,  
Deputy Administrator,  
Regulatory Programs.

[FR Doc.71-4214 Filed 3-25-71; 8:52 am]

## Forest Service

## SAWTOOTH WILDERNESS PROPOSAL

## Notice of Public Hearing

Notice is hereby given in accordance with the provisions of the Wilderness Act of September 3, 1964 (78 Stat. 890-892; 16 U.S.C. 1131-1132), that public hearings will be held, beginning at 9 a.m. on May 3, 1971, in the Opera House, Sun Valley, Idaho, and 9 a.m. on May 4, 1971, in the Rodeway Inn, 29th Street and Chinden Boulevard, Boise, ID, on a proposal for a recommendation to be made by the Secretary of Agriculture to the President of the United States that a recommendation be submitted to the Congress for the establishment of the Sawtooth Wilderness, comprised of approximately 199,270 acres within and contiguous to the Sawtooth Primitive Area. The proposed Sawtooth Wilderness is located in the Boise, Challis, and Sawtooth National Forests in the counties of Blaine, Boise, Custer, and Elmore, in the State of Idaho.

A brochure containing a map and information about the proposed Wilderness may be obtained from the respective Forest Supervisors or the Regional Forester:

Forest Supervisor, Boise National Forest, 1075 Park Boulevard, Boise, ID 83706.

Forest Supervisor, Challis National Forest, Forest Service Building, Challis, ID 83226.

Regional Forester, Federal Building, 324 25th Street, Ogden, UT 84401.

Forest Supervisor, Sawtooth National Forest, 1525 Addison Avenue, East Twin Falls, ID 83301.

Individuals and organizations may express their views by appearing at these hearings or may submit written comments for inclusion in the official record to the Regional Forester, Federal Building, 324 25th Street, Ogden, UT 84401, by June 3, 1971.

EDWARD P. CLIFF,  
Chief, Forest Service.

[FR Doc.71-4210 Filed 3-25-71; 8:52 am]

## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

[Docket No. C-341]

## FRANK PAUL LaGAMMA

## Notice of Loan Application

MARCH 22, 1971.

Frank Paul LaGamma, 7644 Circle Drive, Lemon Grove, CA 92045 has applied for a loan from the Fisheries Loan Fund to aid in financing the purchase of a new 63-foot length overall steel vessel to engage in the fishery for tuna (yellowfin, bluefin, skipjack, albacore) and bonito.

Notice is hereby given, pursuant to the provisions of 16 U.S.C. 742c, Fisheries Loan Fund Procedures (50 CFR Part 250, as revised), and Reorganization Plan No. 4 of 1970, that the above entitled application is being considered by the National Marine Fisheries Service, National Oceanic and Atmospheric Administration, Department of Commerce, Interior Building, Washington, D.C. 20235. Any person desiring to submit evidence that the contemplated operation of such vessel will cause economic hardship or injury to efficient vessel operators already operating in that fishery must submit such evidence in writing to the Director, National Marine Fisheries Service, within 30 days from the date of publication of this notice. If such evidence is received it will be evaluated along with such other evidence as may be available before making a determination that the contemplated operation of the vessel will or will not cause such economic hardship or injury.

JAMES F. MURDOCK,  
Chief, Division of  
Financial Assistance.

[FR Doc.71-4158 Filed 3-25-71; 8:48 am]

## Office of the Secretary

## ALBERT EINSTEIN COLLEGE OF MEDICINE

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Nocket No. 71-00160-33-46040. Applicant: Albert Einstein College of Medicine, Yeshiva University, 1300 Morris Park Avenue, Bronx, NY 10461. Article: Electron Microscope, Model

HU-12. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be utilized to survey a large and highly varied number of materials. It will be necessary to scan tissue sections at low power both to select cells for high-magnification analysis and for the information to be fed into the computer in case of morphometry. The microscope will also be applied to the molecular analysis of cellular components such as alveolar surface film, molecular organization of phospholipids, and DNA and RNA of human and animal tissues.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forgi Corp. The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in its memorandum dated January 8, 1971, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

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

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc.71-4121 Filed 3-25-71; 8:45 am]

## CHILDREN'S HOSPITAL OF PHILADELPHIA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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



Docket No.: 71-00139-33-46040. Applicant: The Children's Hospital of Philadelphia, 1740 Bainbridge Street, Philadelphia, PA 19146. Article: Electron microscope, Model EM 300. Manufacturer: Philips Electronic Instruments, The Netherlands. Intended use of article: The article will be used in the following research.

(1) The study of host-virus interactions; recognition and behavior of oncogenic viruses; structure, development and function of antibody producing cells, and studies of biochemical storage diseases.

(2) Organs, tissue culture cells, blood cells, and biochemical substances accumulating in body cells.

(3) The investigation of attachment and entry of infecting virus, structural changes in cells during latent period.

(4) Human leukemia and lymphoma viruses, oncogenic viruses of animals have been investigated in detail as to their structure and influence on permissive cells.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forgi Corp. The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare in its memorandum dated December 22, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

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

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc. 71-4122 Filed 3-25-71; 8:45 am]

## EMORY UNIVERSITY

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

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

ulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No. 70-00722-01-77030. Applicant: Emory University, Department of Chemistry, Atlanta, Ga. 30322. Article: NMR Spectrometer, Model HF-90S. Manufacturer: Bruker Scientific, Inc., West Germany.

Intended use of article: The article will be used in the study of a wide variety of organic, biological, and pharmacological materials, for the purposes of identification, structural characterization, and the elucidation of their physical and biological properties. One investigation concerns the structure-activity relations and the metabolic behavior of several important drug systems, and the possibility of developing new labeled drugs tagged with stable isotopes. As a training instrument, the article will be used in chemistry courses for undergraduate and graduate students.

Comments: Comments have been received from Varian Associates (Varian) dated July 13, 1970, which alleges inter alia that the Model HA-100-15 was of equivalent scientific value to the foreign article for such purposes as the article is intended to be used. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for the purposes for which such article is intended to be used, was being manufactured in the United States at the time the article was ordered (Aug. 9, 1968).

Reasons: The captioned application is a resubmission of Docket No. 69-00250-01-77030 which was denied without prejudice to resubmission due to informational deficiencies described therein. The foreign article provides a sweep width of 1,000 parts per million (p.p.m.) for carbon-13 spectroscopy. The new Varian Model XL100-15 which became available in September 1969, provides a sweep width of 1,400 p.p.m. for carbon-13 spectroscopy. However, at the time the foreign article was ordered the most closely comparable domestic instrument was the Varian Model HA-100-15 which provided a sweep width of 400 p.p.m. for carbon-13 spectroscopy.

We are advised by the National Bureau of Standards (NBS) in its memorandum dated December 16, 1970, that the difference in sweep width is pertinent to the purposes for which the foreign article is intended to be used.

For this reason, we find that the Varian Model HA-100-15 was not of equivalent scientific value to the foreign article for those purposes for which the foreign article is intended to be used at the time the foreign article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article for the purposes for which such

article is intended to be used, which is being manufactured in the United States.

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc. 71-4123 Filed 3-25-71; 8:45 am]

## HARVARD MEDICAL SCHOOL

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 70-00583-33-46070. Applicant: Harvard Medical School, Howe Lab. of Ophthalmology, 243 Charles Street, Boston, MA 02114. Article: Scanning electron microscope, Model JSM-2, and television scan, Model JSM-TVS. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan.

Intended use of article: The article will be used in ophthalmic research. The three major projects concern corneal wound healing, glaucoma study, and blood vessel study. Human and experimental animal eyes will be examined. The information obtained will be used teaching courses of anatomy, pathology, and clinical ophthalmology.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (prior to November 1968).

Reasons: The foreign article is equipped with a rapid TV scan attachment which allows the scanning of specimen surface rapidly, giving a readout on a cathode ray tube similar to a television set. The rapid scan TV attachment provides a picture having a continuous motion instead of the interrupted motion provided by the conventional mode of presentation. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 14, 1970, that the rapid scan TV provided by the foreign article is pertinent to the purposes for which that article is intended to be used. HEW further advised that it knew of no comparable domestic instrument which provided this pertinent capability at the time the foreign article was ordered.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article for the purposes for which such



article is intended to be used, which was being manufactured in the United States at the time the foreign article was ordered.

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc.71-4124 Filed 3-25-71;8:45 am]

### LANKENAU HOSPITAL

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No. 71-00108-33-46040. Applicant: The Lankenau Hospital, Division of Research, Lancaster and City Line Avenues, Philadelphia, PA 19151. Article: Electron Microscope, Model EM 300. Manufacturer: Philips Electronic NVD, The Netherlands.

Intended use of article: The article will be used by the Division of Pathology in diagnostic work and by the Division of Research. Projects concern the study of ultrastructural changes in virus-infected cells (both in vivo and in vitro) a continuing study of abortive virus infection of cells, and the identification of viral precursor units made possible by this system; and a continuing project on the definition of the mechanism of a recently discovered antiviral drug effective against Herpes hominis virus, acting on a late stage of virus synthesis.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forghio Corp. The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 15, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent

scientific value to the foreign article for such purposes as the article is intended to be used.

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

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc.71-4125 Filed 3-25-71;8:45 am]

### LUTHERAN GENERAL AND DEACONESS HOSPITAL

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No.: 71-00151-33-46040. Applicant: Lutheran General and Deaconess Hospital, Department of Pathology, 1775 Dempster Street, Park Ridge, IL 60068. Article: Electron Microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used for research to evaluate the possible therapeutic hyperbaric oxygen effect on early acute myocardial infarction in man. The aim of this study is to reproduce a myocardial infarct in dog heart which would be treated by hyperbaric oxygen following occlusion simulating the clinical conditions as they occur in patients with acute myocardial infarctions.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forghio Corp. The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare, in its memorandum dated January 5, 1971, that the additional resolving capability of the foreign article is pertinent to the purposes for which

the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

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

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc.71-4126 Filed 3-25-71;8:45 am]

### STANFORD UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No. 71-00155-33-46040. Applicant: Stanford University, Purchasing Department, 820 Quarry Road, Palo Alto, CA 94304. Article: Electron Microscope, Model Elmiskop 101. Manufacturer: Siemens A.G., West Germany.

Intended use of article: The article will be used for research on the identification of the arrangement of the proteinaceous microfilaments and their subunits in microtubules, which play a pivotal role in cell division (mitosis). This study is of great importance for the understanding of the action of more effective mitotic inhibitory chemicals, specifically vinblastine, one of the few compounds which are successful in cancer therapy. Another study related to membranes will include the elucidation of the different steps of fusion of certain viruses (Sendai type) with the outer cell wall of tissue culture cells.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forghio Corp. The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by



the Department of Health, Education, and Welfare in its memorandum dated January 5, 1971, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

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

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc.71-4127 Filed 3-25-71; 8:46 am]

### TEXAS A&M UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No. 71-00112-33-46040. Applicant: Texas A&M University, College Station, Tex. 77843. Article: Electron Microscope, Model HU-11E-1. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used in an advanced research program designed to investigate the fine structure of biological organisms. The studies concern the isolated mitochondria from plant and animal tissue to determine ultrastructural changes due to different energized states; isolated fungal walls which have undergone various degrees of extractions will be for analysis to determine cell wall skeletal structure; research on viruses; and isolated preparations of subcellular bacterial and blue-green algae structures.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forgy Corp. The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the

better the resolving capability.) We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 15, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

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

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc.71-4128 Filed 3-25-71; 8:46 am]

### UNIVERSITY OF CALIFORNIA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 70-00631-33-46070. Applicant: University of California, Santa Barbara, Santa Barbara, Calif. 93106. Article: Scanning Electron Microscope, Model JSM-2, and accessories. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan.

Intended use of article: The article will be used for instruction and thesis research for students and as a research instrument for geology faculty. The areas of studies include the ultrastructure of pre-Paleozoic nanofossils to attempt to differentiate them morphologically from similar living and more recent fossil microbiota; morphological relationships of these fossil organisms with presently living genera and families; a search for fossil remains of still smaller unknown life forms (viruses, rickettsias) that may have inhabited the primitive earth; study of lunar and Martian rock and debris samples as they become available; and for special application in mineralogical, microbiological, and microstructure studies.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, was being manufactured in the United States at the time the foreign article was ordered (prior to June 1969).

Reasons: The foreign article is equipped with a rapid TV scan attachment which allows the scanning of specimen surface rapidly, giving a readout on a cathode ray tube similar to a television set. The rapid scan TV attachment provides a picture having a continuous motion instead of the interrupted motion provided by the conventional mode of presentation. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated August 14, 1970, that the rapid scan TV provided by the foreign article is pertinent to the purposes for which that article is intended to be used. HEW further advised that it knew of no comparable domestic instrument which provided this pertinent capability at the time the foreign article was ordered.

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

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc.71-4129 Filed 3-25-71; 8:46 am]

### UNIVERSITY OF CALIFORNIA

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No.: 71-00118-33-46040. Applicant: University of California at San Diego, La Jolla, Calif. 92037. Article: Electron Microscope, Model EM 300. Manufacturer: Philips Electronics NVD, the Netherlands.

Intended use of article: The article will be used for research concerning a program to use ferritin-antibody conjugates to localize different blood group antigens on human red blood cells; the localization of various forms of nucleic acids by the use of specific antibodies; an investigation of the differentiation of myelin; and for investigations of membrane structures, especially with the membranes of a new type bacteriophage, PM-2.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended



to be used, is being manufactured in the United States.

Reasons: The foreign article has a specified resolving capability of 3.5 angstroms. The most closely comparable domestic instrument is the Model EMU-4C electron microscope manufactured by the Forflo Corp. The Model EMU-4C has a specified resolving capability of 5 angstroms. (The lower the numerical rating in terms of angstrom units, the better the resolving capability.) We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 22, 1970, that the additional resolving capability of the foreign article is pertinent to the purposes for which the foreign article is intended to be used. We, therefore, find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as the article is intended to be used.

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

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc. 71-4130 Filed 3-25-71; 8:46 am]

## UNIVERSITY OF CONNECTICUT ET AL.

### Notice of Applications for Duty-Free Entry of Scientific Articles

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

Amended regulations issued under cited Act, as published in the October 14, 1969, issue of the FEDERAL REGISTER, prescribe the requirements applicable to comments.

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

Docket No. 71-00315-33-46500. Applicant: University of Connecticut, Storrs Conn. 06268. Article: Three ultramicrotomes, Model LKB 8800A, and accessories. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to produce ultrathin sections for electron microscopic studies dealing with the fine structure of nervous

tissue from the cerebellum of developing and adult animals, normal and operated. One of the major projects is the study of the maturation of intercellular contacts and synaptic membranes, as well as their reaction to axonal degeneration at different stages of maturation. Application received by Commissioner of Customs: December 21, 1970.

Docket No. 71-00324-16-61800. Applicant: Western School Corp., Russiaville, Ind. 46979. Article: Planetarium, Model Mercury. Manufacturer: Goto Optical Co., Japan. Intended use of article: The article will be used for precision sky and apparent sky motions simulation for educational and public programs including astronomy and navigation instruction. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00325-33-46040. Applicant: Cornell University Medical College, 1300 York Avenue, New York, NY 10021. Article: Electron Microscope, Model EM-300. Manufacturer: Philips Electronics, NVD, The Netherlands. Intended use of article: The article will be used in a number of research projects aimed at defining the secretory nature of bat thyroid follicular and parafollicular cells; determining the interrelationships between parafollicular cells, parathyroid gland, and bone secretory states; determining changes in the secretory state of these tissues at different times of the annual life cycle of the bat; and defining the nature of bat thyroid cell to cell contacts and intracellular crystalloid inclusions. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00326-33-46500. Applicant: University of Minnesota Hospitals, Department of Obstetrics and Gynecology, Box 395, Mayo Memorial Hospital, Minneapolis, MN 55455. Article: Ultramicrotome, LKB 4800. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The purposes of the research project for which the article will be used are to clarify the histogenesis of the human ovarian neoplasms and to identify the intercellular location of steroidogenesis in the ovaries by morphological methods. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00327-33-00-46040. Applicant: Duke University Medical Center, Durham, N.C. 27706. Article: Accessories for AEI EM 801. Manufacturer: Associated Electrical Industries, Ltd., United Kingdom. Intended use of article: The articles are accessories for an existing electron microscope. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00328-65-46070. Applicant: North Carolina State University, Raleigh, N.C. 27607. Article: Scanning electron microscope, Model JSM-2. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan. Intended use of article: The article will be used in a wide variety of research and teaching applications concerned with asphalts and concretes, ceramics, composites, metals, minerals and rocks, polymers, solid state electronic devices, textiles, wood and wood products, and a broad

range of biological specimens. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00329-00-46040. Applicant: Duke University, Durham, N.C. 27706. Article: Image intensifier. Manufacturer: Siemens AG, West Germany. Intended use of article: The article is an accessory for an existing Elmiskop 101 electron microscope. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00330-33-46040. Applicant: Children's Hospital of San Francisco, 3700 California Street, San Francisco, CA 94119. Article: Electron microscope, EM 9S-2. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used in the study of biologic fixed tissue. This includes tumors excised from the human body at surgery, experimental animal tissues before and after experimental alterations, and tissue fluids to be studied for the presence of virus particles. The Department of Pathology will train postdoctoral fellows, students, and coworkers in the use of the microscope. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00331-65-25300. Applicant: University of Chicago, Operator of Argonne National Laboratory, 9700 South Cass Avenue, Argonne, IL 60439. Article: Electrical discharge machine, Model D1-S. Manufacturer: Charmilles Eng. Works, Ltd., Switzerland. Intended use of article: The article will be used for programs to produce monocrystalline metal foils for experiments on polarization of channeled particles, a study of plasma contamination and wall erosion by secondary particle emission, and for the development of electron adder and stripper foils for particle accelerators. Other programs concern the fabrication of EBR-II fuel hardware and the basic metallurgical research related to the controlled thermonuclear reactor experiments. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00332-33-46500. Applicant: University of Rochester, River Campus, Rochester, NY 14627. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used for research concerning the ultrastructure of nerve tissue, particularly axonal and synaptic membrane ultrastructure.

Another project involves fixation techniques for electron microscopy of different vertebrate tissues such as skeletal muscle, heart, central and peripheral nervous system, liver, kidney, bone, etc., as well as in invertebrate nervous tissue. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00333-00-54600. Applicant: Hope College, Holland, Mich. 49423. Article: Monocrystal of quartz. Manufacturer: Dr. Steeg & Reuter, West Germany. Intended use of article: The article will be used to construct a curved-crystal diffractometer in the transmission geometry. This diffractometer will be used to detect changes in the charge



distribution of high-Z elements by measuring the shift in the binding energy of K-shell electrons under change in the number of neutrons. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00334-88-43000. Applicant: University of Colorado, Purchasing Department, Regent Hall, Room 122, Boulder, CO 80302. Article: Magnetometer, Model MF2-100. Manufacturer: Edgar Sharpe & Associates, Ltd., Canada. Intended use of article: The article will be used in the Geological Sciences Building for instruction in geophysics at all levels. A freshman course, Physical Science—Introduction to Geophysics, and a senior level course, Geophysical Prospecting, will use the instrument as a teaching tool, for laboratory work, and for individual research. Application received by Commissioner of Customs: December 31, 1970.

Docket No. 71-00335-33-43780. Applicant: Sequoia Hospital District, Whipple & Alameda de las Pulgas, Redwood City, CA 94026. Article: Surgical instruments and appliances. Manufacturer: Chas. F. Thackery Ltd., United Kingdom. Intended use of article: The article will be used for surgical total hip replacement in a series of surgical hip operations. Application received by Commissioner of Customs: January 6, 1971.

Docket No. 71-00336-33-28500. Applicant: University of Iowa, Biochemistry Department, Medical Research Center, Iowa City, Iowa 52240. Article: Electrophoresis Equipment. Manufacturer: Locarte Co., United Kingdom.

Intended use of article: The article will be used to study the migration of large and small aggregates of charged molecules under the influence of an electrical field which is applied to a medium in which the molecules are suspended. Amino acids, peptides from enzyme digestions, proteins, nucleic acids, viruses, and colloidal particles of biological importance that carry charges will be separated. Also, the article will be used in four biochemistry courses for the training of students of pharmacy, dentistry, and chemistry. Application received by Commissioner of Customs: January 6, 1971.

Docket No. 71-00337-33-21095. Applicant: University of California, San Francisco, Purchasing Department, 1438 South Tenth Street, Richmond, CA 94804. Article: Dichrograph, Model CD 185. Manufacturer: Jouan, France.

Intended use of article: The article will be used in pharmaceutical chemistry courses and for research to determine the configuration of a wide range of biologically active substances, including synthetic drugs, steroids, amino acids, natural alkaloids, phospholipids, peptides, and proteins over the wavelength range from 185 to 615 nm., and for carrying out conformational studies in solution on these substances. Application received by Commissioner of Customs: January 7, 1971.

Docket No. 71-00338-33-46040. Applicant: Sinai Hospital of Baltimore, Inc. Belvedere at Greenspring Avenue, Balti-

more, Md. 21215. Article: Electron Microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used for the training of M.D. Pathologists in the use of microscopic techniques as applicable to human tissues such as kidney biopsies, liver biopsies, cancer, and other pertinent specimens. The second use is for investigative purposes pertaining to research programs on human and experimental cancer. Research concerns carcinogenesis in the urinary bladder of the rat and the behavior of the Golgi apparatus in various tissues during carcinogenesis. Application received by Commissioner of Customs: January 7, 1971.

Docket No. 71-00339-01-777030. Applicant: Southwest Minnesota State College, Marshall, Minn. 56258. Article: NMR Spectrometer, Model R-20. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used primarily for educational purposes although in many cases this includes problems which are research oriented in nature, by involving students in research in whatever courses possible at a very early date. The courses include Organic Chemistry, Physical Chemistry, Advanced Analytical Chemistry, Advanced Inorganic Chemistry, Advanced Organic Chemistry, Biochemistry, and Directed Studies. Application received by Commissioner of Customs: January 11, 1971.

Docket No. 71-00340-33-46040. Applicant: University of Colorado, Department of Molecular, Cellular and Developmental Biology, Boulder, Colo. 80302. Article: Electron Microscope, Model EM9S-2. Manufacturer: Carl Zeiss, Inc., West Germany.

Intended use of article: The article will be used for educational purposes. Cell and Tissue Biology, a course for undergraduates, will introduce the students at the laboratory level to the techniques and instrumentation of electron microscopy, the procedures of cell fractionation, cytochemistry, histochemistry and autoradiography, and the isolation and examination of macromolecules from cells and tissues. Techniques of Biological Research, a course for graduate students, is designed to provide rigorous training in the techniques of cell biology. Application received by Commissioner of Customs: January 11, 1971.

Docket No. 71-00341-33-46040. Applicant: University of Southern California, School of Medicine, Department of Pathology, 2025 Zonal Avenue, Los Angeles, CA 90033. Article: Electron Microscope, Model HS-8F. Manufacturer: Hitachi, Ltd., Japan.

Intended use of article: The article will be used primarily for educational purposes and secondarily in the study of diseases of the human central nervous system. Human brain tissues obtained at surgery or at autopsy will be studied. Ultrastructural Pathology and Neuropathology courses for graduate students, residents and fellows, will teach electron microscopy and the pathology of the

central nervous system. Application received by Commissioner of Customs: January 12, 1971.

Docket No. 71-00342-33-46500. Applicant: The University of Connecticut, Health Center, Hartford Plaza, Hartford, Connecticut 06105. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter, AB, Sweden. Intended use of article: The article will be used to produce thin sections for electron microscopy. The research involves ultrastructural study of nervous tissue and subcellular fractions of nervous tissue. Projects include the effects of psychoactive drugs on ultrastructural distribution of glycogen in mouse brain, study of synaptic structure in the cerebellum of the dogfish shark, and attempts to isolate and ultrastructurally characterize pre- and postsynaptic membranes from brain functions. Application received by Commissioner of Customs: January 13, 1971.

Docket No. 71-00343-33-46500. Applicant: Naval Medical Research Unit No. 4, Great Lakes, Ill. 60088. Article: Ultramicrotome, LKB 8800A. Manufacturer: LKB Produkter, AB, Sweden.

Intended use of article: The article will be used to section virus infected tissues and organs as well as tissue cultures from animal and human sources. Visualization and identification of the virus particles in situ by electron microscopy of ultrathin sections will be employed for disease diagnosis and research on the pathogenesis of viral infections. Application received by Commissioner of Customs: January 13, 1971.

Docket No. 71-00344-33-46500. Applicant: Division State Medical Examination, 150 Cabinet Street, Newark, NJ 07107. Article: Ultramicrotome, Model LKB 8800. Manufacturer: LKB Produkter, AB, Sweden.

Intended use of article: The article will be used to study biologic material, mainly various mammalian tissues, including human biopsy material (kidney, heart, liver, and gastrointestinal tract). Projects concern human biopsy and animal experiments in acute and chronic drug states, including acute chronic alcoholism and heavy metal intoxication. Application received by Commissioner of Customs: January 13, 1971.

Docket No. 71-00345-33-46500. Applicant: University of Cincinnati, College of Medicine, Department of Laboratory Animal Medicine, Eden and Bethesda Avenue, Cincinnati, OH 45219. Article: Ultramicrotome, Model LKB 8800A, and Knifemaker Combination. Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article will be used to study animal tissue from mice, rats, rabbits, dogs, cats, goats, monkeys, and several additional species of animals that fall in the category of laboratory animals. The research concerns an investigation of spontaneous diseases of laboratory animals and studies of the morphological changes. Application received by Commissioner of Customs: January 13, 1971.



Docket No.: 71-00346-33-46500. Applicant: Rutgers The State University, Rutgers Medical School, 7 College Avenue, New Brunswick, NJ 08903. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article will be used to study kidney tissue and blood platelets of normal and diseased rats and mice, and kidney tissue of diseased patients. Research concerns the effects of chronic renal failure on the blood platelets and the effects of a reduced kidney mass on the ultrastructure of the glomerulus. Application received by Commissioner of Customs: January 13, 1971.

Docket No.: 71-00347-00-61800. Applicant: Foothill Community College District, 12345 El Monte Road, Los Altos Hills, CA 94022. Article: Planetarium Projector, Model MS-15. Manufacturer: Minolta Camera Co., Ltd., Japan.

Intended use of article: The article will be used by local community colleges for teaching courses in Astronomy (Introductory Astronomy), Astronomy (Observational and Constellation Study Laboratory), Biology (Fundamental Biological Concepts), and Celestial Navigation. Community services courses for the general public will be offered and the article will serve to supplement the astronomy, space science and general science curriculum of the elementary and secondary public and private schools. Application received by Commissioner of Customs: January 13, 1971.

Docket No.: 71-00348-33-46500. Applicant: The University of Texas, M.D. Anderson Hospital and Tumor Institute at Houston, Texas Medical Center, Houston, Tex. 77025. Article: Ultramicrotome, LKB 8800A. Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article will be used for research involving the quantitative studies of number and distributions of microtubules in various motile systems such as the mitotic spindle, spermatozoan flagellum, cilia and centrioles. In addition, an attempt will be made to localize various enzymes by ultracytochemical techniques. Application received by Commissioner of Customs: January 15, 1971.

Docket No.: 71-00349-33-46040. Applicant: The Rockefeller University, York Avenue and 66th Street, New York NY 10021. Article: Electron Microscope, Model EM-300. Manufacturer: Philips Electronics NVD, The Netherlands.

Intended use of article: The article will be used in the Department of Biochemical Cytology for studies at all levels of resolution, including very high resolution, of different cytological phenomena occurring in normal and pathologically altered cells. The major problems to be studied include combined morphological and biochemical studies on lysosomes and peroxisomes in mammalian liver and other tissues and in the protozoan *Tetrahymena pyriformis*. Application received by Commissioner of Customs: January 15, 1971.

Docket No.: 71-00350-33-46040. Applicant: Trustees of Health and Hospitals of the City of Boston, Inc., 909 Massachusetts Avenue, Boston, MA 02118. Article: Electron Microscope, Model EM-9S-2. Manufacturer: Carl Zeiss, Inc., West Germany.

Intended use of article: The article will be used at the Mallory Institute of Pathology for postgraduate training in pathology. House officers in pathology (interns, residents, and fellows) will be given instruction in normal and pathologic fine structure. Electron microscopy, tissue preparations, and studies of normal and abnormal fine structure will be taught to the present twenty-one trainees. Application received by Commissioner of Customs: January 15, 1971.

Docket number: 71-00371-33-46500. Applicant: Mayo Foundation, 200 First Street SW., Rochester, MN 55901. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden.

Intended use of article: The article will be used to study the ultrastructure of human peripheral blood and bone marrow cells. The central research objective is the ultrastructural evaluation of these cells in patients with preleukemia and myelomonocytic leukemia. Application received by Commissioner of Customs: January 29, 1971.

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc.71-4133 Filed 3-25-71; 8:46 am]

## UNIVERSITY OF PENNSYLVANIA ET AL.

### Notice of Applications for Duty-Free Entry of Scientific Articles

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

Amended regulations issued under cited Act, as published in the October 14, 1969, issue of the **FEDERAL REGISTER**, prescribe the requirements applicable to comments.

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

Docket No. 71-00351-33-46040. Applicant: University of Pennsylvania, School of Medicine, 36th and Spruce Streets, Philadelphia, PA 19104. Article: Electron microscope, Model HU-11E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used in the Department of Pathology for the training of pathologists in the techniques and application of electron microscopy, for research diagnostic health services, and for the support of research by members of the department. Biopsies will be performed on selected diseases of kidney and liver and the area of research includes cancer research, virology, and immunology. Application received by Commissioner of Customs: January 18, 1971.

Docket No. 71-00352-33-46040. Applicant: University of Maryland, Baltimore County, 5401 Wilkins Avenue, Baltimore, MD 21228. Article: Electron microscope, Model HU-12. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for research on ultrastructural aspects of nuclear development in ciliated protozoa and on production of surface membrane in the same organisms. Advanced undergraduate and graduate students will be trained in the basics of electron microscopic techniques and applications. Application received by Commissioner of Customs: January 18, 1971.

Docket No. 71-00353-33-46040. Applicant: Yale University, Purchasing Department, 20 Ashmun Street, New Haven, CT 06520. Article: Electron microscope, Model HS-8. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used mainly for the training of postdoctoral fellows, medical students and graduate students from the Department of Anatomy and other departments. The Anatomy courses include Relationship of Fine Structure to Function of Cytoplasmic Organelles, Methods in Anatomy, and Research. The experiments combine the use of electron microscopy and cytochemistry related to biological problems. Application received by Commissioner of Customs: January 18, 1971.

Docket No. 71-00354-33-46040. Applicant: Yale University, Purchasing Department, 20 Ashmun Street, New Haven, CT 06520. Article: Electron microscope, Model HU-11E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for research combining cytochemistry and electron microscopy, inquiring into the relationship of biochemical activity to the fine structural elements of cells. Investigations concern the fine structural localization of enzymes, lipoprotein lipase, hormone sensitive lipase, and synthesized gold ligands adenosine monophosphate. Application received by Commissioner of Customs: January 18, 1971.

Docket No. 71-00355-33-46500. Applicant: Health Research, Inc., Roswell Park Division, 666 Elm Street, Buffalo, NY 14203. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of



article: The article will be used in studies of fixed and embedded specimens of tumor tissue from experimental model animal systems, e.g. murine leukemia, avian leukosis, also tissue culture preparations of cells infected with viruses with oncogenic potential such as Friend virus, Viper virus, and Epstein-Burkitt Herpes-type virus. Application received by Commissioner of Customs: January 18, 1971.

Docket No. 71-00356-16-61800. Applicant: Norwood City School District, 2132 Williams Avenue, Norwood, OH 45212. Article: Planetarium, Model Venus, and auxiliaries. Manufacturer: Goto Optical Co., Japan. Intended use of article: The article will be used for precision sky and apparent sky motion simulation for educational and public programs including astronomy and navigation instruction. Application received by Commissioner of Customs: January 19, 1971.

Docket No. 71-00357-33-46040. Applicant: Harbor General Hospital, 1000 West Carson Street, Torrance, CA 90509. Article: Electron microscope, Model HU-11E, with 125 KV option. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used to study isolated spermatozoa and ova of mouse, rabbit, hamster, monkey, and woman; biopsies of kidneys, livers, brains, muscles, skin, and bone marrows of patients affected by a variety of diseases; and developing organs of embryos from mouse, rabbit, and woman. Application received by Commissioner of Customs: January 19, 1971.

Docket No. 71-00358-33-46040. Applicant: University of California, San Diego, University Hospital of San Diego County, 225 West Dickinson Street, San Diego, CA 92103. Article: Electron microscope, Model HU-11E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used for basic medical research projects using fresh human tissue from the surgical pathology laboratory for ultrastructural study. Specific projects concern various aspects of human tumors, emphasizing a study of tumors whose cell of origin is in question; a study of endocrine and nonendocrine tumors that have endocrine-like function; and for the study of pulmonary disease such as various forms of interstitial pneumonia. Application received by Commissioner of Customs: January 19, 1971.

Docket No. 71-00359-33-46040. Applicant: Institute for Research in Mental Retardation, 1050 Forest Hill Road, Staten Island, NY 10314. Article: Electron microscope, Model HU-11E. Manufacturer: Hitachi, Ltd., Japan. Intended use of article: The article will be used to examine tissue from mentally retarded children and also from patients with diseases known to be associated with mental retardation. Similar diseases induced in experimental animals will also be studied. The effects of various agents on tissue cultures of the nervous system will be examined at the fine structural level. Metabolic and genetic abnormalities will be studied. Application received by Commissioner of Customs: January 20, 1971.

Docket No. 71-00360-99-25100. Applicant: Lighthouse for the Blind, Houston,

3530 West Dallas, Post Office Box 13435, Houston TX 77019. Article: Esto automatic drilling and filling machine, Model No. AH65, and accessories. Manufacturer: E. Steinebrunner & Co., West Germany. Intended use of article: The article will be used for vocational education, working with legally blind and visually impaired individuals. With this equipment, handicapped people will be trained to take their place in competitive industry. Trainees will be instructed in producing tapes required for various type brushes, and will after installing tapes, produce brushes as required. Application received by Commissioner of Customs: January 20, 1971.

Docket No. 71-00361-00-07795. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, NM 87544. Article: Four each lenses, Model 1060-217. Manufacturer: Rodenstock Inc., West Germany. Intended use of article: The lenses will be used for image transfer in a nanosecond framing camera to examine results of diagnostic tests of nuclear detonation. Application received by Commissioner of Customs: January 21, 1971.

Docket No. 71-00362-00-07700. Applicant: University of California, Los Alamos Scientific Laboratory, Post Office Box 990, Los Alamos, NM 87544. Article: Lens, Kinoptik, with barrel mount in carrying case. Manufacturer: Karl Heitz, Inc., France. Intended use of article: The article will be used in a 35 mm. camera for studies of the aurora. Application received by Commissioner of Customs: January 21, 1971.

Docket No. 71-00364-01-90000. Applicant: University of Pennsylvania, School of Medicine, Department of Anesthesia, 3400 Spruce Street, Philadelphia, PA 19104. Article: Electrical stimulator, syringe injectors, transducer mount, and solenoid valves automating drug assay by guinea pig smooth muscle preparation. Manufacturer: Oxford University, Department of Pharmacology, United Kingdom. Intended use of article: The article will be used for the observation of the response of an injected dose of stimulating drug. It is specifically designed to automate the study of synaptic pharmacology of the isolated innervated guinea pig smooth ileal muscle preparation. Application received by Commissioner of Customs: January 25, 1971.

Docket No. 71-00364-01-90000. Applicant: Yale University, Purchasing Department, 260 Whitney Avenue, New Haven, CT 06520. Article: Rotating anode X-ray generator, Model GX-6. Manufacturer: Elliot Automation Radar Systems, Inc., United Kingdom. Intended use of article: The article will be used for research concerning purified enzyme including hexokinase and alkaline phosphatase and membranes, detailed structure of pure material and complexes with substrate analogs, and for X-ray diffraction of crystals of pure materials and complexes. Educational purposes include courses in Molecular Biophysics and Biochemistry. Application received by Commissioner of Customs: January 25, 1971.

Docket No. 71-00366-33-46040. Applicant: University of Minnesota, Saint Paul, Minn. 55101. Article: Electron microscope, Model EM 9S-2. Manufacturer: Carl Zeiss, Inc., West Germany. Intended use of article: The article will be used primarily as a teaching instrument for the training of professional staff and graduate students in the College of Veterinary Medicine. Emphasis will be placed on specimen preparation, microtomy, and interpretation of electron micrographs. Application received by Commissioner of Customs: January 23, 1971.

Docket No. 71-00367-33-46500. Applicant: Albert Einstein College of Medicine, 1300 Morris Park Avenue, Bronx, NY 10461. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used as a research tool to study the fine structure of the nervous system. Typical projects include a study of electroreceptor ultrastructure in fish and electron microscopy of the adrenergic fibers of the pacinian corpuscle. Application received by Commissioner of Customs: January 27, 1971.

Docket No. 71-00368-00-20700. Applicant: University of California, Lawrence Radiation Laboratory, East End of Hearst Avenue, Berkeley, CA 94720. Article: Glass block for Cerenkov Counter—two each. Manufacturer: Ohara Glass, Japan. Intended use of article: The lead-loaded glass (two blocks 54 x 54 x 23 cm. and 12 small blocks) will be used to construct a detector for 100 MeV gamma rays. Application received by Commissioner of Customs: January 29, 1971.

Docket No. 71-00369-98-07000. Applicant: University of Miami, Post Office Box 8184, Coral Gables, FL 33124. Article: Special low inductance cable. Manufacturer: Sterling Cable Co. Ltd., United Kingdom. Intended use of article: The article will be used in studying the containment of a thermal nuclear plasma. The research could lead to a potential power source of unequal utility combined with a minimum amount of contamination of the environment. Research physicists will be trained in Plasma Physics and Magneto-hydrodynamics courses. Application received by Commissioner of Customs: January 29, 1971.

Docket No. 71-00370-33-46500. Applicant: State University of New York at Buffalo, Purchasing Department, 1803 Elmwood Avenue, Buffalo, NY 14207. Article: Ultramicrotome, Model LKB 8800A. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article will be used to thin section fragments of renal tissues obtained from patients or from experimental animals with glomerulonephritis or kidney transplants. The aim of the studies is to gain information on morphology and immunology of human and experimental renal diseases. Application received by Commissioner of Customs: January 29, 1971.

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc. 71-4131 Filed 3-25-71; 8:46 am]



## UNIVERSITY OF WISCONSIN

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (34 F.R. 15787 et seq.).

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

Docket No. 71-00210-65-46070. Applicant: University of Wisconsin, Milwaukee, 1900 East Kenwood Boulevard, Room 350, Milwaukee, WI 53201. Article: Scanning electron microscope, Model JSM-U3. Manufacturer: Japan Electron Optics Lab. Co., Ltd., Japan.

Intended use of article: The article will be used for surface studies investigating the microdynamics of the braze joining process; for examination of field electron emission tips; for studies of vapor deposited thin films and integrated circuits produced by vapor depositions; and for high vacuum surface physics research.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article is equipped with supplementary deflection coils to allow the generation of pseudo-Kikuchi patterns. We are advised by the National Bureau of Standards (NBS in its memorandum dated January 21, 1971, that the ability to produce pseudo-Kikuchi patterns is pertinent to the applicant's intended purposes. NBS further advises that it knows of no comparable domestically manufactured instrument that can be used for all of the applicant's intended purposes.

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

STANLEY NEHMER,  
Deputy Assistant Secretary  
for Resources.

[FR Doc. 71-4132 Filed 3-25-71; 8:46 am]

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE

## Public Health Service

## FOOD AND DRUG ADMINISTRATION

Statement of Organization, Functions,  
and Delegations of Authority

Part 6, formerly part 10 (Food and Drug Administration) of the Statement

of Organization, Functions, and Delegations of Authority of the Department of Health, Education, and Welfare (35 F.R. 3685-92 dated February 25, 1970) is amended to reflect reorganization of the Bureau of Foods, Pesticides and Product Safety and the redesignation of this Bureau as the Bureau of Foods approved by the Secretary on February 10, 1971.

Section 6B is amended as follows:

Sec. 6B Organization. \* \* \*

(k) Bureau of Foods. Conducts research and develops standards and policy on the composition, quality, nutrition, and safety of foods, food additives, colors, and cosmetics.

Conducts research designed to improve the detection, prevention and control of contamination that may be responsible for illness or injury conveyed by foods, colors and cosmetics.

Plans, coordinates and evaluates FDA's surveillance and compliance programs relating to foods, colors and cosmetics.

Reviews industry petitions and recommends the promulgation of regulations for food standards and to permit the safe use of color additives, and food additives.

Collects and interprets data on nutrition, food additives and environmental factors affecting the total chemical insult posed by food additives. These factors include other direct and indirect additives, normal food components, atmospheric components and pollutants, and natural contaminants which may become a part of food and/or interact with food additives.

Performs analyses of regulatory samples as may be necessary to support FDA's compliance programs relating to foods and cosmetics industries.

(k-1) Office of the Assistant Director for Management. Assists the Director by providing strategic and operational planning, financial and general resource management; analysis and recommendations on policy development; solutions to operational problems and related system demands; development and operation of appropriate scientific and program management support systems; identification and evaluation of program priorities.

Develops and applies effectiveness measures to Bureau programs, both with regard to internal effectiveness as well as with regard to impact upon the regulated industries and the various other professional and consumer clientele.

Identifies operational goals and designs program management and control systems relevant to both short and long range objectives.

Develops Bureau planning, program- and budgeting systems.

Advices and assists the Director and other key Bureau officials by providing overall planning, analytical and management support to mobilize resources to accomplish primary and secondary management objectives.

Provides guidance and direction for the Bureau's scientific and management information systems and monitors the Bureau's utilization of electronic and other data processing practices.

Provides guidance and direction for the Bureau's general administrative management support activities and in-

sure the responsiveness of these activities to line management's needs.

Represents the Bureau in matters related to planning and management support with the other Bureaus and the Office of the Commissioner, the Department, other Federal executive agencies and the regulated industries.

(k-2) Office of Assistant Director for Scientific Coordination. Coordinates Bureau scientific research programs both within FDA and with private and other governmental agencies both nationally (EPA, USDA, NIH, AEC, NIEHS, PHS, etc.) and internationally (WHO, FAO, etc.) to facilitate collaboration in attacking common problems and preventing duplication of effort.

Advices the Bureau Director on scientific matters which come within the Bureau's mission and may impact on FDA policy and direction of short range objectives which are in concert with long range program goals.

Prepares staff paper reviews and analytical reports on scientific projects to guide Bureau Director and the Associate Commissioner for Science in policy decisions.

Monitors and serves as a focal point for the Bureau's extramural contracts and grants program and evaluates and recommends to the Bureau Director approvals and terminations of such extramurally supported projects. Maintains close liaison with the Office of Associate Commissioner for Science in this program.

Initiates, develops and provides guidance for an epidemiology program with the Bureau. Advises the Bureau Director of the impact and significance of health hazards affecting the public. Supplies the Assistant Director for Management with summaries of the impact and significance of health hazards for resource planning purposes.

Coordinates with the Associate Commissioner for Science in developing international research projects of mutual interest to the Bureau and FDA and foreign countries relevant to foreign currency awards based on PL-480 funding.

Represents the Bureau on the Science Advisory Committee and is chairman of the Bureau's Committee on Scientific Affairs.

Manages library facilities and services to provide for the collection of scientific information appropriate to the Bureau's mission.

(k-3) Office of Sciences. Conducts research relating to the composition, quality, nutrition, and safety of foods.

Performs analysis of regulatory samples as may be necessary to support FDA's compliance programs.

Provides scientific evaluation of food additive and color additive petitions.

Provides guidance and direction for the Bureau's methods research activities.

Develops mathematical methods and models and provides statistical analysis of the Bureau's research, extramural and regulatory programs.

Provides scientific, technical and editorial review and arranges for the publication and issuance of Bureau project and research status reports.



(i) *Division of Chemistry and Physics.* Originates, plans, and conducts research applying advanced spectroscopic chromatographic, instrumental, and physico-chemical, and radiochemical and tracer techniques, to elucidate the chemical composition and properties of significant substances in foods and related commodities; develops analytical methodology as new hazards to man are uncovered.

Devises new methods for analysis of foods and related commodities; investigates the mechanism of the underlying chemical reactions.

Provides scientific evaluation of food additive petitions.

Studies the chemical effects of processes applied to food and food products and establishes radiological safety practices in the handling and disposal of radioactive materials.

Initiates plans and executes studies in specialized fields of advanced analytical instrumentation and design or adapts such instrumentation when necessary.

Performs chemical analyses of regulatory samples as may be necessary to support FDA's compliance programs.

(ii) *Division of Mathematics.* Originates, plans, and conducts research with regard to the mathematical design, analysis and interpretation of health, sanitation and economic studies.

Develops mathematical methods and models and provides statistical analysis of the Bureau's research, extramural and regulatory programs.

Reviews and evaluates experimental design and statistical data submitted in support of petitions for food additive, food standard and color additive regulations.

Provides statistical support to the offices and operating divisions. Investigates mathematical and statistical techniques for incorporation into the data analysis systems and for translating and interpreting technical information for Bureau use.

(iii) *Division of Nutrition.* Originates, plans, and conducts research to elucidate nature and properties of nutritionally significant substances in foods and related commodities and factors affecting the action of these substances; to determine the effects of these substances on reproduction, growth, and development in biological and microbiological systems; and to study the metabolic fate of these substances and their interaction with other food components such as food additives.

Devises new methods for the analysis of nutritionally significant substances in foods (including special dietary foods), investigates the mechanisms of the underlying biochemical reactions as potential approaches to the development of suitable analytical methods. Develops and recommends plans and policy. Examines surveillance and compliance regarding nutritional reliability and improvement of the food supply. Evaluates nutritional aspects of labeling of foods, samples of foods for vitamins and other nutritional factors.

(iv) *Division of Pathology.* Investigates the nature and significance of the

gross and microscopic changes which occur in animal tissues and organs as the result of short-term exposure to food additives and to toxic contaminants of chemical, microbiological or natural origin.

Reviews and evaluates pathological data submitted in support of petitions for food additives, and color additive regulations. Provides pathological support to other elements of the Bureau of Foods, as necessary for the complete evaluation of toxicological experiments, including the performance of autopsies on experimental animals, and the preparation and examination of histological material. Maintains a complete registry of pathological information and material to serve as a repository of information concerning the pathological effects of toxic stress on animals.

Develops new methods of anatomical and histochemical examination of organs and tissues from animals subjected to treatment with pesticides, food additives, natural toxins, and other environmental contaminants.

Studies the metabolic fate, the physiological, and pathological response from additives and contaminants in various substrates. Performs pathological analyses of regulatory samples as may be necessary to support FDA's compliance programs.

(v) *Division of Toxicology.* Originates, plans, and conducts research with regard to the toxic effects of substances occurring in foods, cosmetics, colorants, and related commodities through direct addition, inadvertent adulteration, or arising out of the use of pesticides.

Investigates the mechanism of the underlying toxicological reactions which may directly or indirectly lead to diseases in man.

Establishes for toxic substances the quantitative aspects of the dose response relationship in a variety of animal species for various toxicological manifestations with particular relevance to applicability to man.

Investigates and develops new, standardized, or improved bases for establishing and evaluating toxicological injury to animals from chemicals permitted in foods, cosmetics or from metabolites of these chemicals.

Conducts toxicological studies on various classes of food additives, colorants and cosmetics to provide data for evaluation of new proposals and petitions for their industrial use as well as for the review of current tolerances, modified tolerances, and applications.

Plans and conducts toxicological research in basic cell growth and reproduction.

Performs toxicological analyses of regulatory samples as may be necessary to support FDA's compliance programs.

Provides toxicological evaluation of food additive and color additive petitions.

(k-4) *Office of Product Technology.* Maintains an awareness of processing and handling procedures which may affect or alter food; conducts research into the technological and engineering aspects of food processing and handling

procedures designed to eliminate contamination that may be responsible for food-borne illnesses.

Conducts research into the sources, transmission and concentration of chemical pollutants in all environmental media which may contaminate the food supply.

Originates, plans, and conducts research to elucidate chemical composition of cosmetics, color additives, color additive diluents, and related commodities and to identify compounds formed by reactions between colors and foods and cosmetic material.

Administers the color certification programs.

Furnishes the Office of Compliance with technical information as a basis for formulating and evaluating standards of identity, quality, nutrition, safety and fill of container; assists the Office of Compliance in developing the substantive content and evaluating the impact of Current Good Manufacturing Practices.

Evaluates the technical effect of food and color additives.

(i) *Division of Food Technology.* Develops, collects, coordinates, and interprets technical information regarding the composition, quality, manufacture and marketing of foods.

Acts as the prime mover in developing and evaluating proposals for food standards; provides the Office of Compliance with the necessary technological information required to promulgate new or amend existing food standards.

Assists the Office of Compliance in developing the substantive content of and evaluating the impact of Current Good Manufacturing Practices. Investigates the currently developing food preservation processes with particular emphasis upon their impact on established indices of decomposition.

Investigates concomitant food additives, their reaction products and their impurities and advises on practicable methods for limiting the presence of such substances in food and the total diet.

Develops and interprets data on the molecular structure, degradation products and potentially hazardous components of indirect food additives, such as packaging material.

Investigates and advises on the impact of food processing and storage on food components and on the amount and nature of natural poisons of foods.

Evaluates the technical effect of food additives.

(ii) *Division of Chemical Technology.* Originates, plans, and conducts research into the industrial practices of chemical processing and chemical uses in regard to the disposition, behavior, and fate of industrial chemicals, by-products, and process wastes and pollutants into the environment.

Assesses and investigates the nature and magnitude of these chemicals and related substances in the environment and the factors which influence the uptake and persistence of the resulting residues in foods and in other parts of the ecosystem which contribute to the human organism.



Maintains a complete registry of chemical manufacturing and processing information and material to serve as a source of information for existing and potential chemical contamination of foods.

Recommends and assists in the development of regulatory and research programs associated with indirect chemical contaminants which may concentrate in foods.

(ii) *Division of Colors and Cosmetics Technology.* Provides expert technical advice on problems relating to the chemistry and technology of colors and cosmetics to other units of the Food and Drug Administration and other Government agencies as it may affect their programs.

Evaluates and advises on color additive petitions for the adequacy and reliability of chemical data (identity, composition, purity, stability), manufacturing controls and methodology in proposals for listing color additives and color additive diluents.

Maintains liaison with technical personnel of manufacturers of certifiable color additives to provide early awareness of new techniques, process changes, and other technical matters.

Develops and maintains internationally recognized competence in the composition, functions, and analysis of cosmetics. Keeps informed of new developments in cosmetic technology and products for introduction of new and potentially harmful ingredients such as primary irritants, sensitizers, carcinogens, etc.

(k-5) *Office of Compliance (Foods).* Advises the Bureau Director and other FDA officials on legal administrative problems, regulatory problems, and administrative policies concerning FDA's compliance responsibilities relating to foods, colors and cosmetics.

Develops compliance and surveillance programs covering the regulated food and cosmetics industries.

Administers the development of Current Good Manufacturing Practices.

Drafts and processes proposals for the establishment of standards for foods and related commodities.

Develops or coordinates the development of regulations and other standards covering industry practices with respect to the control of health hazards.

Develops and carries out programs designed to improve compliance by industry through problem prevention.

Provides technical assistance to the public and public service institutions and agencies for control of hazards to health associated with interstate shipment of food, as well as foods served on interstate carriers.

Provides support and guidance, upon request, to the district offices in the handling of legal actions and provides headquarters case development, coordination, and contested case assistance.

Develops and coordinates studies to measure degree of compliance by regulated industries with statutes and regulations enforced by FDA.

Operates a petition control system for color additive, food standard and food

additive petitions submitted to FDA for review and evaluation.

Administers the interstate travel sanitation program designed to protect the health of travelers and of crews on commercial transportation conveyances.

(i) *Division of Regulatory Guidance.* Provides support and guidance upon request to the district offices in the handling of legal actions concerning foods, pesticides, and cosmetics.

Provides headquarters case development, coordination, and contested case assistance.

Collaborates with various FDA components to provide technical information relevant to such matters as policy and enforcement of legal requirements relating to food standards.

Develops and maintains legal guidelines.

Reviews and approves actions in cases of national scope requiring headquarters coordination.

Issues advisory opinions resulting from specific requests from industry, trade associations, Government agencies, and Congress.

Manages and coordinates headquarters activities associated with recalls and seizures; provides advice and assistance to recall staff; correlates recall actions with other regulatory activities.

Develops and maintains a codified system for compiling and issuing regulatory policies and procedures on foods, cosmetics, and pesticide matters for the guidance of FDA headquarters and field personnel.

(ii) *Division of Compliance Programs (Foods).* Develops mutually complementary regulatory compliance and voluntary compliance programs insuring the proper integration and compatibility of these programs.

Develops and issues surveillance and compliance programs relating to the food industry and other industries which may be associated with cosmetics and industrial chemicals; coordinates the establishment of priorities for compliance activities involved in such programs.

Serves as the focal point of information concerning the compliance status of specific food firms and their facilities.

Identifies needs for new and revised standards and Current Good Manufacturing Practices to be met by industry and to support ongoing and contemplated compliance programs.

Cooperates in the development of and issues Current Good Manufacturing Practices.

Identifies needs and is responsible for the development of new and revised programs, including special programs directed toward unique problem areas.

Identifies and recommends research needed to develop better monitoring and compliance methods and techniques. Develops programs to support FDA research activities.

Plans and develops an appraisal system for each compliance program; assists in the development of reporting systems designed to furnish information on compliance programs.

Plans, develops, and directs FDA programs designed to carry out Public Health Service responsibilities in interstate travel sanitation, under the Public Health Service Act of 1944 (Public Law 410, as amended), including enforcement of applicable provisions of the Interstate Quarantine Regulations.

Promotes a better understanding in the food, cosmetic, and pesticide area of the requirements and objectives of the laws and regulations enforced by the FDA and encourages compliance on a voluntary basis.

Plans and assists in the implementation of industry quality assurance programs designed to prevent compliance failures.

Plans and conducts national seminars, symposia, and conferences on specific industry compliance problems.

Assists FDA field offices, upon request, in planning and conducting industry workshops and seminars on Current Good Manufacturing Practices and other types of problem-oriented workshops and conferences.

(iii) *Division of Petitions Processing.* Interprets news legislation, drafts regulations for implementation and develops guidelines setting forth administrative-legal procedures for applying the new or changed authority in petition processing area.

Cooperates with the Office of Product Technology in planning and conducting an orderly program for the development of food standards or amendments to be proposed on the initiative of the Commissioner and in using the technical information developed by that Office as a basis for formulating and drafting proposals for publication.

Initiates and recommends changes in legislation and prepares Bureau position on proposed legislation referred from the Department through the Office of Legislative Services in petition processing area.

Operates a petition control system for all color additives, food standards, pesticide and food additive petitions submitted to FDA or review and evaluation.

Reviews and evaluates the comments received following publication of proposals, confers with members of the interested industry either singly or in group meeting, consults further with other units of FDA, and drafts a final order promulgating the standard, together with supporting briefs and explanatory material for the Commissioner's action.

Prepares briefing memorandum and regulations to be submitted via supervisory channels for approval on all petitions deemed acceptable for publication in the FEDERAL REGISTER.

(k-6) *Office of Food Sanitation.* Plans and administers a sanitation program designed to minimize public health problems associated with the production, processing, and distribution of products prepared by the food service, milk, and shellfish industries.

Conducts research (involving laboratory and field studies) to identify,



evaluate, and resolve problems of food hygiene and sanitation; provides microbiological research and technical support to other components of the Bureau of Food.

Prepares, revises, and interprets model ordinances, codes, technical manuals, standards, and related guides pertaining to the sanitation of milk, shellfish, and other foods.

Provides advice and technical assistance to other Federal, State, and local agencies, to international organizations and foreign governments, and to concerned industries as well as interested consumers in regard to food service sanitation, milk sanitation, shellfish sanitation and related aspects of food sanitation.

Identifies training needs in the fields of food hygiene and microbiology; cooperates with the FDA Training Institute, DHEW Regional Offices, and non-governmental organizations in presenting specialized courses for employees of government, industry, and others who are concerned with these fields.

Administers the cooperative interstate milk shippers program designed to maintain a high sanitary quality of milk shipped in interstate commerce.

Administers the national shellfish sanitation program for the maintenance and improvement of the sanitary quality of commercial shellfish including agreements with foreign governments.

Encourages the adoption and implementation of adequate sanitation standards by States and municipalities; provides technical assistance to governmental agencies and industries on sanitation problems and new developments which have public health significance.

Participates with industry, health related organizations and others in the development of sanitation standards for the design of dairy and other food equipment; evaluates milk, shellfish, and food service equipment, including vending machines, to determine compliance with design, construction, and performance criteria recommended by FDA.

Conducts reviews, with the assistance of the DHEW Regional Offices, for standardization and certification of State and local food service, milk, and laboratory survey officers and evaluates milk and food laboratories; issues certificates of proficiency.

(i) *Division of Food Service and Milk Sanitation.* Plans, develops, and directs FDA activities relating to food preparation and service (including commissaries, delicatessens, restaurants, and vending machines) and to the sanitary quality of milk, milk products, and frozen desserts.

Develops, revises, and interprets model food and milk protection ordinances, codes, criteria, standards, and related program guides.

Administers, in cooperation with the National Conference of Interstate Milk Shippers, a nationwide voluntary, cooperative State-Federal interstate milk shippers' certification program.

Provides technical direction and sup-

port to, and sets priorities for FDA regional food and milk sanitation programs, including standardization and certification of State food service and milk survey and rating officers.

Provides technical and consultative assistance on food and milk sanitation to other Federal agencies, educational institutions, health-related organizations and to food service, vending, and milk industries, including development of sanitary standards for food and milk equipment.

Evaluates food and milk equipment, including vending machines, to determine compliance with FDA recommended ordinances and codes, criteria, and standards.

Cooperates with the Training Institute, DHEW Regional Offices and others in development and conduct of food and milk sanitation training programs for FDA, other Federal, State, local, and industry personnel.

Promotes the adoption and uniform application of model food and milk laws and regulations by State and communities.

Maintains pasteurized milk and total-diet radiation surveillance networks.

Provides technical support to the Office of Compliance in the development, revision, and field application of FDA food service sanitation requirements for interstate conveyances and support facilities, including revision of the Interstate Quarantine Regulations.

Evaluates public health aspects of new food and milk processing, preparation and serving methods and practices.

Promotes and coordinates Regional activities relating to the inspection of food service establishments in Federal buildings under reimbursable agreements with the General Services Administration.

(ii) *Division of Shellfish Sanitation.* Plans, develops, and directs FDA programs relating to the production, processing, and interstate shipment of fresh or frozen molluscs and crustaceans. Administers cooperative Federal-State-Industry shellfish certification program, including review of annual evaluation of State shellfish program, to determine compliance with National Program requirements.

Publishes semimonthly list of certified interstate shellfish shippers.

Provides technical direction and support to and establishes priorities for FDA regional programs.

Provides technical, consultative, and liaison assistance to participating States, foreign countries, and the industry, including development of shellfish sanitation agreements with foreign countries, when requested by the Department of State.

Plans and coordinates intramural and extramural shellfish sanitation research needs with other governmental agencies and with other FDA components.

Develops and conducts National Workshops and in coordination with Training Institute conducts training programs in shellfish sanitation for Federal, State, industry personnel, and foreign scientists.

Cooperates with other Federal agencies engaged in estuarine management, pollution abatement, and in development of water quality standards, criteria, and classification of estuarine waters.

(iii) *Division of Microbiology.* Originates, plans, and conducts research and field investigations on the nature, extent, and significance of microbial and physical contaminants of foods and cosmetics.

Provides analytical support, technical and consultative services, training and assistance to public health and food control agencies of the States and municipalities to other Federal agencies, to the food service and cosmetic industries and to other operating programs of the FDA.

Develops and evaluates microbiological methods for detecting harmful microorganisms, toxins, decomposition, adulteration with extraneous matter, and other naturally occurring and biological hazards in processed and restaurant prepared foods and in cosmetics.

Develops the basis for microbiological criteria in the food processing and food service industries; participates in the development of surveys to provide the technical and scientific bases for recommended limits and guidelines applied to foods and cosmetics by the FDA, State, and municipal public health and control agencies, and the industries.

Evaluates the microbiological, and other biological hazards associated with food processing and food service practices through laboratory investigations.

Conducts a certification program for central State milk and food laboratories and officials.

Approved: March 15, 1971.

RODNEY H. BRADY,  
Assistant Secretary  
for Administration.

[FR Doc. 71-4209 Filed 3-25-71; 8:52 am]

## ATOMIC ENERGY COMMISSION

[Dockets Nos. 50-373, 50-374]

### COMMONWEALTH EDISON CO.

#### Notice of Receipt of Application for Construction Permits and Facility Licenses; Time for Submission of Views on Antitrust Matters

Commonwealth Edison Co., 1 First National Plaza, Chicago, IL 60690, pursuant to the Atomic Energy Act of 1954, as amended, has filed an application dated November 3, 1970, for authorization to construct and operate two single-cycle, forced circulation, boiling water nuclear reactors at its site, located in Brookfield Township, La Salle County, Ill. The proposed site is located approximately 5 miles south-southwest of Seneca, Ill.

The proposed facilities are designated by the applicant as La Salle County Nuclear Power Station, Units 1 and 2. Each reactor is designed for initial operation at approximately 3,293 megawatts (thermal) with a net electrical output of approximately 1,078 megawatts.



Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within sixty (60) days after March 5, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and in the Office of the Chairman of the Board of Supervisors, La Salle County Courthouse, Ottawa, Ill.

Dated at Bethesda, Md., this 22d day of February, 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,  
Director,

Division of Reactor Licensing.

[FR Doc. 71-2623 Filed 3-4-71; 8:45 am]

[Docket No. 50-367]

## NORTHERN INDIANA PUBLIC SERVICE CO.

### Notice of Receipt of Application for Construction Permit and Facility License; Time for Submission of Views on Antitrust Matters

Northern Indiana Public Service Co., 5265 Hohman Avenue, Hammond, IN 46320, pursuant to the Atomic Energy Act of 1954, as amended, has filed an application dated August 24, 1970, for authorization to construct and operate a single-cycle, forced circulation, boiling water nuclear reactor at its Bailly Generating Station site, located in Westchester Township, Porter County, Ind. The proposed site is located on the south end of the shore of Lake Michigan, adjacent to the fossil-fueled Units 7 and 8 of the Bailly Generating Station, and is approximately 12 miles east-northeast of Gary, Ind.

The proposed nuclear reactor, designated by the applicant as Bailly Generating Station—Nuclear 1, is designed for initial operation at approximately 1,931 megawatts (thermal) with a net electrical output of approximately 657 megawatts.

Any person who wishes to have his views on the antitrust aspects of the application presented to the Attorney General for consideration shall submit such views to the Commission within sixty (60) days after March 5, 1971.

A copy of the application is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., and at the local office of Northern Indiana Public Service Co., 141 South Calumet Street, Chesterton, IN.

Dated at Bethesda, Md., this 22d day of February 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,  
Director,

Division of Reactor Licensing.

[FR Doc. 71-2624 Filed 3-4-71; 8:45 am]

[Docket No. 50-332]

## ALLIED-GULF NUCLEAR SERVICES ET AL.

### Notice of Issuance of Amendment to Construction Permit

Allied-Gulf Nuclear Services, Allied Chemical Nuclear Products, Inc., and Gulf Oil Corp. (Barwell Nuclear Fuel Plant).

Notice is hereby given that the Commission has issued, effective as of the date of issuance, Amendment No. 1, set forth below, to Construction Permit No. CPCS-4 which was issued to Allied-Gulf Nuclear Services, Allied Chemical Nuclear Products, Inc., and Gulf Energy & Environmental Systems, Inc., on December 18, 1970.

The amendment reflects the merger of Gulf Energy & Environmental Systems, Inc., into its parent corporation, Gulf Oil Corp. In addition, subparagraph D to paragraph 2 has been modified in accordance with the "Memorandum and Order" of the Atomic Safety and Licensing Appeal Board, dated January 22, 1971, in the matter of Allied-Gulf Nuclear Services, Allied Chemical Nuclear Products, Inc., and Gulf Energy & Environmental Systems, Inc.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, Allied-Gulf Nuclear Services, Allied Chemical Nuclear Products, Inc., or Gulf Oil Corp. may file a request for a hearing in connection with issuance of the amendment dealing with the merger, and any person whose interest may be affected by the issuance of this amendment may file a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's rules of practice, 10 CFR Part 2. If a request for hearing or a petition for leave to intervene is filed within the time specified in this notice, the Commission will issue a notice of hearing or appropriate order.

For further details with respect to these amendments, see a copy of the application amendment dated February 10, 1971, and the "Memorandum and Order" of the Atomic Safety and Licensing Appeal Board, dated January 22, 1971, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

Dated at Bethesda, Md., this 18th day of March 1971.

For the Atomic Energy Commission.

LYALL JOHNSON,

Acting Director,

Division of Materials Licensing.

[FR Doc. 71-4120 Filed 3-25-71; 8:45 am]

[Docket No. 50-341]

## DETROIT EDISON CO.

### Notice of Hearing on Application for Construction Permit

In the matter of the Detroit Edison Co. (Enrico Fermi Atomic Power Plant, Unit No. 2).

Pursuant to the Atomic Energy Act of 1954, as amended (the Act), and the regulations in Title 10, Code of Federal Regulations, Part 50, "Licensing of Production and Utilization Facilities," and Part 2, "Rules of Practice," notice is hereby given that a hearing will be held, at a time and place to be set in the future by the atomic safety and licensing board designated herein, in the vicinity of Monroe, Mich., to consider the application filed under the Act by the Detroit Edison Co. (the Applicant), for a construction permit for a boiling water reactor (the facility), known as the Enrico Fermi Atomic Power Plant, Unit No. 2, having a gross electrical output of approximately 1,157 megawatts, and a thermal capacity of approximately 3,293 megawatts to be located at the Applicant's 1,088-acre site on the western shore of Lake Erie in Frenchtown Township, Monroe County, Mich., about 30 miles southwest of downtown Detroit, Mich.

The hearing will be conducted by the atomic safety and licensing board designated by the Commission, consisting of Warren E. Nyer of Idaho Falls, Idaho, Dr. Thomas Pigford of Berkeley, Calif., and Robert M. Lazo, Esquire, of Oak Brook, Ill., Chairman. Dr. Richard L. Doan of Tucson, Ariz., has been designated as a technically qualified alternate, and Nathaniel H. Goodrich, Esquire, of Chevy Chase, Md., has been designated as an alternate qualified in the conduct of administrative proceedings.

A prehearing conference will be held by the board in the Michigan National Guard Armory, 15483 South Dixie Highway, Monroe, Mich., on May 11, 1971 at 10 a.m. local time, to consider pertinent matters in accordance with the Commission's rules of practice, 10 CFR Part 2 including section 2 of Appendix A. The date and place of the hearing will be set at or after the prehearing conference and notice thereof will be published in the FEDERAL REGISTER.

The Director of Regulation proposes to make affirmative findings on Item Nos. 1-3 and a negative finding on Item 4 specified below as the basis for the issuance of a construction permit to the Applicant.

1. Whether in accordance with the provision of 10 CFR 50.35(a):

(a) The Applicant has described the proposed design of the facility including, but not limited to, the principal architectural and engineering criteria for the design, and has identified the major features or components incorporated therein for the protection of the health and safety of the public;

(b) Such further technical or design information as may be required to complete the safety analysis and which can reasonably be left for later consideration, will be supplied in the final safety analysis report;

(c) Safety features or components, if any, which require research and development have been described by the Applicant and the Applicant has identified, and there will be conducted, a research and development program reasonably designed to resolve any safety questions



associated with such features or components; and

(d) On the basis of the foregoing, there is reasonable assurance that (i) such safety questions will be satisfactorily resolved at or before the latest date stated in the application for completion of construction of the proposed facility, and (ii) taking into consideration the site criteria contained in 10 CFR Part 100, the proposed facility can be constructed and operated at the proposed location without undue risk to the health and safety of the public.

2. Whether the applicant is technically qualified to design and construct the proposed facility;

3. Whether the Applicant is financially qualified to design and construct the proposed facility; and

4. Whether the issuance of a permit for a construction of the facility will be inimical to the common defense and security or to the health and safety of the public.

In the event that this proceeding is not a contested proceeding, as defined by 10 CFR 2.4 of the Commission's rules of practice, the board will, without conducting a de novo evaluation of the application, consider the issues of whether the application and the record of the proceeding contain sufficient information, and the review by the Commission's regulatory staff has been adequate, to support the findings proposed to be made and the construction permit proposed to be issued by the Director of Regulation.

In the event that this proceeding becomes a contested proceeding, the board will consider and initially decide, as the issues in this proceeding, Items Nos. 1 through 4 above as the basis for determining whether a construction permit should be issued to the Applicant.

In addition, any party may, in accordance with paragraph 11 of Appendix D of 10 CFR Part 50, raise as an issue in the proceeding whether the issuance of the permit would be likely to result in a significant, adverse effect on the environment. If such a result were indicated, in accordance with the declaration of national policy expressed in the National Environmental Policy Act of 1969, the atomic safety and licensing board will give consideration to the need for the imposition of requirements for the preservation of environmental values consistent with other essential considerations of national policy, including the need to meet on a timely basis requirements for electrical power in the affected region. These additional issues do not include (i) radiological effects (since such effects are within the four numbered items set forth above) or (ii) matters of water quality covered by section 21(b) of the Federal Water Pollution Control Act. If any party raises any such issue, the board will make findings of fact on, and resolve, the matters in controversy among the parties with regard to those issues. With respect to those aspects of environmental quality for which environmental quality standards and requirements have been established by

authorized Federal, State, and regional agencies, proof that the Applicant is equipped to observe and agrees to observe such standards and requirements will be considered a satisfactory showing that there will not be a significant, adverse effect on the environment. Certification by the appropriate agency that there is reasonable assurance that the Applicant for the permit or license will observe such standards and requirements will be considered dispositive for this purpose.

As they become available, the application, the proposed construction permit, the Applicant's summary of the application, the report of the Commission's Advisory Committee on Reactor Safeguards (ACRS), and the Safety Evaluation by the Commission's regulatory staff, the Applicant's Environmental Report, the AEC's Detailed Statement on Environmental Considerations, and the transcripts of the prehearing conference and of the hearing, will be placed in the Commission's Public Document Room, 1717 H Street NW., Washington, DC, where they will be available for inspection by members of the public. Copies of those documents will also be made available at Monroe County Library System, 3700 South Custer Road, Monroe, Mich., for inspection by members of the public between the hours of 12 p.m. and 9 p.m. Monday through Wednesday, 12 p.m. and 5:30 p.m. Thursday and Friday and 9 a.m. and 5:30 p.m. Saturday. Copies of the proposed construction permit, the ACRS report, the regulatory staff's Safety Evaluation and the AEC's Detailed Statement on Environmental Considerations may be obtained, when available, by request to the Director of the Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Any person who wishes to make an oral or written statement in this proceeding setting forth his position on the issues specified, but who does not wish to file a petition for leave to intervene, may request permission to make a limited appearance pursuant to the provisions of 10 CFR 2.715 of the Commission's rules of practice. Limited appearances will be permitted at the time of the hearing in the discretion of the board, within such limits and on such conditions as may be fixed by the board. Persons desiring to make a limited appearance are requested to inform the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, by May 6, 1971.

Any person whose interest may be affected by the proceeding who does not wish to make a limited appearance and who wishes to participate as a party in the proceeding must file a petition for leave to intervene.

Petitions for leave to intervene, pursuant to the provisions of 10 CFR 2.714 of the Commission's rules of practice, must be received in the Office of the Secretary of the Commission, United States Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or the Commission's Public Document Room, 1717 H Street NW., Washington, DC, not later than

May 6, 1971. The petition shall set forth the interest of the petitioner in the proceeding, how that interest may be affected by Commission action, and the contentions of the petitioner in reasonably specific detail. A petition which sets forth contentions relating only to matters outside the Commission's jurisdiction will be denied. A petition for leave to intervene which is not timely will be denied unless, in accordance with 10 CFR 2.714, the petitioner shows good cause for failure to file it on time.

A person permitted to intervene becomes a party to the proceeding, and has all the rights of the Applicant and the regulatory staff to participate fully in the conduct of the hearing. For example, he may examine and cross-examine witnesses. A person permitted to make a limited appearance does not become a party, but may state his position and raise questions which he would like to have answered to the extent that the questions are within the scope of the hearing as specified in the issues set out above. A member of the public does not have the right to participate unless he has been granted the right to intervene as a party or the right of limited appearance.

An answer to this notice, pursuant to the provisions of 10 CFR 2.735 of the Commission's rules of practice, must be filed by the Applicant on or before April 5, 1971.

Papers required to be filed in this proceeding may be filed by mail or telegram addressed to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, or may be filed by delivery to the Commission's Public Document Room, 1717 H Street NW., Washington, DC.

Pending further order of the board, parties are required to file, pursuant to the provisions of 10 CFR 2.708 of the Commission's rules of practice, an original and 20 conformed copies of each such paper with the Commission.

With respect to this proceeding, the Commission has delegated to the Atomic Safety and Licensing Appeal Board the authority and the review function which would otherwise be exercised and performed by the Commission. The Commission has established the Appeal Board pursuant to 10 CFR 2.785 of the Commission's rules of practice, and has made the delegation pursuant to paragraph (a) (1) of this section. The Appeal Board is composed of the Chairman and Vice Chairman of the Atomic Safety and Licensing Board Panel and a third member who is technically qualified and designated by the Commission. The Commission has designated Dr. Lawrence R. Quarles, Dean of the School of Engineering and Applied Science, The University of Virginia as this third member.

A "Notice of Receipt of Application for Construction Permit and Operating License; Time for Submission of Views on Antitrust Matter" was published in the FEDERAL REGISTER on February 19, 1971 (36 F.R. 3213). The notice afforded



an opportunity for any person wishing to have his views on the antitrust aspects of the application presented to the Attorney General for consideration to submit such views to the Commission within 60 days after February 19, 1971.

Dated at Washington, D.C., this 24th day of March 1971.

UNITED STATES ATOMIC  
ENERGY COMMISSION,  
W. B. McCool,  
Secretary of the Commission.

[FR Doc. 71-4240 Filed 3-25-71; 8:53 am]

[Docket No. 50-322]

## LONG ISLAND LIGHTING CO.

### Schedule and Procedures for Hearing

In the matter of Long Island Lighting Co. (Shoreham Nuclear Power Station); Docket No. 50-322.

The Hearing in the captioned matter will be continued on Tuesday, April 13, 1971, at 10 a.m., local time, at the Holiday Inn, 4089 Nesconset, Port Jefferson Highway, Centereach, Long Island, NY 11720.

If required, the Hearing will continue through Friday, April 23, 1971. A session will be scheduled on Saturday, April 17, if it is necessary to accommodate witnesses. On Tuesday and Wednesday, April 13-14, Intervenor, The Lloyd Harbor Study Group, Inc., will present their direct testimony. On Thursday, April 15, Intervenor, Suffolk Scientists, will present rebuttal testimony. On Friday, April 16, Intervenor, James S. Turner, and Connecticut Action, Now, Inc., and Fairfield County Citizens for Environmental Control, Inc., will present their direct testimony.

The order for presentation of rebuttal testimony, if any, will be as follows: Suffolk Scientists, The Lloyd Harbor Study Group, Inc., the Applicant, and finally the AEC Regulatory Staff. The other parties have advised they will not present rebuttal testimony.

Dated at Washington, D.C., this 24th day of March 1971.

ATOMIC SAFETY AND LICENSING BOARD,  
JAMES R. YORE,  
Chairman.

[FR Doc. 71-4301 Filed 3-25-71; 8:54 am]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19171; FCC 71-248]

### OLYMPIAN BROADCASTING CORP. (WKIP)

### Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In re application of Olympian Broadcasting Corp. (WKIP), Poughkeepsie, N.Y., Docket No. 19171, File No. BP-18122; Has: 1450 kc., 250 w., 1 kw.-LS, DA-D, U; Requests: Change daytime mode of operation from directional to nondirectional; for construction permit.

1. The Commission has under consideration (i) the above-captioned and described application;<sup>1</sup> (ii) a petition to deny the application filed by WNAB, Inc., licensee of standard broadcast station WNAB, Bridgeport, Conn., (iii) a supplement to petition to deny; and (iv) pleadings and opposition and reply thereto.

2. In its petition to deny, filed prior to the June 17, 1969, amendment,<sup>2</sup> petitioner makes several contentions. Its first argument, alleging a violation of nighttime separation requirements contained in § 73.182(a)(4) of the rules, need not be seriously considered since the WKIP application before us does not propose any change in the presently licensed nighttime operation. Secondly, petitioner claims a violation of § 73.24(b)(2) of the rules which requires that a proposed change in station facilities "not involve overlap of contours prohibited by § 73.37 with any other stations in any area where there is not already such overlap between the two stations." In support of this contention, petitioner attaches a statement from its engineer attesting to such interference caused by WNAB. Thirdly, petitioner asserts that the exception in the rules regarding prohibited overlap for a Class IV station increasing daytime power does not apply in this situation since WKIP proposes a change in antenna system rather than an increase in power. Finally, petitioner requests a hearing on the grounds that the proposal would result in a modification of its license within the meaning of section 316 of the Act.

3. In its opposition, also filed before the June 17, 1969 amendment, WKIP alleges that WNAB has no standing to object to its application. In support of this, WKIP cites an agreement between the parties dating back to February of 1961, and the condition on WNAB's license requiring it to accept interference resulting from other Class IV stations increasing power. This agreement provides that WNAB would not oppose an application of WKIP to increase power or antenna efficiency for a period of 5 years.<sup>3</sup> While the agreement has expired,

<sup>1</sup> When filed on Mar. 8, 1968, the applicant here was Star Broadcasting Corp. On Nov. 5, 1970, the license of WKIP was assigned, pursuant to Commission consent, to Olympian Broadcasting Corp., the present applicant.

<sup>2</sup> This amendment proposes to change the WKIP daytime operation from directional to nondirectional.

<sup>3</sup> On Sept. 2, 1962, the Commission granted WKIP's application to operate with 1 kilowatt nondirectionally from a new site with an antenna efficiency of 270 mv/m/kw. In granting the proposal the Commission rejected a petition to deny by Hudson Valley Broadcasting Corp., licensee of station WEOK, Poughkeepsie, N.Y., alleging, inter alia, that the new operation would violate the multiple-ownership rules. WEOK appealed and the Court of Appeals remanded the case to the Commission for further proceedings. WKIP was then permitted to directionalize its radiation pattern, thus avoiding the prohibited multiple-ownership overlap. Subsequently, in 1967, the license of WKIP was assigned to its present owners. As a result, the previous multiple-ownership prohibitions no longer apply.

WKIP maintains that it is "a valuable historical document" to be utilized for the purpose of defining the technical aspects of the Commission-imposed condition concerning Class IV power increases. WKIP maintains that the imposed condition requiring WNAB to accept interference from other Class IV stations increasing daytime power from 250 watts to 1 kilowatt, coupled with this agreement, deprives WNAB of its standstill rather than an increase in power, the Commission has heretofore regarded such a change as "falling within the line." WKIP further contends that while it is asking for a change in antenna system of its rules and policy favoring increase in power for Class IV stations." North Shore Broadcasting Corp. (WESX), 8 FCC 2d 741, 10 RR 2d 560 (1967). With respect to petitioner's charge of a violation of § 73.24(b)(2), WKIP relies on the condition in the WNAB license requiring it to accept this type interference.

4. In a supplement to its petition to deny, filed after the June 17, 1969 amendment, WNAB claims that the operation as now proposed would result in prohibited overlap, as defined by § 73.37 (a) of the Commission's rules, within its normally protected 0.5 mv/m contour in contravention of § 73.24(b)(2). Petitioner also contends that since the aforementioned agreement has expired, it in no way constitutes a waiver by WNAB of its right to operate free of objectionable interference.

5. In opposition to this supplementary petition, WKIP renews its claim that the condition on WNAB's license deprives it of standing and that a grant would result in a modification of petitioner's license.

6. Initially, we find petitioner's reliance on North Shore Broadcasting, supra, is misplaced.<sup>4</sup> Although the Commission chose to view WESX's proposal to go from 1 kilowatt directional to 1 kilowatt nondirectional operation in the same light as a power increase for multiple-ownership purposes, it nonetheless acknowledged an objecting Class IV station's section 316 rights and designated the application for hearing. Likewise, we find in this instance that since WNAB's license would be modified by WKIP's proposed operation, the petitioner must be afforded the opportunity of showing why such modification should not take place. *F.C.C. v. National Broadcasting Company (KOA)*, 319 U.S. 239 (1943). The amendment to the Commission's rules to permit, with certain restrictions, Class IV stations to increase daytime power to 1 kw was based on the assumption that the power increases would be on a uniform basis. As a result,

<sup>4</sup> Namely nondirectional operation radiating 270 mv/m/kw.

<sup>5</sup> Section 73.35(a) prohibits 1 mv/m overlap of commonly owned stations, but Commission policy had exempted Class IV power increases.



no population receiving service from a Class IV facility would be deprived of such service, and, in addition, the signal strength of the Class IV service area would be improved due to the higher intensity of the signal. Obviously, however, if some Class IV stations are permitted to install new antenna systems with greatly increased efficiency, in addition to being authorized a power increase, a uniform power increase basis cannot be achieved.<sup>6</sup> From data on file, it is clear that the proposed WKIP daytime omnidirectional operation, utilizing the highly efficient radiator, will result in an increase in overlap to the co-channel Class IV operation of WNAB in excess of that caused by either the present 1 kw daytime directional operation or by omnidirectional operation with 1 kw utilizing the originally authorized WKIP antenna system which radiated 150 mv/m/kw. Moreover, on the basis of the information on file, it has not been established that the proposed operation of WKIP would not cause objectionable interference within the service areas of WCTC, New Brunswick, N.J., and WMAS, Springfield, Mass. Therefore, it would be inappropriate to take final action on the WKIP application without fully considering the impact of the proposed operation on these stations as well. Accordingly, the Commission will, on its own motion, also name the licensees of stations WCTC and WMAS parties to the proceeding.

7. Except as indicated by the issues specified below, the applicant is qualified to construct and operate as proposed. In view of the foregoing, however, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below.

8. Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the application is designated for hearing, at a time and place to be specified in a subsequent order upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of station WKIP and the availability of other primary aural (1 mv/m or greater in the case of FM) service to such areas and populations.

2. To determine whether the proposal of WKIP would cause objectionable in-

terference to stations WNAB, Bridgeport, Conn.; WCTC, New Brunswick, N.J.; WHAS, Springfield, Mass.; or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the application would serve the public interest, convenience, and necessity.

9. It is further ordered, That, the petition to deny, as supplemented, by WNAB, Inc., is granted to the extent indicated above and is denied in all other respects.

10. It is further ordered, That, WNAB, Inc.; Raritan Valley Broadcasting Co., Inc.; and Masscom Broadcasting Corp., licensees of stations WNAB, WCTC, and WMAS, respectively, are made parties to the proceeding.

11. It is further ordered, That, in the event of a grant of the application, the construction permit shall contain the following conditions:

Permittee shall accept such interference as may be imposed by existing 250-watt Class IV stations in the event they are subsequently authorized to increase daytime power to 1 kilowatt.

Before program tests are authorized the unused WKIP antenna tower shall be dismantled. In the alternative, sufficient field intensity measurement data shall be submitted to establish that the radiation pattern is essentially omnidirectional.

12. It is further ordered, That, to avail itself of the opportunity to be heard, the applicant and parties respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 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.

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

Adopted: March 10, 1971.

Released: March 23, 1971.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[FR Doc. 71-4184 Filed 3-25-71; 8:50 am]

[Dockets Nos. 19095-19097; FCC 71R-91]

PAYNE OF VIRGINIA, INC., ET AL.

### Memorandum Opinion and Order Enlarging Issues

In re applications of Payne of Virginia, Inc., Virginia Beach, Va., Docket No.

19095, File No. BPH-6754; Virginia Seashore Broadcasting Corp., Virginia Beach, Va., Docket No. 19096, File No. BPH-6901; Sea Broadcasting Corp., Virginia Beach, Va., Docket No. 19097, File No. BPH-6902; for construction permits.

1. This proceeding involves the mutually exclusive applications of Payne of Virginia, Inc., Virginia Seashore Broadcasting Corp. (Virginia Seashore) and Sea Broadcasting Corp. (Sea Broadcasting) for authorization to construct a new FM broadcast station in Virginia Beach, Va. The applications were designated for hearing by Memorandum Opinion and Order, FCC 70-1210, 35 F.R. 17967, published November 21, 1970. Presently before the Review Board is a petition to enlarge issues,<sup>1</sup> filed December 7, 1970, by Sea Broadcasting.

### MULTIPLE OWNERSHIP QUESTION

2. Although Sea Broadcasting entitles its pleading a "Petition to Enlarge Issues," the first part of its pleading seeks another type of relief. Petitioner points out that Daniel E. Hydrick, Vice President, General Manager, and 20 percent owner of Virginia Seashore is also the President and sole owner of Virginia Peninsula Broadcasting Corp., on behalf of which an application (File No. BP-18659) was filed on October 27, 1969, for authorization to construct a new daytime-only standard broadcast station at Newport News, Va. Sea Broadcasting contends that the Commission's multiple ownership rules, as set out in the Report and Order released April 6, 1970 (22 FCC 2d 306, 18 RR 2d 1735), forbid an applicant from applying for an AM station within the same community in which it already holds an interest in an FM station; that a review of the proposed contours of Virginia Seashore's FM application and Virginia Peninsula Corp.'s AM application indicates that the proposed 0.5 mv/m. contour of the standard broadcast station almost duplicates the proposed 1.0 mv/m. contour of the FM station; that, therefore, it would not be possible, consistent with Commission rules, to grant both applications; and that, since the AM application was filed 3 weeks after the FM application, "it would appear that Mr. Hydrick has already chosen to continue to pursue his AM application." In any case, Sea Broadcasting argues that the Commission's rules "would be prostituted" and used for "a gambling venture" if both Hydrick applications were to remain in a pending status. Therefore, petitioner requests the Review Board to require Virginia Seashore to indicate before commencement of the hearing in this proceeding which application, that for the proposed AM station in Newport News or that for the FM facility in Virginia Beach, it will elect to pursue.

3. Before dealing with Sea Broadcasting's request that Virginia Seashore elect prior to hearing whether it will prosecute its Newport News application or its application for Virginia Beach, we

<sup>1</sup> Also before the Review Board are: (a) Comments of the Broadcast Bureau, filed Dec. 22, 1970; (b) opposition of Virginia Seashore, filed Dec. 24, 1970; and (c) affidavit, filed Jan. 7, 1971, by Virginia Seashore.

<sup>6</sup> On May 28, 1958, the Commission rules were amended to provide that Class IV stations may be authorized a daytime power of 1 kilowatt (17 RR 1541). Previously the power for this class station had been limited to 250 watts. Subsequently it was determined that, in the absence of a showing that objectionable interference would not result, the normal benefits which would accrue from power increases to 1 kilowatt would not be achieved unless the power increases were accomplished without any increase in antenna efficiency. The 1962 omnidirectional increase in daytime power and antenna efficiency authorized for WKIP was made prior to our determination that Class IV power increases should be accomplished without an increase in antenna efficiency.



note first our agreement with the Broadcast Bureau's contention, expressed in footnote 1 of its comments, that, given the fact that Mr. Hydrick is the only tie between the two applications, petitioner "is actually seeking a directive that Hydrick give up his 20 percent interest in Virginia Seashore or his Newport News application." However, Commission rules, as recently amended, do not support petitioner's basic contention that the simultaneous prosecution of the FM application for Virginia Beach and the AM application for Newport News raises a conflict under the Commission's multiple ownership rules. By Memorandum Opinion and Order, released March 2, 1971 (FCC 71-211, \_\_\_\_\_ FCC 2d \_\_\_\_\_, \_\_\_\_\_ RR 2d \_\_\_\_\_), the Commission amended the multiple ownership rules to delete the restrictions on the ownership of an AM-FM combination in the same market. Thus, a grant of the FM and AM applications in this case would not now violate Commission rules, and, therefore, petitioner's request that Virginia Seashore (through Mr. Hydrick) choose between pursuit of either the Virginia Beach application or the Newport News application is without basis and will be denied.

#### SECTION 1.65 ISSUE

4. In support of its request for a § 1.65 issue, petitioner first notes that Mr. Hydrick is listed both as full-time general manager of Virginia Seashore's proposed FM station and as full-time general manager of a new AM station proposed for Charlottesville, Va., in an application (File No. BP-18064) designated for hearing by the Commission on July 1, 1970, and filed by Charlottesville-Albemarle Broadcasting Co. of which Mr. Hydrick is a 50 percent owner, officer and director. Sea Broadcasting argues that this situation presents "at worst a question of misrepresentation or, at least, a failure to keep application in a current status, as required by Rule 1.65 \* \* \*." Petitioner notes that although both the Virginia Beach FM and Charlottesville AM applications have been amended several times, no attempt has been made to correct the inconsistency involved. Moreover, petitioner asserts that it has reason to believe that Virginia Seashore has failed, in response to Question 19 of its application, to fully inform the Commission of Hydrick's past broadcast associations. Petitioner contends that although it is difficult "to ascertain the full scope of Mr. Hydrick's past relations with broadcast facilities, there are strong indications" that he failed to disclose associations with a number of broadcast stations and a broadcast corporation. In addition, Sea Broadcasting asserts that Mr. Hydrick has failed to mention his stock ownership in Metromedia, Inc., which was noted in the financial statement in the Charlottesville AM application, and his wife's position as officer and director of Charlottesville-Albemarle Broadcasting Corp.

5. In its comments, the Broadcast Bureau agrees with Sea Broadcasting that

Hydrick's proposal to be the full-time general manager of both the proposed Virginia Beach and Charlottesville stations calls for an enlargement of the issues, but argues that a § 1.65 issue is not the appropriate vehicle, since the problem here is not Virginia Seashore's failure to keep its application current, but stems from a failing in its original application. Therefore, the Bureau recommends the addition of a staffing issue. As for Sea Broadcasting's allegations concerning Virginia Seashore's failure to totally report the information required by Question 19 of the application form, the Bureau argues that petitioner's allegations "fall far short of the specificity requirement of § 1.229 of the rules."

6. In opposition, Virginia Seashore contends that it did not expect the Commission to believe that Mr. Hydrick would be full-time general manager for two stations, but, rather, that its two proposals were intended to be alternatives. It further argues that there "could not have been an attempt to gain comparative advantage in both hearings, since the Charlottesville proceeding would obviously be based primarily, if not exclusively, upon 307(b) considerations." Finally, Virginia Seashore asserts that "it would be quite possible to devote substantially full-time to both stations since they are only approximately 100 miles apart." As for Sea Broadcasting's contention that Mr. Hydrick has failed to completely disclose his past associations with broadcast stations, Virginia Seashore argues that: (1) At the time the application was filed, Mr. Hydrick's only financial interest in a broadcast station or application was his disclosed 50 percent interest in Charlottesville-Albemarle and he has never been an officer, director or stockholder of any other broadcast station or applicant; (2) broadcast stations at which Mr. Hydrick was only an employee were generally not set forth in response to paragraph 19 because it was the applicant's interpretation that "the response was to be limited to ownership interests in other stations or applications, or official connections \* \* \*", a reasonable interpretation in view of the fact that Table II of FCC Form 301 requests information with respect to "interest, official relationship, employment or associations" in business or financial ventures for the 5 years preceding the application, whereas paragraph 19 refers only to "interest in or connection with" broadcast stations or applications; (3) the applicant's disclosure of Mr. Hydrick's former employment at Stations WFAA and KIXL, both in Dallas, was the result of a clerical error and unnecessary; and (4) neither the applicant nor Mr. Hydrick had any motive to withhold the information in question and none has been suggested. Nevertheless, Virginia Seashore states that to remedy any possible defects it has filed a petition to amend its application to set forth all of Mr. Hydrick's past broadcast associations, and contends that "if it should be determined that its response to paragraph 19 of its application was incomplete, the defect was de minimis and no issue is warranted."

7. The Review Board agrees with petitioner that the designation of Mr. Hydrick as the full-time general manager of both the facilities proposed by Virginia Seashore and Charlottesville-Albemarle Broadcasting, Inc., which would be located over 100 miles apart, requires enlargement of the issues.<sup>2</sup> Virginia Seashore is correct in stating, in its opposition, that it is apparent that Mr. Hydrick "could not be in both places at once." However, it does not at all follow that, as the applicant contends, "the only reasonable implication is that he [Mr. Hydrick] is proposing to be the manager of one of the stations, but which one would depend on the outcome of the Charlottesville hearing," and that no motive to mislead the Commission can be inferred. The applicant's belated statement in its opposition that Mr. Hydrick has now decided, in fact, that he will work at the Virginia Beach station even if the Charlottesville application is granted and that the Charlottesville application will shortly be amended to reflect this fact, does not resolve the questions these apparently conflicting representations raise. However, since § 1.65 requires applicants to keep their applications current, and the problem here stems, not from a failure to keep Virginia Seashore's application current, but rather a possible failure to disclose complete information in the original application, the § 1.65 issue proposed by Sea Broadcasting is not the proper vehicle for the required evidentiary investigation. Therefore, the Review Board will add an issue regarding compliance with § 1.514 of the rules, which requires each application to include all information called for by the particular form.

8. Petitioner's other allegations in support of its requested § 1.65 issue do not form an adequate basis for enlargement of the issues.<sup>3</sup> Virginia Seashore concedes in its opposition that it failed to report all of Mr. Hydrick's broadcast employment relationships in response to paragraph 19 of FCC Form 301. It is our conclusion that the language of that paragraph requires such a response. However, in light of the circumstances here (i.e., Virginia Seashore's explanation for failure to supply the information in question is not unreasonable; no motivation for deception of the Commission in this matter has been suggested or is apparent; the associations in question date back more than 5 years; the applicant has filed a petition for leave to amend to correct the defects), Virginia Seashore's failures in this regard are de minimis and not of sufficient magnitude to require

<sup>2</sup> We note, as does the Broadcast Bureau in its comments, that, while the Virginia Beach application specifically lists Mr. Hydrick as full-time general manager, the Charlottesville applicant indicates that he will work at the station full-time and will be responsible for day-to-day operations, which, we believe, is comparable to acting in the role of full-time general manager.

<sup>3</sup> In the case of these allegations, as well, a § 1.65 issue would not be the proper vehicle of inquiry.



an evidentiary inquiry. Cf. Sunset Broadcasting Corp., 15 FCC 2d 276, 14 RR 2d 705 (1968). Of even more minimal significance is Virginia Seashore's failure to disclose Mr. Hydrick's 10 shares in Metromedia Corp., a publicly held corporation with 5,759,971 issued and outstanding shares of common voting stock, especially since this stockholding is disclosed in the Charlottesville application.<sup>4</sup> As for the alleged failure to disclose that Mr. Hydrick's wife is an officer and director of the Charlottesville applicant, an examination of the application in question reveals that Mrs. Hydrick has no association with Charlottesville-Albemarle Broadcasting Corp., as alleged by Sea Broadcasting in its opposition.<sup>5</sup> Therefore, for the above reasons, the issue being added herein will deal only with the questions raised by Mr. Hydrick's designation as full-time general manager in both the Charlottesville and Virginia Beach applications.

9. Accordingly, it is ordered, That the petition of Sea Broadcasting Corp., filed December 7, 1970, is granted to the extent indicated below, and is denied in all other respects; and

10. It is further ordered, That the issues in this proceeding are enlarged to include the following issue: To determine whether Virginia Seashore Broadcasting Corp. has failed to completely disclose material information to the Commission in its application, as required by § 1.514 of the Commission's rules, and, if so, the effect of such conduct on its requisite and/or comparative qualifications to be a Commission licensee; and

11. It is further ordered, That the burden of proceeding with the introduction of evidence under the issue added herein shall be on Sea Broadcasting Corp., and that the burden of proof shall be on Virginia Seashore Broadcasting Corp.

Adopted: March 18, 1971.

Released: March 22, 1971.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[FR Doc. 71-4185 Filed 3-25-71; 8:50 am]

<sup>4</sup> In its opposition, Virginia Seashore reveals that Mr. Hydrick also failed to disclose his 46 shares in Reeves Television Corp., in which there are almost 1,300,000 common voting shares issued and outstanding. This failure to disclose must also be regarded as de minimis.

<sup>5</sup> Virginia Seashore reveals in its opposition that when the instant application was amended on Dec. 23, 1969, the fact that Mrs. Hydrick is an officer and director of Virginia Peninsula Broadcasting Corp., the applicant for an AM station at Newport News, was inadvertently omitted. An amendment has now been tendered to include this information; there is no basis to doubt the applicant's explanation that the designation of Mr. Hydrick as the sole stockholder of the Newport News application was an oversight; and there is again no apparent reason to suppose that Virginia Seashore deliberately sought to deceive the Commission in this matter.

[Dockets Nos. 18813, 18814; FCC 71R-94]

# SENCLAND BROADCASTING SYSTEMS, INC., AND SEABOARD BROADCASTING CORP.

## Memorandum Opinion and Order Enlarging Issues

In re applications of SENCLAND Broadcasting Systems, Inc., Jacksonville, N.C., Docket No. 18813, File No. BP-18649, for construction permit; and Seaboard Broadcasting Corp., Jacksonville, N.C., Docket No. 18814, File No. BR-2961, for renewal of license of Station WLAS.

1. This proceeding involves the mutually exclusive applications of SENCLAND Broadcasting Systems, Inc. (SENCLAND) for authorization to construct a new standard broadcast station in Jacksonville, N.C., and of Seaboard Broadcasting Corp. (Seaboard) for renewal of its license for Station WLAS in the same community. The proceeding was designated for hearing by Commission memorandum opinion and order (FCC 70-272, 35 F.R. 5503, published April 2, 1970) and hearing sessions were held on October 13-16 and 19-22, 1970. At a hearing conference on January 19, 1971, the Examiner postponed the resumption of the hearing until April 19, 1971, with the exchange of all exhibits to take place on April 5, 1971. Presently before the Review Board is a petition to enlarge issues, filed December 23, 1970, by Seaboard, requesting the addition of a lack of candor, misrepresentation, and failure to disclose issue, and abuse of process and §§ 1.514 (a) and 1.65 issues against SENCLAND.<sup>1</sup>

2. Seaboard bases its first requested issue on four alleged actions of SENCLAND principals, any one of which, petitioner contends, justifies the addition of the issue. The first action stems from the failure of Leon Leder, SENCLAND's vice-president and 24 percent stockholder, to appear for the taking of his deposition on December 1, 1970, in a deposition proceeding brought by Seaboard to take the testimony of SENCLAND's principals in regard to an issue added by the Review Board on July 8, 1970 (FCC 70R-240, FCC 2d 259, 19 RR 2d 538), and directed to the financial qualifications of those principals. Petitioner specifically accuses SENCLAND of engaging in misrepresentation and gross lack of candor by representing at the deposition proceeding, through its counsel, that Mr. Leder was in the hospital undergoing an examination for a numbness in his right arm and that he would be available in 2 or 3 days when he was released, whereas evidence obtained by Seaboard indicates that Mr. Leder was

working at his store and showed no sign of illness. As a second ground for its issue, petitioner contends that the testimony of the executive vice-president of the First National Bank of Eastern North Carolina at the deposition proceeding indicates that SENCLAND obtained a \$150,000 loan from the bank by falsely stating that it was only interested in filing for a new frequency. Seaboard maintains that the Bank would not have made the loan in question if it knew that SENCLAND was going to file on top of the WLAS (Seaboard) renewal application. Next, petitioner contends that neither section II, Tables I and II, of the SENCLAND application nor SENCLAND's May 15, 1970, opposition to Seaboard's petition to enlarge issues of April 27, 1970, reveals various significant business interests and consequent liabilities for corporate indebtedness of SENCLAND principals which were revealed at the deposition proceeding. Finally, Seaboard maintains that SENCLAND failed to disclose that it was endeavoring to sell its construction permit for UHF television Station WLNS-TV, Jacksonville, N.C., while at the same time repeatedly representing to the Commission that it would build the facility.

3. Seaboard's request for an abuse of process issue is based on Leon Leder's failure to appear at the December 1, 1970, deposition hearing; petitioner's contention that Morris Leder (treasurer, director and 24 percent stockholder of SENCLAND) and Julius J. Segerman (president, director and 24 percent stockholder) failed to produce multiple documents specified in the subpoenas duces tecum directed to them; and Seaboard's allegation that both Morris Leder and Julius Segerman deliberately refused to answer a number of questions at the deposition hearing, in contravention of § 1.319(b) of the Commission's rules. Petitioner's request for an issue to determine whether SENCLAND failed to report in its application the requisite information required by § 1.514(a) of the Commission's rules and/or failed to amend its application as required by § 1.65 is based on contentions in regard to unreported business involvements of SENCLAND principals, most of which have already been noted in connection with Seaboard's first requested issue. Since Seaboard argues that it "has no way of knowing whether these interests predated or were subsequent to the SENCLAND application", the requested issue is framed in terms of both §§ 1.514 (a) and 1.65 of the rules.<sup>2</sup>

4. In its petition, Seaboard notes that on December 1, 1970, its counsel received

<sup>1</sup> Also before the Review Board are: (a) Broadcast Bureau's comments, filed Jan. 11, 1971; (b) opposition of SENCLAND, filed Jan. 11, 1971; (c) reply of Seaboard, filed Jan. 21, 1971; (d) letter, filed Jan. 28, 1971, by Seaboard; and (e) letter, dated Feb. 10, 1971, by Seaboard.

<sup>2</sup> The Broadcast Bureau, in its comments, supports the addition of the requested abuse of process and § 1.65 issues. With regard to the requested misrepresentation, lack of candor and failure to disclose issue, the Bureau supports only the failure to disclose portion of the issue, based on Seaboard's allegations concerning the unreported business interests of SENCLAND principals.



a copy of the transcript of the deposition hearing here involved and on the same date sent it to counsel for SENCLand for review by the witnesses and for attestation, but that it has not yet received it back for filing. Petitioner states that as of January 21, 1971, the day Seaboard filed its reply to SENCLand's opposition and the Broadcast Bureau's comments, the transcript had not yet left SENCLand's hands. On February 10, 1971, counsel for Seaboard wrote SENCLand's counsel, stating that if the transcript were not received by February 24, 1971, 78 days from the day on which it was sent to SENCLand, Seaboard would be obliged to seek an Order from the Hearing Examiner seeking its return. On February 25, 1971, Seaboard filed a petition for special relief, requesting the Examiner to issue an order requiring SENCLand to return the transcript for filing.<sup>2</sup>

5. Seaboard's petition raises serious questions involving SENCLand's qualifications to be a Commission licensee. Most of the basic contentions underlying the requested issues relate to testimony and events at the deposition hearings of December 1 and 2, 1970. SENCLand's opposition disputes the petitioner's interpretation of that testimony and those events. However, since SENCLand has failed for over three months to return the official copies of the deposition transcript for filing, without any attempt at explanation and despite repeated requests to do so, the validity of SENCLand's opposition cannot be properly evaluated by the Review Board. Therefore, the serious allegations made by petitioner have not been adequately rebutted and must be explored at hearing. Seaboard's petition will be granted.

6. Accordingly, it is ordered, That the petition to enlarge issues, filed December 23, 1970, by Seaboard Broadcasting Corp. is granted; and

7. It is further ordered, That the issues in this proceeding are enlarged to include the following issues:

(a) To determine whether SENCLand Broadcasting Systems, Inc. has made false and misleading statements, been lacking in candor or failed to disclose material facts to the Commission, and, if so, to determine the effect thereof upon the applicant's qualifications to be a Commission licensee.

(b) To determine whether SENCLand Broadcasting Systems, Inc. has abused the Commission's processes, and, if so, to determine the effect thereof upon the applicant's qualifications to be a Commission licensee.

<sup>2</sup> On Mar. 12, 1971, the Examiner released an Order (FCC 71M-386) requiring SENCLand to return, within 10 days of the release date of the order, the depositions signed by the witnesses deposed. The Examiner ordered that SENCLand's failure to comply would result in the dismissal of its application for failure to prosecute.

<sup>3</sup> The Broadcast Bureau states in its comments that Seaboard made an unofficial copy of the transcript informally available to it, making it possible for the Bureau to check transcript references.

(c) To determine whether SENCLand Broadcasting Systems, Inc. has failed to report requisite information in its application as required by § 1.514(a) of the Commission's rules and/or failed to amend its application as required by § 1.65 of the Commission's rules; and, if so, to determine the effect thereof upon the applicant's qualifications to be a Commission licensee.

8. It is further ordered, That the burden of proceeding with the introduction of evidence under the issues added herein shall be on Seaboard Broadcasting Corp., and the burden of proof under the issues shall be on SENCLand Broadcasting Systems, Inc.

Adopted: March 19, 1971.

Released: March 23, 1971.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[FR Doc.71-4186 Filed 3-25-71;8:50 am]

## FEDERAL MARITIME COMMISSION

BOARD OF COMMISSIONERS OF THE  
PORT OF NEW ORLEANS AND PUBLIC  
GRAIN ELEVATOR OF NEW  
ORLEANS, INC.

### Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1202; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

Mr. Cyrus C. Guidry, Port Counsel, Board of Commissioners of the Port of New Orleans, Post Office Box 60046, New Orleans, LA 70160.

Agreement No. T-590-3, between the Board of Commissioners of the Port of New Orleans (Board) and Public Grain Elevator of New Orleans, Inc. (Elevator), modifies the basic agreement which provides for the lease of the Public Grain Elevator at New Orleans. The purpose of the modification is to provide for the installation of a new master dust pickup system, the cost of which is to be reimbursed by Elevator through the remission of a portion of the rental for the facility.

Dated: March 23, 1971.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-4246 Filed 3-25-71;8:53 am]

[General Order 27]

## FINANCIAL RESPONSIBILITY FOR OIL POLLUTION CLEANUP

### Notice of Substantial Compliance

Pending further notice, any vessel, subject to the financial responsibility provisions of section 11(p) (1) of the Federal Water Pollution Control Act, as amended, and the provisions of Part 542 of 46 CFR (Commission General Order 27), for which an application for a Certificate of Financial Responsibility (Oil Pollution) has been filed and required evidence of financial responsibility submitted, but which does not have its Certificate aboard, will be deemed to be in substantial compliance with section 11(p) (1) of the Act and the Commission's implementing regulations.

Masters of vessels which do not have Certificates aboard are asked to have available the following information: (1) Registered name of the vessel; (2) name of owner or operator having applied for the Certificate; and (3) control or Certificate number which has been assigned to each application or Certificate by the Federal Maritime Commission.

By order of the Commission.

[SEAL] FRANCIS C. HURNEY,  
Secretary.

[FR Doc.71-4195 Filed 3-25-71;8:51 am]

## FEDERAL POWER COMMISSION

NATIONAL POWER SURVEY TECHNICAL  
ADVISORY COMMITTEES ON  
GENERATION, TRANSMISSION,  
DISTRIBUTION, AND LOAD FORECASTING  
METHODOLOGY

### Continuation

MARCH 19, 1971.

Pursuant to section 8 of Executive Order No. 11007, issued February 26, 1962



(27 F.R. 1875, 3 CFR 1959-1963 Comp., p. 573), paragraph 8 of the Commission's order establishing the National Power Survey Technical Advisory Committees on Generation, Transmission, Distribution, and Load Forecasting Methodology, issued April 11, 1968 (33 F.R. 5969, April 18, 1968) and the Commission's determination of March 23, 1970 continuing these committees for an additional 1-year period through April 10, 1971 (35 F.R. 5292, March 28, 1970), the Commission hereby determines that the continued existence of these four National Power Survey Technical Advisory Committees for an additional 6 months period from April 11, 1971, through October 10, 1971, is in the public interest.

The Acting Secretary shall cause prompt publication of this determination to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Acting Secretary.

[FR Doc. 71-4165 Filed 3-25-71; 8:49 am]

[Docket No. CS66-101, etc.]

## COQUINA OIL CORP. ET AL.

### Findings and Order

MARCH 18, 1971.

Findings and order after statutory hearing issuing small producer certificates of public convenience and necessity, amending orders issuing certificates, terminating certificates, canceling FPC gas rate schedules, canceling docket number, substituting respondent, redesignating proceeding, terminating rate proceedings, and accepting agreement and undertaking for filing.

On May 9, 1968, Bert Fields, Jr., et al., filed in Docket No. CS66-122, on October 16, 1970, Northern Pump Co. (Operator) et al., filed in Docket No. CS71-22, on November 16, 1970, W. R. Yinger filed in Docket No. CS71-123, on November 30, 1970, Coquina Oil Corp. filed in Docket No. CS71-147, on January 11, 1971, D.D.I., Inc., filed in Docket No. CS71-182, on January 14, 1971, J. Keith Somerville filed in Docket No. CS71-186, and on January 18, 1971, Gifford & Mitchell filed in Docket No. CS71-190, applications pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for small producer certificates of public convenience and necessity authorizing sales of natural gas in interstate commerce from areas for which just and reasonable rates have been established, all as more fully set forth in the applications.

Applicants, W. R. Yinger, D.D.I., Inc., J. Keith Somerville, and Gifford & Mitchell, do not presently have any certificate or rate schedule on file with the Commission for sales from any area for which just and reasonable rates have been established.

Applicant, Northern Pump Co. (Operator) et al., is presently authorized to sell natural gas pursuant to FPC gas rate schedules on file with the Commission. Certain sales by Northern Pump Co. (Operator) et al., have been made at rates in effect subject to refund. The certificates authorizing said sales will be terminated and the related rate schedules will be cancelled. The proceedings in which increased rates collected by Northern Pump Co. (Operator) et al., were equal to or below area ceiling rates will be terminated.

Coquina Oil Corp., applicant in Docket No. CS71-147, proposes to continue, in toto, sales of natural gas heretofore authorized to be made by McGrath & Smith, Inc. (Operator) et al., small producer certificate holder in Docket No. CS66-101. McGrath & Smith is authorized to make a sale to El Paso Natural Gas Co. from Crockett County, Tex., at a rate effective subject to refund in Docket No. RI70-1150 pursuant to a contract dated November 9, 1966, and ratified by McGrath & Smith on October 11, 1967. Coquina has submitted an agreement and undertaking to assure the total refund from the date the change in rate was made effective subject to refund. Therefore, the order issuing the certificate in Docket No. CS66-101 will be amended by substituting Coquina in lieu of McGrath & Smith as certificate holder; Docket No. CS71-147 will be canceled; Coquina will be substituted in lieu of McGrath & Smith as respondent in the proceeding pending in Docket No. RI70-1150; said proceeding will be redesignated accordingly; and the agreement and undertaking will be accepted for filing.

Bert Fields, Jr., et al., applicant in Docket No. CS66-122, proposes to continue, in toto, sales of natural gas heretofore authorized to be made by Bert Fields Estate et al., the small producer certificate holder in Docket No. CS66-122. Therefore, the order issuing the certificate in Docket No. CS66-122 will be amended by substituting Bert Fields, Jr., et al., in lieu of Bert Fields Estate et al., as certificate holder.

The Commission's staff has reviewed the applications and recommends each action ordered as consistent with all substantive Commission policies and required by the public convenience and necessity.

After due notice by publication in the FEDERAL REGISTER, no petition to intervene, notice of intervention or protest to the granting of the applications has been filed.

At a hearing held on March 11, 1971, the Commission on its own motion received and made a part of the record in this proceeding all evidence, including the applications, submitted in support of the authorization sought herein, and upon consideration of the record,

The Commission finds:

(1) Each applicant is or will be engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption subject to the jurisdiction of the Commission and is, therefore, a "natural gas company" or will be when the initial delivery is made, within the meaning of the Natural Gas Act.

(2) The sales of natural gas hereinbefore described, as more fully described in the applications herein, will be made in interstate commerce subject to the jurisdiction of the Commission, and such sales by applicants are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Applicants are able and willing properly to do the acts and to perform the service proposed and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(4) Each applicant is an independent producer of natural gas which is not affiliated with a natural gas pipeline company and whose total jurisdictional sales on a nationwide basis, together with sales of affiliated producers, were not in excess of 10 million Mcf at 14.65 p.s.i.a. during the preceding calendar year.

(5) The sales of natural gas by applicants, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are required by the public convenience and necessity, and small producer certificates of public convenience and necessity therefor should be issued as hereinafter ordered and conditioned.

(6) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act and the public convenience and necessity require that the orders issuing certificates in Dockets Nos. CS66-101 and CS66-122 should be amended as hereinafter ordered and that Docket No. CS71-147 should be canceled.

(7) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that Coquina Oil Corp. should be substituted in lieu of McGrath & Smith, Inc. (Operator), et al., as respondent in the proceeding pending in Docket No. RI70-1150; that said proceeding should be redesignated accordingly; and that the agreement and undertaking submitted by Coquina in said proceeding should be accepted for filing.

(8) It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that the certificates of public convenience and necessity heretofore issued for sales from areas for which just and reasonable rates have been established should be terminated and that the related FPC gas rate schedules should be canceled.

The Commission orders:



## NORTHERN PUMP COMPANY (OPERATOR), ET AL.

Certificate dockets Nos.	FPC gas rate schedules	Rate increase dockets Nos.
G-8378	1	RI62-267.
G-8476	2	RI72-267.
G-3290	5	
	9	RI62-24.
	10	
	12	RI62-24.
	13	
	14	RI62-267.
	15	RI62-24.
	22	RI63-425.
		RI66-66, RI66-234,
		RI70-10001.
	23	RI67-420.
	24	
G-11225	27	
G-3290	28	RI62-317, RI67-119.
	36	
	37	RI68-685.
G-8379	38	
G-0528	39	G-18105.

## GAYLORD S. DAVIDSON TRUST No. 1

G-6580	1	
JOHN B. HAWLEY, JR., AND G. S. DAVIDSON, TRUSTEES UNDER JOHN B. HAWLEY, JR., TRUST No. 1		
G-8294	1	
G-9143	1	
G-9268	2	RI62-268, RI68-428.
G-9477	3	G-18101.
G-13570	4	
C171-176	5	RI69-130.

## JOHN B. HAWLEY, JR., TRUSTEE

G-15339	1	
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<sup>1</sup> This certificate is terminated only insofar as it pertains to sales made pursuant to John B. Hawley, Jr., and G. S. Davidson, Trustees under John B. Hawley, Jr., Trust No. 1, FPC Gas Rate Schedule No. 4.

<sup>2</sup> This rate proceeding is terminated only insofar as it pertains to co-respondent John B. Hawley, Jr., and G. S. Davidson, Trustees under John B. Hawley, Jr., Trust No. 1, and sales made pursuant to John B. Hawley, Jr., and G. S. Davidson, Trustees under John B. Hawley, Jr., Trust No. 1, FPC Gas Rate Schedule No. 5.

(F) The rate proceeding pending in Docket No. RI69-130 is terminated only with respect to sales made pursuant to John B. Hawley, Jr., and G. S. Davidson, trustees under John B. Hawley, Jr., Trust No. 1, FPC Gas Rate Schedule No. 5.

(G) The order issuing a certificate of public convenience and necessity in Docket No. G-13570 is amended by deleting therefrom authorization to make sales pursuant to John B. Hawley, Jr., and G. S. Davidson, trustees under John B. Hawley, Jr., Trust No. 1, FPC Gas Rate Schedule No. 4. In all other respects, said order shall remain in full force and effect.

(H) The orders issuing small producer certificates in Dockets Nos. CS66-101 and CS66-122 are amended by substituting Coquina Oil Corp. in lieu of McGrath & Smith, Inc. (Operator), et al., and Bert Fields, Jr., et al., in lieu of Bert Fields Estate et al., respectively, as certificate holders. In all other respects, said orders shall remain in full force and effect.

(I) Docket No. CS71-147 is canceled.

(J) Coquina Oil Corp. is substituted in lieu of McGrath & Smith, Inc. (Operator), et al., as respondent in the proceeding pending in Docket No. RI70-1150; said proceeding is redesignated accordingly; and the agreement and undertaking submitted by Coquina in said

proceeding is accepted for filing. The agreement and undertaking shall remain in full force and effect until discharged by the Commission.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Acting Secretary.

[FR Doc.71-4166 Filed 3-25-71; 8:49 am]

[Project No. 67]

## SOUTHERN CALIFORNIA EDISON CO.

## Notice of Issuance of Annual License

MARCH 19, 1971.

On February 12, 1970, Southern California Edison Co., Licensee for Big Creek No. 2A and No. 8, Project No. 67 located in the vicinity of Fresno, Calif., on the San Joaquin River filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1-16.6). Licensee also made a supplemental filing pursuant to Commission Order No. 384 on August 21, 1970.

The License for Project No. 67 was issued effective March 3, 1921 for a period ending March 2, 1971. In order to authorize the continued operation of the project pursuant to section 15 of the Act pending completion of licensee's application and Commission action thereon it is appropriate and in the public interest to issue an annual license to Southern California Edison Co. for continued operation and maintenance of Project No. 67.

Take notice that an annual license is issued to Southern California Edison Co. (licensee) under section 15 of the Federal Power Act for the period March 3, 1971, to March 2, 1972 or until Federal takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Big Creek No. 2A and No. 8 Project No. 67, subject to the terms and conditions of its license.

KENNETH F. PLUMB,  
Acting Secretary.

[FR Doc.71-4167 Filed 3-25-71; 8:49 am]

[Project No. 120]

## SOUTHERN CALIFORNIA EDISON CO.

## Notice of Issuance of Annual License

MARCH 19, 1971.

On February 12, 1970, Southern California Edison Co., licensee for Big Creek No. 3, Project No. 120, located in the vicinity of Fresno, Kern, Madera, Los Angeles, and Tulare Counties, Calif., on the San Joaquin River filed an application for a new license under section 15 of the Federal Power Act and Commission regulations thereunder (§§ 16.1-16.6). Licensee also made a supplemental filing pursuant to Commission Order No. 384 on August 20, 1970.

The license for Project No. 120 was issued effective June 8, 1922, for a period ending March 3, 1971. In order to authorize the continued operation of the project pursuant to section 15 of the

(A) Small producer certificates of public convenience and necessity are issued upon the terms and conditions of this order authorizing the sale for resale and delivery of natural gas in interstate commerce by applicants from areas for which just and reasonable rates have been established, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, all as hereinbefore described and as more fully described in the applications in this proceeding.

(B) The certificates granted in paragraph (A) above are not transferable and shall be effective only so long as Applicants continue the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations, and orders of the Commission and particularly:

(1) The subject certificates shall be applicable only to all small producer sales as defined in § 157.40(a) (3) of the regulations under the Natural Gas Act; and

(2) Applicants shall file annual statements pursuant to § 154.104 of the regulations under the Natural Gas Act.

(C) The certificates granted in paragraph (A) above shall remain in effect for small producer sales until the Commission on its own motion or on application terminates said certificates because applicants no longer qualify as small producers or fail to comply with the requirements of the Natural Gas Act, the regulations thereunder, or the terms of the certificates. Upon such termination applicants will be required to file separate certificate applications and individual rate schedules for future sales. To the extent compliance with the terms of this order is observed, the small producer certificates will still be effective as to sales already included thereunder.

(D) The grant of the certificates in paragraph (A) above shall not be construed as a waiver of the requirements of section 7 of the Natural Gas Act or Part 157 of the regulations thereunder and is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceedings now pending or hereafter instituted by or against applicants. Further, our action in this proceeding shall not foreclose any future proceedings or objections relating to the operation of any price or related provisions in the gas purchase contracts herein involved. The grant of the certificates aforesaid for service to the particular customers involved shall not imply approval of all of the terms of the contracts, particularly as to the cessation of service upon the termination of said contracts as provided by section 7(b) of the Natural Gas Act. The grant of the certificates aforesaid shall not be construed to preclude the imposition of any sanctions pursuant to the provisions of the Natural Gas Act for the unauthorized commencement of any sales subject to said certificates.

(E) The following certificates and rate proceedings are terminated and the related FPC gas rate schedules are canceled:



Act pending completion of licensee's application and Commission action thereon it is appropriate and in the public interest to issue an annual license to Southern California Edison Co. for continued operation and maintenance of Project No. 120.

Take notice that an annual license is issued to Southern California Edison Co. (licensee) under section 15 of the Federal Power Act for the period March 4, 1971, to March 3, 1972, or until Federal takeover, or the issuance of a new license for the project, whichever comes first, for the continued operation and maintenance of the Big Creek No. 3, Project No. 120, subject to the terms and conditions of its license.

KENNETH F. PLUMB,  
Acting Secretary.

[FR Doc.71-4168 Filed 3-25-71;8:49 am]

[Docket No. G-4820 etc.]

### TEXACO, INC. ET AL.

#### Findings and Order; Correction

MARCH 11, 1971.

John B. Hawley, Jr., and G. S. Davidson, trustees under John B. Hawley, Jr. Trust No. 1, Docket No. CI71-176.

In the findings and order after statutory hearing issuing certificates of public convenience and necessity, canceling docket numbers, amending orders issuing certificates, permitting and approving abandonment of service, terminating certificates, serving and terminating proceedings, substituting respondent, making successors co-respondents, redesignating proceedings, accepting agreements and undertakings for filing, requiring filing of agreement and undertaking, and accepting related rate schedules and supplements for filing, issued December 21, 1970, and published in the FEDERAL REGISTER January 5, 1971, (36 F.R. 121), change FPC Gas Rate Schedule "No. 51" to read FPC Gas Rate Schedule "No. 5" related to Docket No. CI71-176.

KENNETH F. PLUMB,  
Acting Secretary.

[FR Doc.71-4169 Filed 3-25-71;8:49 am]

### FEDERAL RESERVE SYSTEM

#### SOUTHWEST BANCSHARES, INC.

#### Notice of Application for Approval of Acquisition of Shares of Bank

Notice is hereby given that application has been made, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), by Southwest Bancshares, Inc., which is a bank holding company located in Houston, Tex., for prior approval by the Board of Governors of the acquisition by applicant of more than 51 percent of the voting shares of The Village National Bank, Houston, Tex., a proposed new bank.

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

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

(2) Any other proposed acquisition or merger or consolidation under section 3 whose effect in any section of the country may be substantially to lessen competition, or to tend to create a monopoly, or which in any other manner would be in restraint of trade, unless the Board finds that the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served.

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

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

By order of the Board of Governors,  
March 22, 1971.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[FR Doc.71-4134 Filed 3-25-71;8:46 am]

### TRUST COMPANY OF GEORGIA

#### Stay of Order Approving Application for Acquisition of Assets and Assumption of Liabilities Under Bank Merger Act

In the matter of the application of Trust Company of Georgia, Atlanta, Ga., for approval of acquisition of assets and assumption of liabilities of Peachtree Bank and Trust Co., Chamblee, Ga.

On February 22, 1971, the Board of Governors issued an Order pursuant to the Bank Merger Act (12 U.S.C. 1828(c)), approving an application by Trust Company of Georgia, Atlanta, Ga., for prior approval of the merger of Trust Company with Peachtree Bank and Trust Co., Chamblee, Ga., by means of Trust Company's purchase of assets and assumption of liabilities of Peachtree Bank.

There has come before the Board pursuant to § 262.2(f)(6) of the Board's rules of procedure (12 CFR 262.2(f)(6)) a petition by the U.S. Department of Justice for (1) reconsideration of the Board's order of February 22, 1971, and (2) a stay in the operation of its order of February 22, 1971, until such time as the Board rules on the petition for reconsideration, and if reconsideration is

granted, until such reconsideration is completed and the application is either re-approved or disapproved.

The petition appears to raise complex issues of a procedural and substantive nature. In order that the Board may give appropriate consideration to these issues, a stay of the Board's approval order of February 22, 1971, appears to be in the interests of all parties as well as in the public interest. Accordingly:

It is hereby ordered, That the Board's order of February 22, 1971, in this matter be and hereby is stayed until further order of the Board.

By order of the Board of Governors,  
March 19, 1971.

[SEAL] KENNETH A. KENYON,  
Deputy Secretary.

[FR Doc.71-4135 Filed 3-25-71;8:46 am]

### SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3421]

#### CONTINENTAL VENDING MACHINE CORP.

#### Order Suspending Trading

MARCH 19, 1971.

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 March 22, 1971, through March 31, 1971.

By the Commission.

[SEAL] ROSALIE F. SCHNEIDER,  
Recording Secretary.

[FR Doc.71-4145 Filed 3-25-71;8:47 am]

[70-4952]

### EASTERN UTILITIES ASSOCIATES

#### Notice of Proposed Issue and Sale of Note to Bank by Holding Company

MARCH 19, 1971.

Notice is hereby given that Eastern Utilities Associates (EUA), Post Office Box 2333, Boston, MA 02107, a registered holding company, has filed a declaration and amendments thereto with this Commission pursuant to the Public Utility

<sup>1</sup> Voting for this action: Vice Chairman Robertson and Governors Mitchell, Daane, Malsel, and Brimmer. Absent and not voting: Chairman Burns and Governor Sherrill.



Holding Company Act of 1935 (Act), designating sections 6(a) and 7 of the Act and Rule 50(a)(2) promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, as amended, which is summarized below, for a complete statement of the proposed transaction.

EUA proposes to issue and sell to The Chase Manhattan Bank (National Association) (Chase Manhattan) its 5-year unsecured promissory note in the principal amount of \$17 million. The note will be dated the day of issue, will carry a sinking fund designed to retire 20 percent of the initial principal amount of the note annually and will bear interest, payable quarterly, on the unpaid principal amount outstanding at the rate of 1 percent per annum over the then current prime commercial rate in effect at Chase Manhattan. EUA will maintain with Chase Manhattan compensating balances of not less than 15 percent, will pay to the bank a closing fee in the amount of \$170,000, and pay a commitment fee at the rate of one-half of 1 percent from December 18, 1970, until the date the loan is made. The note will be prepayable in whole or in part at any time without penalty, except that a penalty of 10 percent of the prepayment shall apply when funds therefor are obtained from the proceeds of any borrowing from any commercial bank for a term comparable to that of the note and at a lower rate of interest. Prior to entering into the arrangement for the issue and sale of the note to Chase Manhattan, EUA held discussions with six commercial banks. It is stated that only two of the six banks indicated an interest in the loan and that only Chase Manhattan was interested in lending the full amount.

The proceeds from the sale of the note will be added to the general funds of EUA and made available from time to time to subsidiary companies, through advances on open account, to provide funds for the construction programs or other capitalizable expenditures of its subsidiary companies or the reduction of their short-term bank loans previously incurred for such purposes. No authorization for such advances is being sought in this present declaration. EUA estimates that the total of construction expenditures for the 6-year period 1970 through 1975 is \$104,148,000.

The declaration states that the indenture provisions for the EUA subsidiary companies concerning property additions and interest coverage test, do not at this time permit the subsidiary companies to sell a sufficient amount of bonds to meet the needs of these companies. The declaration further states that a sale of common stock by EUA on a 1 to 12 basis, which would dilute earnings per share and raise EUA's dividend payout ratio to 93.3 percent, would only produce approximately one-third of EUA's present financial requirements. It is stated that if the proposed note is issued, EUA will offer and sell common stock during 1971 in an amount at least sufficient to meet

the net cash requirements for the 1971 sinking fund payment.

The fees and expenses incident to the proposed transaction will be furnished by amendment. The declaration states that no approval or consent of any regulatory body other than this Commission is necessary for the consummation of the proposed transaction.

Notice is further given that any interested person may, not later than April 5, 1971, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as amended or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20 (a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ROSALIE F. SCHNEIDER,  
Recording Secretary.

[FR Doc. 71-4146 Filed 3-25-71; 8:47 am]

[812-2892]

#### FIDELITY FUND, INC.

#### Notice of Filing of Application for Order Exempting Sale by Open-End Company of Its Shares at Other Than Public Offering Price

MARCH 19, 1971.

Notice is hereby given that Fidelity Fund, Inc. (applicant), 35 Congress Street, Boston, MA 02109, a Massachusetts corporation registered under the Investment Company Act of 1940 (Act) as an open-end diversified management investment company, has filed an application pursuant to section 6(c) of the Act requesting an order of the Commission exempting from the provisions of section 22(d) of the Act a transaction in which applicant's redeemable securities will be issued at a price other than the current public offering price described in the

prospectus, in exchange for the assets of Staley Investment Company (Staley). All interested persons are referred to the application on file with the Commission for a statement of applicant's representation which are summarized below.

Staley, a Missouri corporation all of whose outstanding stock is owned by not more than five persons is primarily engaged in investing, reinvesting and trading in securities. Applicant asserts that Staley is excepted from the definition of an investment company by reason of the provisions of section 3(c)(1) of the Act. Pursuant to an agreement between applicant and Staley, substantially all of the cash and securities owned by Staley, with a value of approximately \$980,980 as of December 31, 1970, will be transferred to applicant in exchange for shares of its capital stock. The number of shares of applicant to be issued is to be determined by dividing the aggregate market value (with certain adjustments as set forth in the application) of the assets of Staley to be transferred to applicant as of valuation time, as defined in the agreement.

Since the exchange is expected to be tax free for Staley and its stockholders, applicant's cost-basis for tax purposes for the assets acquired from Staley will be the same as Staley's cost-basis, rather than the price actually paid by applicant for the assets. If the valuation under the agreement had taken place on December 31, 1970, Staley would have received 65,009 shares of applicant's stock.

When received by Staley, the shares of applicant, which are registered under the Securities Act of 1933, are to be distributed to the stockholders on the liquidation of Staley. Applicant has been advised by the management of Staley that the stockholders of Staley have no present intention of redeeming or otherwise transferring any of applicant's shares following the proposed transaction.

The applicant represents that no affiliation exists between Staley or its officers, directors, or stockholders and applicant, its officers, directors, and the agreement was negotiated at arm's length by the two companies. Applicant's board of directors approved the agreement as being in the best interests of its shareholders, taking all relevant considerations into account, including, among other things, the fact that the securities will be obtained without the payment of brokerage commissions.

Section 22(d) of the Act provides that registered investment companies issuing redeemable securities may sell their shares only at the current public offering price as described in the prospectus. The exchange contemplated by the agreement would be prohibited by section 22(d) as being a sale of a redeemable security by a registered investment company at a price other than a current offering price described in the prospectus, unless exempted by an order under section 6(c) of the Act. Section 6(c) permits the Commission, upon application, to exempt such a transaction if it finds that



such an exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Applicant contends that the proposed offering of its stock will comply with the provisions of the Act, other than section 22(d) and submits that the granting of the application would be in accordance with the established practice of the Commission, is necessary and appropriate in the public interest and is consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than April 2, 1971, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ROSALIE F. SCHNEIDER,  
Recording Secretary.

[FR Doc.71-4147 Filed 3-25-71; 8:47 am]

[812-2890]

#### PENN-PACIFIC CORP.

#### Notice of Application for Order of Temporary Exemption

MARCH 19, 1971.

Notice is hereby given that Penn-Pacific Corp. (applicant), 441 Friendship Road, Harrisburg, PA 17111, a Pennsylvania corporation, has applied pursuant to section 6(c) of the Investment Company Act of 1940 (Act) for an order of the Commission temporarily exempting it from the provisions of section 7 of the

Act. Applicant, in requesting such temporary exemption, has agreed that applicant and other persons in their transactions and relations with it shall be subject to all other provisions of the Act and the respective rules and regulations promulgated under each of such provisions as though applicant were a registered investment company, other than the following: Section 8; subsections (f), (g), (h), and (i) of section 17; section 18 (except subsection (d) thereof); section 23; section 30 (except subsection (f) thereof); and section 31 of the Act and the rules and regulations thereunder. All interested persons are referred to the application which is on file with the Commission for a statement of applicant's representations, which are summarized below:

This request has been made as an amendment to an application filed by applicant on January 29, 1970, pursuant to section 3(b)(2) of the Act for an order of the Commission declaring that it is not an investment company or, in the alternative, an order pursuant to section 6(c) of the Act exempting applicant, subject to certain appropriate terms and conditions, from the provisions of section 7 of the Act for a period of at least 1 year from the date of the order. Section 3(b)(2) provides that the filing of an application thereunder shall exempt the applicant for a period of 60 days from all provisions of the Act applicable to investment companies as such.

The 60-day period of exemption provided in section 3(b)(2) will expire in applicant's case on March 30, 1971. Applicant, which has not registered as an investment company under the Act, has asked that it be exempted as requested until the Commission has acted upon the application under sections 3(b)(2) and 6(c) of the Act.

Notice is further given that, in respect to the application pursuant to section 6(c) of the Act for an order of temporary exemption, any interested person may, not later than March 29, 1971, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application for an order of temporary exemption may be issued by the Commission upon the basis of the information stated in said application, unless an order for

hearing thereon shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponement thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] ROSALIE F. SCHNEIDER,  
Recording Secretary.

[FR Doc.71-4148 Filed 3-25-71; 8:47 am]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 23, 1971.

Protests to the granting of an application must be prepared in accordance with Rule 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 42157—*Anhydrous ammonia to points in western trunkline territory.* Filed by Western Trunk Line Committee, agent (No. A-2640), for interested rail carriers. Rates on anhydrous ammonia, in tank carloads, as described in the application, from Conway, Kans., and Hill Spur, Iowa, to points in western trunkline territory.

Grounds for relief—Market competition, modified short-line distance formula and grouping.

Tariff—Supplement 37 to Western Trunk Line Committee, agent, tariff ICC A-4749.

FSA No. 42158—*Liquid caustic soda from Evans City, Ala.* Filed by O. W. South, Jr., agent (No. A6237), for and on behalf of the Southern Railway Co. Rates on sodium (soda), caustic (sodium hydroxide), in tank carloads, as described in the application, from Evans City, Ala., to Graniteville, S.C.

Grounds for relief—Rate relationship. Tariff—Supplement 30 to Southern Freight Association, agent, tariff ICC S-938.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.71-4197 Filed 3-25-71; 8:51 am]

[Docket No. 34971]

### INCREASED RATES AND CHARGES, FROM, TO AND BETWEEN MIDDLE- WEST TERRITORY

The Commission has received numerous inquiries concerning the status of the refund order in the above proceeding.



This is to advise the parties to this proceeding and the general public that upon expiration of the District Court's injunction, the refund order became fully effective on March 11, 1971. The refund order has remained fully in effect since that date, although the litigation continues with the filing by the motor carriers of their appeals from the decision of the District Court sustaining the order. If any further or other restraint is issued, the Commission will advise the parties.

The parties and the general public are further advised that the refunds in issue are payable by the motor carriers which are participants in the increases made effective from April 1, 1968 through August 31, 1969, in the following tariffs:

Middlewest Motor Freight Bureau, Agent:  
MF-ICC 509:

In supplement 71, Item GI-68 except insofar as it would apply in connection with Item 10380 series;

MF-ICC 512:

In supplement 49, Item GI-68 except insofar as it would apply in connection with Item 7700 series;

MF-ICC 541:

Supplement 2;  
Supplement 6;

MF-ICC 55:

Supplement 42.

It is further unclear whether any statute of limitations applies to the payment of refunds under the Commission's order. In an abundance of caution, the attention of shippers and receivers of freight is called to section 16(3) (c) of the Interstate Commerce Act, 49 U.S.C. 16(3) (c), which provides:

For recovery of overcharges action at law shall be begun or complaint filed with the Commission against carriers subject to this part within 3 years from the time the cause of action accrues, and not after, subject to subdivision (d), except that if claim for the overcharge has been presented in writing to the carrier within the 3-year period of limitation said period shall be extended to include 6 months from the time notice in writing is given by the carrier to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice.

If such section applies, then the statute will begin to foreclose refunds on May 1, 1971.

[SEAL]

ROBERT L. OSWALD,  
Secretary.

[FR Doc. 71-4198 Filed 3-25-71; 8:51 am]

[Notice 266]

## MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MARCH 22, 1971.

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 (6) 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 30844 (Sub-No. 347 TA), filed March 10, 1971. Applicant: KROBLIN REFRIGERATED XPRESS, INC., 2125 Commercial Street, Post Office Box 5000, 50704, Waterloo, IA 50702. Applicant's representative: Paul Rhodes (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in sections A and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides, commodities in bulk, in tank vehicles), and (2) *equipment, materials and supplies* used in the meat packing business, between the plantsite and facilities of Illini Beef-Packers, Inc. at or near Joslin, Ill., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Massachusetts, Michigan, New Hampshire, New York, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, and the District of Columbia, for 180 days. Supporting shipper: Herman C. Jacobsen, Transportation Consultant, 221 North La Salle Street, Chicago, IL 60601. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 332 Federal Building, Davenport, IA 52801.

No. MC 82492 (Sub-No. 49 TA), filed March 12, 1971. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, Post Office Box 2853, Kalamazoo, MI 49003. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in appendix 1 sections A, C, and D to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Omaha, Nebr., and Council Bluffs, Iowa; to points in Indiana, Michigan, and Ohio; Restricted to traffic originating at the plantsite and warehouse facilities utilized by Beefland International, Inc., in Omaha, Nebr., and Council Bluffs, Iowa; for 180 days. Supporting shipper: Robert Young, General Traffic Manager, Beefland International, Inc., 2700 23d Avenue, Council Bluffs, IA 55501. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Com-

merce Commission, Federal Building, Room 225, Lansing, MI 48933.

No. MC 82492 (Sub-No. 52 TA), filed March 15, 1971. Applicant: MICHIGAN & NEBRASKA TRANSIT CO., INC., 2109 Olmstead Road, Post Office Box 2853, Kalamazoo, MI 49003. Applicant's representative: William J. Boyd, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in appendix 1, sections A, C, and D to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and (2) *equipment, materials, and supplies* used in the conduct of meat packing businesses, between the plantsite and storage facilities of Illini Beef Packers, Inc., at or near Joslin, Ill., on the one hand, and, on the other, points in Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, South Dakota, and Wisconsin, for 180 days. Supporting shipper: Herman C. Jacobsen, Transportation Consultant for Illini Beef Packers, Inc. (Illini), 221 North La Salle Street, Chicago, IL 60601. Send protests to: C. R. Flemming, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Federal Building, Room 225, Lansing, MI 48933.

No. MC 107295 (Sub-No. 492 TA), filed March 15, 1971. Applicant: PRE-FAB TRANSIT CO., 100 South Main Street, Post Office Box 146, Farmer City, IL 61842. Applicant's representative: Bruce J. Kinnee (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cabinets, related items, and accessories and materials used in the installation thereof*, from Union City, Ind., to Connecticut, Delaware, Georgia, Illinois, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin (except Superior), and the District of Columbia, for 180 days. Supporting shipper: U.S. Plywood-Champion Papers, Inc., Knightsbridge, Hamilton, Ohio 45011. Send protests to: Harold Jolliff, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 476, 325 West Adams Street, Springfield, Ill. 62704.

No. MC 119767 (Sub-No. 262 TA), filed March 10, 1971. Applicant: BEAVER TRANSPORT CO., Post Office Box 188, Pleasant Prairie, WI 53158. Office: I-94 and County Highway Co., Bristol, WI. Applicant's representative: A. Bryant Thorhorst (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Meat, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in appendix 1, sections A, C, and D to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and



766 and (2) *equipment, materials and supplies* used in the conduct of meat packing businesses, from the plantsite of Illini Beef Packers, Inc., at or near Joslin, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin, for 180 days. Supporting shipper: Illini Beef Packers, Inc., Joslin, Ill. (Herman C. Jacobsen, Transportation Consultant). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 125951 (Sub-No. 15 TA), filed March 12, 1971. Applicant: SILVEY & COMPANY, South Omaha Bridge Road, Council Bluffs, IA 51501. Authority sought to operate as *acommon carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in *Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except hides and commodities in bulk, in tank vehicles), from plantsite and storage facilities of Beefland International, Inc., at or near Council Bluffs, Iowa, to Boston, Mass; Philadelphia, Pa.; New York, N.Y., and points in New Jersey within 5 miles of New York City, for 150 days. Supporting shipper: Beefland International, Inc., Council Bluffs, Iowa. Send protests to: Carroll Russell, District Supervisor, 705 Federal Office Building, Omaha, Nebr. 68102.

No. MC 126276 (Sub. No. 44 TA) (Correction), filed March 3, 1971, published FEDERAL REGISTER issue March 12, 1971, corrected and republished in part as corrected this issue. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, IL 60463. Applicant's representative: Albert Andrin, 29 South La Salle Street, Chicago, IL 60603. NOTE: The purpose of this partial republication is to correct applicant's correct name as "Fast Motor Service, Inc.," in lieu of East Motor Service, Inc. The rest of the application remains the same.

No. MC 126585 (Sub-No. 3 TA), filed March 15, 1971. Applicant: L. BRETON TRANSPORT, LTD., Lime Ridge, Quebec, Canada. Applicant's representative: Edwin W. Free, Jr., 25 Keith Avenue, Barre, VT 05641. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk and in bags, from ports of entry on the international boundary between the United States and Canada in Maine and New Hampshire to points in Maine, New Hampshire, Vermont, and Massachusetts, restricted to a transportation service to be performed under a continuing contract with Dominion Lime, Ltd., of Lime Ridge, Quebec; for 150 days. Supporting shipper: Dominion Lime, Ltd., Lime Ridge, Quebec. Send protests to: District Supervisor Ross J. Seymour, Bureau of Operations, Interstate Commerce Commission, 424 Federal Building, Concord, NH 03301.

No. MC 128860 (Sub-No. 8 TA), filed March 15, 1971. Applicant: LARRY'S

EXPRESS, INC., 720 Lake Street, Tomah, WI 54660. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, WI 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, and advertising materials, premiums and malt beverage dispensing equipment*, when moving at the same time and in the same vehicle with malt beverages, from Detroit, Mich., to points in Iowa, Minnesota, and Wisconsin. Restriction: Limited to a transportation service to be performed under a continuing contract, or contracts with the National Brewing Co., Detroit, Mich., for 180 days. Supporting shipper: The National Brewing Co. Mid-Western Division, 3765 Hurlbut Avenue, Detroit, MI 48214. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 139 West Wilson Street, Room 206, Madison, WI 53703.

No. MC 133655 (Sub-No. 46 TA), filed March 15, 1971. Applicant: TRANSNATIONAL TRUCK, INC., Post Office Box 1468, Amarillo, TX 79105. Applicant's representative: Harold H. Pike (same address as applicant). Authority sought to operate as *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packinghouses* as defined by the (same address as applicant). Authority Commission, from Beefland International plantsite at Council Bluffs, Iowa, and storage facilities, to points in Alabama, Florida, Georgia, North Carolina, and South Carolina, for 180 days. Supporting shipper: Robert D. Young, General Traffic Manager, Beefland International, Inc., 2700 23d Avenue, Council Bluffs, IA 55501. Send protests to: Haskell E. Ballard, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1012 Herring Plaza, 317 East Third Street, Amarillo, TX 79101.

No. MC 135304 (Sub-No. 1 TA), filed March 15, 1971. Applicant: DOMAN MARPOLE TRANSPORT LTD., 1216 West 73d Avenue, Vancouver 14, BC Canada. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, WA 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Sodium chlorate*, from port of entry on the international boundary line between Blaine, Wash., to Everett, Wash., restricted to traffic moving in equipment exclusively assigned and identified in the service of Electric Reduction Company of Canada Ltd. for 150 days. Supporting shipper: Electric Reduction Company of Canada, Ltd., 2 Gibbs Road (Toronto) Islington 678, ON Canada. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, WA 98101.

No. MC 135346 (Sub-No. 1 TA), filed March 15, 1971. Applicant: CITIZEN AUTO STAGE COMPANY, doing business as CITIZEN EXPRESS LINES, 454 Grand Avenue, Nogales, AZ 85621. Ap-

plicant's representative: Robert J. Corber, 1250 Connecticut Avenue, Washington, DC 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials for manufacture and/or assembly of electronic and/or data processing equipment or subassemblies and manufactured or assembled electronic or data processing equipment or subassemblies*, between Santa Clara, Calif., on the one hand, and, on the other, the international border between the United States and Mexico located at Nogales, Ariz., for 180 days. Supporting shipper: Memorex Corp., San Tomas at Central Expressway, Santa Clara, Calif. 95052. Send protests to: Andrew V. Baylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 3427 Federal Building, Phoenix, AZ 85025.

No. MC 135359 (Sub-No. 1 TA), filed March 13, 1971. Applicant: BERNARD BAILEY, Bushwood, Md. 20618. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, MD 20910. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Nonalcoholic beverages and advertising paraphernalia*, from Washington, D.C., to Leonardtown, Md., and (2) *used beverage containers, crates, cartons, pallets, and empty bottles*, from Leonardtown, Md., to Washington, D.C., for 180 days. Supporting shipper: Tennison Distributing Co., Leonardtown, Md. 20650. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW, Washington, DC 20423.

No. MC 135375 TA, filed March 10, 1971. Applicant: QUINCIE GIBSON, doing business as GIBSON TRANSFER CO., 404 East 21st Street, Wichita, KS 67214. Applicant's representative: Edward F. Arn, 330 R. H. Garvey Building, Wichita, KS 67202. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Packinghouse products and supplies*, with store-door delivery in less than truckload lots, from and to Wichita, Kans., to and from the stores of Dold Packing Co. customers at points in Oklahoma and Texas, and to return or backhaul packinghouse supplies from the aforesaid points and places to Dold Packing Co., Wichita, Kans., for 180 days. Supporting shipper: Dold Packing Co., Inc., 421 East 21st Street, Wichita, KS 67214. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, 501 Petroleum Building, Wichita, KS 67202.

No. MC 135379 (Sub-No. 1 TA), filed March 15, 1971. Applicant: EASTERN TRANSPORT, INC., 320 Stiles Street, Linden, NJ 07036. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such merchandise as is dealt in by wholesale, retail, chain*



grocery and food business houses (except commodities in bulk), and in connection therewith *equipment, materials, and supplies* used in the conduct of such business (except commodities in bulk) for the account of Food Fair Stores, Inc., between Linden, N.J., on the one hand, and, on the other, points in Connecticut (except New Haven and Fairfield Counties), Rhode Island, Massachusetts, Hillsboro County, N.H., Sullivan, Delaware, Onondaga, Monroe, Schoharie, Montgomery, Fulton, Schenectady, Saratoga, Warren, and Washington Counties, N.Y., and Philadelphia, Pa., (2) *such merchandise* as is dealt in by wholesale, retail, chain grocery and food business houses (except commodities in bulk), and in connection therewith, *equipment, materials, and supplies* used in the conduct of such business (except commodities in bulk), between Linden, N.J., on the one hand, and, on the other, points in Putnam, Westchester, Dutchess, Columbia, Rensselaer, Albany, Greene, Ulster, Orange, and Rockland Counties, N.Y. Restriction: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract or contracts with Food Fair Stores, Inc., of Linden, N.J. Supporting shipper: Food Fair Stores, Inc., 320 South Stiles Street, Linden, NJ 07036. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 135395 TA, filed March 15, 1971. Applicant: WAREHOUSE & TERMINAL CARTAGE CO., 7401 South Cicero Avenue, Chicago, IL 60629. Applicant's representative: J. Edward Clair, 135 South LaSalle Street, Chicago, IL 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, bleaches, glues, cleaners, inks, colors, starch, steel strapping, tape, scrap paper, or waste paper, boxes, fiberboard, paper, paperboard, or pulpboard, NOI not corrugated; boxes fiberboard, paper, paperboard, or pulpboard NOI corrugated* except commodities of an unusual or extraordinary value, (1) from Chicago, Ill., and Forest View, Ill., on the one hand, to the States of Iowa, Michigan, Ohio, Tennessee, Mississippi, and West Virginia on the other, and (2) from the States of Iowa, Michigan, Ohio, Tennessee, Mississippi, and West Virginia on the one hand, to Chicago, Ill., and Forest View, Ill., on the other, for 180 days. Supporting shipper: Consolidated Packaging Corp., 72 West Adams Street, Suite 800, Chicago, IL 60603. Send protests to: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1086, 219 South Dearborn Street, Chicago, IL 60604.

No. MC 135396 TA, filed March 15, 1971. Applicant: WESTERN TANK LINES, INC., 19059 15th Avenue NW., Seattle, WA 98160. Applicant's representative: George Kargianis, 2120 Pacific Building, Seattle, WA 98104. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Bulk petroleum products*, from points in Grant County, Wash., to points in Umatilla and Baker Counties, Oreg., for 180 days. Supporting shipper: Humble Oil & Refining Co., 1800 Avenue of the Stars, Los Angeles, CA 90067. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, WA 98101.

## MOTOR CARRIER OF PASSENGERS

No. MC 3647 (Sub-No. 431 TA), filed March 15, 1971. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, NJ 07040. Applicant's representative: Richard Fryling (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in round trip special operations, beginning and ending at Brooklyn and Staten Island, N.Y., and extending to Delaware Park Race Track, Stanton, Del., for 180 days. Supporting shipper: John W. Rooney, Assistant Treasurer, Delaware Racing Association, Delaware Park Race Track, Stanton, Del., and 30 additional prospective passengers whose letters of support are on file in the Newark, N.J., field office. Send protests to: Robert S. H. Vance, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 128758 (Sub-No. 2 TA), filed March 10, 1971. Applicant: BLUE LINES, INC., 2001 New York Avenue NE, Washington, DC 20002. Applicant's representative: Leonard A. Jaskiewicz, Suite 501, 1730 M Street NW., Washington, DC 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers, between Brunswick, Md., and Charlestown, W. Va., serving all intermediate points from Brunswick, Md., over Maryland Highway 464 to junction U.S. Highway 340, thence over U.S. Highway 340 to Charles Town, W. Va., and return over the same route, for 180 days. NOTE: Applicant does intend to tack with certificate MC-128758 at Brunswick, Md. Supporting shippers: Henry M. Snyder, Jr., County Court of Jefferson County, W. Va. Charles Town, W. Va.; G. E. Vickers, Jefferson County Chamber of Commerce, Charles Town, W. Va.; Mrs. Joyce A. Mann, Old Charles Town Library, Inc., Charles Town, W. Va.; James M. Davis, Supertane Gas Corp., Charles Town, W. Va. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Washington, DC 20423.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.71-4200 Filed 3-25-71;8:51 am]

[Notice 267]

MOTOR CARRIER TEMPORARY  
AUTHORITY APPLICATIONS

MARCH 23, 1971.

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 25869 (Sub-No. 104 TA), filed March 18, 1971. Applicant: NOLTE BROS. TRUCK LINE, INC., Post Office Box 7184, 4734 South 27th Street, Omaha, NE 68107. 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*, as described in *Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk, in tank vehicles), from the plantsite and storage facilities of Beefland International, Inc., at or near Council Bluffs, Iowa, to points in Colorado, Illinois, Indiana, Michigan, Missouri, Nebraska, Ohio, and Wisconsin, for 150 days. Supporting shipper: Beefland International, Inc., Council Bluffs, Iowa. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 705 Federal Office Building, Omaha, NE 68102.

No. MC 30837 (Sub-No. 429 TA), filed March 18, 1971. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, WI 53140. Applicant's representative: Albert P. Barber (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in secondary movements, in truckaway and driveway service, between points in Minnesota, North Dakota, and South Dakota, for 180 days. Supporting shipper: Southern Service Co., Inc., Post Office Box 15184, New Orleans, LA 70115; (Delores Rodman, Traffic Manager). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135



West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 62499 (Sub-No. 10 TA) (Correction), filed February 12, 1971, published *FEDERAL REGISTER* issue, February 24, 1971, and republished in part as corrected this issue. Applicant: HAGERSTOWN MOTOR EXPRESS CO., INC., Post Office Box 1946, Middleburg Pike, Hagerstown, MD 21740. Applicant's representative: Charles E. Creager, Suite 523, 816 Easley Street, Silver Spring, MD 20910. NOTE: The purpose of this partial republication is to include the tacking information as follows: Applicant states it intends to tack with MC 62449, at Hagerstown, Md., which was inadvertently omitted in previous publication. The rest of the application remains the same.

No. MC 103993 (Sub-No. 621 TA), filed March 18, 1971. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, IN 46514. Applicant's representative: Ralph H. Miller (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles*, in initial movements, from points in Tippah County, Miss., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Tidwell Industries, Inc., Post Office Box 518, Ripley, MS 38663. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, Room 204, Fort Wayne, IN 46802.

No. MC 109533 (Sub-No. 46 TA), filed March 18, 1971. Applicant: OVERNITE TRANSPORTATION COMPANY (a corporation), 1100 Commerce Road, Richmond, VA 23224. Applicant's representative: Clarence H. Swanson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment; (1) between Denmark, S.C., and Jacksonville, Fla., from Denmark over U.S. Highway 321 to junction U.S. Highway 17, thence over U.S. Highway 17 to Jacksonville, and return over the same route, serving no intermediate points; (2) between Augusta, Ga., and Fairfax, S.C., over U.S. Highway 278, serving no intermediate points; (3) between Macon, Ga., and Jacksonville, Fla., from Macon over U.S. Highway 23 to Jacksonville and return over the same route, serving no intermediate points, from Macon over Interstate Highway 75 to junction with Interstate Highway 10, thence over Interstate Highway 10 to Jacksonville and return over the same route, serving no intermediate points; and (4) also commercial zone of Jacksonville, Fla., for 180 days. NOTE: Applicant does intend to tack the authority in MC 109533 at Macon, Ga., and Denmark, S.C. Supporting shipper:

There are approximately 40 statements of support attached to the application, which may be examined here at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Robert W. Waldron, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 10-502 Federal Building, Richmond, VA 23240.

No. MC 111401 (Sub-No. 323 TA), filed March 18, 1971. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Post Office Box 632, Enid, OK 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed, liquid animal feed ingredients and liquid animal feed supplements*, in bulk, from Oklahoma City, Okla., to Allison, Blue Ridge, Chillicothe, Childress, Darrouzette, Higgins, Iowa Park, Jacksboro, Justin, McLean, Mansfield, Memphis, Mineral Wells, Pampa, Paris, Shamrock, Weatherford, Wellington, and Wheeler, Tex., for 180 days. Supporting shipper: Eddie Boydstun, Taylor-Evans Seed Co., 2701 East Third, Post Office Box 4008, Amarillo, TX 79107. 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, OK 73102.

No. MC 110420 (Sub-No. 632 TA), filed March 18, 1971. Applicant: QUALITY CARRIERS, INC., Post Office Box 186, Pleasant Prairie, WI 53158. Also: Bristol Kenosha County, Wis. Applicant's representative: A. Bryant Torhorst (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Soybean products and blends*, dry, in bulk, from Cedar Rapids, Iowa, to points in Illinois, Indiana, Michigan, Ohio, and Wisconsin, for 180 days. Supporting shipper: Cargill, Inc., Minneapolis, Minn. (Harold L. Karr, General Truck Coordinator). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, WI 53203.

No. MC 114734 (Sub-No. 23 TA), filed March 18, 1971. Applicant: D AND J TRANSFER CO., a corporation, Sherburn, MN 56171. Applicant's representative: Richard A. Peterson, Post Office Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts*, from Hospers, Iowa, to Minneapolis, Minn., Chicago, Ill., and Milwaukee, Wis., and points in their commercial zones, for 180 days. Supporting shipper: Banner Beef Co., Highway 60, Hospers, IA 51238. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and

U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 114789 (Sub-No. 33 TA), filed March 18, 1971. Applicant: NATION-WIDE CARRIERS, INC., Post Office Box 104, Maple Plain, MN 55359. Applicant's representative: B. R. Veach (same address as above). Authority sought to operate as a *contract 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 and those requiring special equipment because of size or weight); (a) from the plantsite and other facilities of Minnesota Mining & Manufacturing Co. at St. Paul, Minn., and Ames, Iowa; to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Maryland, Massachusetts, Michigan, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, and West Virginia; and (b) from the plantsites and other facilities of Minnesota Mining & Manufacturing Co. at Bristol, Pa., Freehold, N.J., Middletown, W. Va., and Newark, N.J., to the plantsites and other facilities of Minnesota Mining & Manufacturing Co. at St. Paul, Minn., and Ames, Iowa, all under contract with 3M Co. Service under (a) restricted against delivery at sales branch warehouses of 3M Co., for 180 days. Supporting shipper: Minnesota Mining & Manufacturing Co., St. Paul, Minn. 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, MN 55401.

No. MC 123383 (Sub-No. 55 TA), filed March 18, 1971. Applicant: BOYLE BROTHERS, INC., 941 South Second Street, Camden, NJ 08103. Applicant's representative: Thomas E. Kiley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, construction materials, supplies, and equipment, and such commodities as are dealt in by wholesale and retail hardware stores, and accessories used in manufacture and furnishing of mobile homes*, from Norfolk, Va., to points in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and West Virginia, for 150 days. Supporting shipper: Evans Products Co., Post Office Box 880, Corona, CA 91720. Send protests to: Raymond T. Jones, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 428 East State Street, Room 204, Trenton, NJ 08608.

No. MC 124170 (Sub-No. 20 TA), filed March 18, 1971. Applicant: FROSTWAYS, INC., 2450 Scotten, Detroit, MI 48209. Applicant's representative: Robert D. Schuler, Suite 1700, 1 Woodward Avenue, Detroit, MI 48226. Authority sought to operate as a *common carrier*,



by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, in vehicles equipped with mechanical refrigeration, from the plantsite of Awrey Bakeries, Inc., at Livonia, Mich., to points in Arizona, California, Colorado, Connecticut, Florida, Georgia, Illinois, Indiana, Maryland, Massachusetts, Missouri, New Jersey, New York, Ohio, Pennsylvania, Tennessee, Texas, Virginia, Washington, and Washington, D.C., for 150 days. Supporting shipper: Awrey Bakeries, Inc., 12301 Farmington Road, Livonia, MI 48150. Send protests to: District Supervisor Melvin F. Kirsch, Interstate Commerce Commission, Bureau of Operations, 1110 Broderick Tower, 10 Witherell, Detroit, MI 48226.

No. MC 125777 (Sub-No. 135 TA), filed March 18, 1971. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, IN 46403. Applicant's representative: Edward G. Bazelon, 39 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Roasted dolomite*, from the plantsites of the J. E. Baker Co. at Millersville, Ohio and York, Pa., to Chicago, Ill., for 180 days. Supporting shipper: F. Garrety, Traffic Manager, The J. E. Baker Co., York, Pa. Send protests to: District Supervisor J. H. Gray, Bureau of Operations, Interstate Commerce Commission, 345 West Wayne Street, Room 204, Fort Wayne, IN 46802.

No. MC 125952 (Sub-No. 13 TA), filed March 18, 1971. Applicant: INTERSTATE DISTRIBUTOR CO. (a Corp.), 8311 Durango Southwest, Tacoma, WA 98499. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, WA 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum sulphate, sodium sulphate, soda ash, methylene chloride, copper sulphate, carbon disulphide and carbon tetrachloride mixtures, boric acid, pentachlorophenol, metasilicates, trichloroethylene, nitric, phosphoric, acetic and hydrofluoric acids, plating and buffing compounds, detergents, and filtering agents*, all moving in containers (except in bulk), from points in California, and Reno, Calado, Gabbs, and Luning, Nev., to points in Washington, for 180 days. Supporting shipper: Van Waters & Rogers, 4000 First Avenue South, Seattle, WA 98134. Send protests to: E. J. Casey, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 6130 Arcade Building, Seattle, WA 98101.

No. MC 127834 (Sub-No. 62 TA), filed March 18, 1971. Applicant: CHEROKEE HAULING & RIGGING, INC., 540-42 Merritt Avenue, Nashville, TN 37203. Applicant's representative: Bryan Stanley (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New crated office furniture*, from Henderson, Tex., to points in Oklahoma, Kansas, Minnesota, Iowa,

Missouri, Arkansas, Louisiana, Mississippi, Tennessee, Illinois, Wisconsin, Michigan, Indiana, Kentucky, Alabama, Ohio, Georgia, Florida, South Carolina, North Carolina, West Virginia, Virginia, Maryland, Pennsylvania, New York, New Jersey, and Washington, D.C., for 180 days. Supporting shipper: B. C. Black, Sales Office Manager, Anderson Hickey Co., Henderson, Tex. Send protests to: Joe J. Tate, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Suite 803, 1808 West End Building, Nashville, TN 37203.

No. MC 135232 (Sub-No. 1 TA) (Correction), filed February 25, 1971, and published FEDERAL REGISTER issue March 9, 1971 and republished in part as corrected this issue. Applicant: CROWN METAL & SALVAGE CO., Old Route 82, Brookfield, OH 44403. Applicant's representative: A. Charles Tell, 100 East Broad Street, Columbus, OH 43215. Note: The purpose of this partial republication is to correctly set forth the correct name of the Shipper as "Columbia Iron & Metal Co."; in lieu of Columbia Iron & Metal Co. shown erroneously in previous publication. The rest of the application remains the same.

No. MC 135283 (Sub-No. 1 TA), filed March 18, 1971. Applicant: GRAND ISLAND MOVING & STORAGE CO., INC., East Highway 30, Grand Island, Nebr. 68801. Applicant's representative: John K. Walker (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 packing-houses*, from the plantsite and storage facilities of Swift & Co. at or near Grand Island, Nebr., to points in Iowa, Illinois, Missouri, Minnesota, and Wisconsin, for 180 days. Supporting shipper: Swift Fresh Meats Co., Division of Swift & Co., 115 West Jackson Boulevard, Chicago, IL 60604. Send protests to: District Supervisor Max H. Johnston, Bureau of Operations, Interstate Commerce Commission, 320 Federal Building and U.S. Courthouse, Lincoln, NE 68508.

No. MC 135402 TA, filed March 18, 1971. Applicant: FREEWAY TRANSPORT, INC., 803 West Nickerson, Seattle, WA 98119. Applicant's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, WA 98101. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Long Beach, Calif., and Seattle, Wash., to Portland, Oreg., for 180 days. Supporting shipper: United Salad Co., 636 Southeast 10th Avenue, Portland, OR 97214. Send protests to: E. J. Casey, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 6130 Arcade Building, Seattle, WA 98101.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.  
[FR Doc.71-4201 Filed 3-25-71; 8:51 am]

[Notice 669]

## MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 23, 1971.

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-72489. By order of March 19, 1971, the Motor Carrier Board, on reconsideration, approved the transfer to Young Transport, Inc., Logansport, Ind., of the operating rights in corrected certificate No. MC-119991 and certificate No. MC-119991 (Sub-No. 1) issued July 28, 1969, July 28, 1965, respectively, to Roscoe Hufford, doing business as Roscoe Hufford Trucking, Lake Cicott, Ind., authorizing the transportation of green hides and skins, salted, from points in Alabama, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Massachusetts, Minnesota, Missouri, New York, except points in the New York, N.Y., commercial zone, Ohio, Tennessee, and Wisconsin, to Philadelphia, Pa.; and from Philadelphia, Pa., to points in Illinois, Maine, Massachusetts, New York, except points in the New York, N.Y., commercial zone, Ohio, and Wisconsin. Warren C. Moberly, 777 Chamber of Commerce Building, Indianapolis, IN 46204, attorney for applicants.

No. MC-FC-72727. By order of March 18, 1971, the Motor Carrier Board approved the transfer to K B M Transport, Inc., Hudson, Mass., of the certificate of registration in No. MC-121370 (Sub-No. 1) issued April 9, 1964, Wallace D. Pollard, doing business as Pollard Transportation Co., Marlboro, Mass., evidencing a right to engage in transportation in interstate or foreign commerce solely within the State of Massachusetts, corresponding in scope to the service authorized by irregular route common carrier certificate No. 2301, dated December 15, 1950, issued by the Massachusetts Department of Public Utilities. Arthur A. Wentzell, registered practitioner, Post Office Box 764, Worcester, MA 01613.

No. MC-FC-72739. By order of March 19, 1971, the Motor Carrier Board approved the transfer to American Freight Line, Inc., Kansas City, Mo., of the operating rights in certificate No. MC-1607 issued June 24, 1970, to Ronald R. Barth, doing business as Barth Truck Line, Braymer, Mo., authorizing







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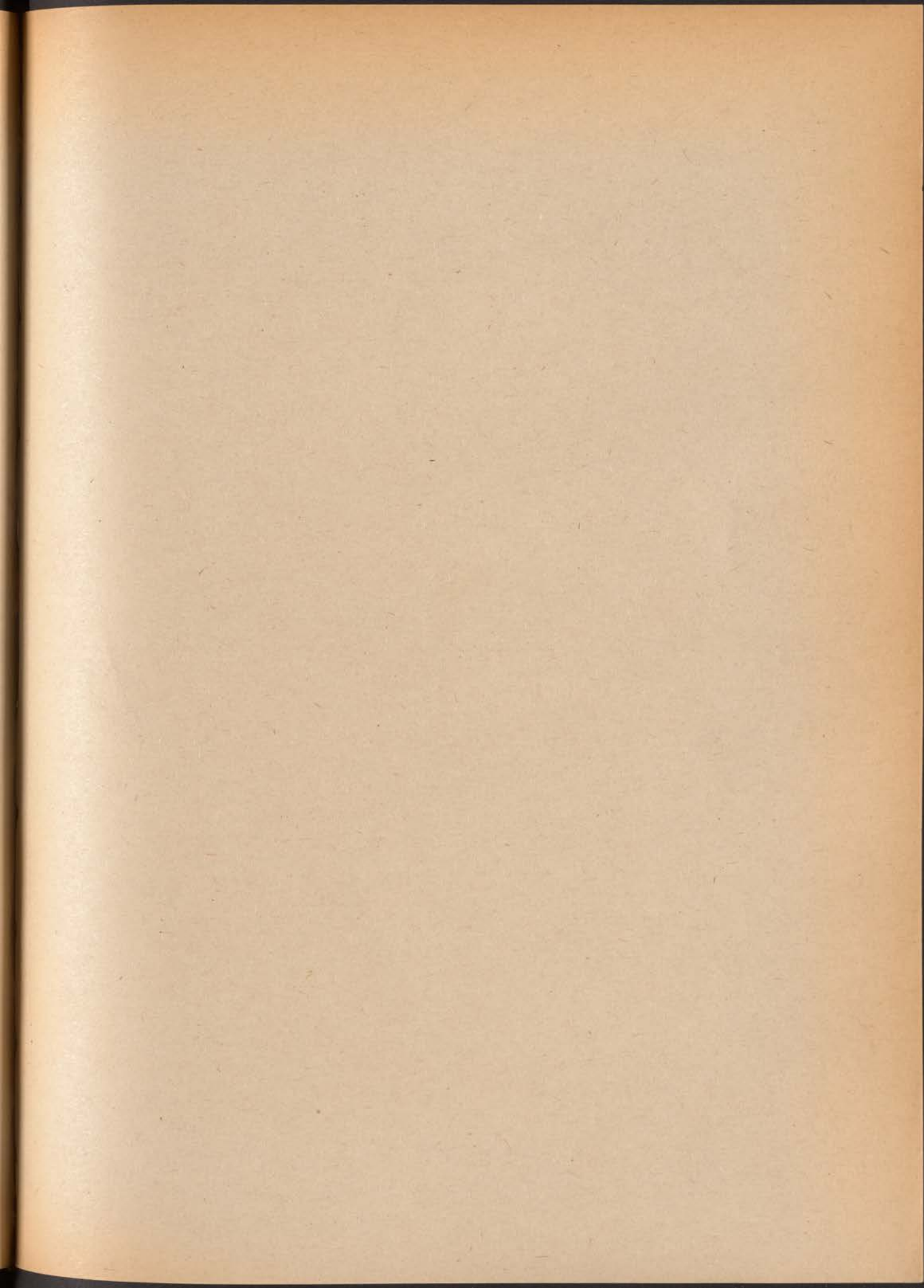
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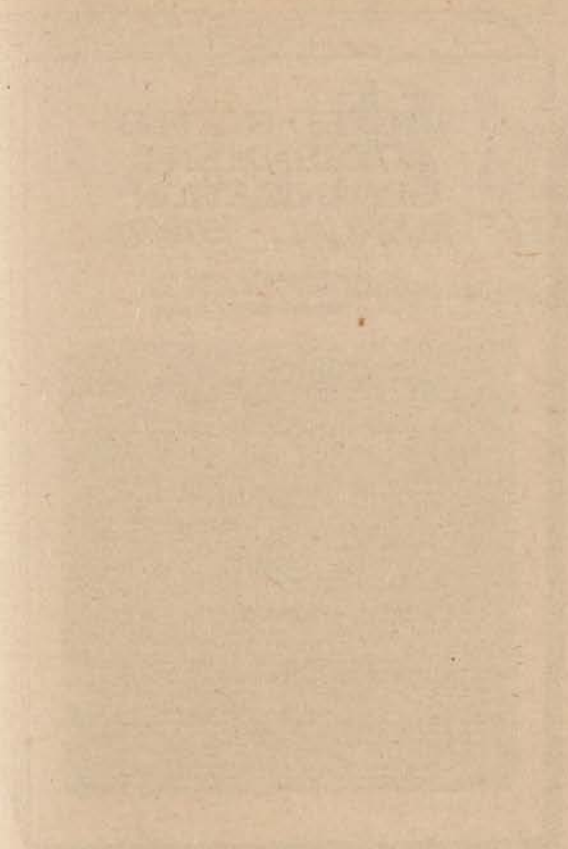












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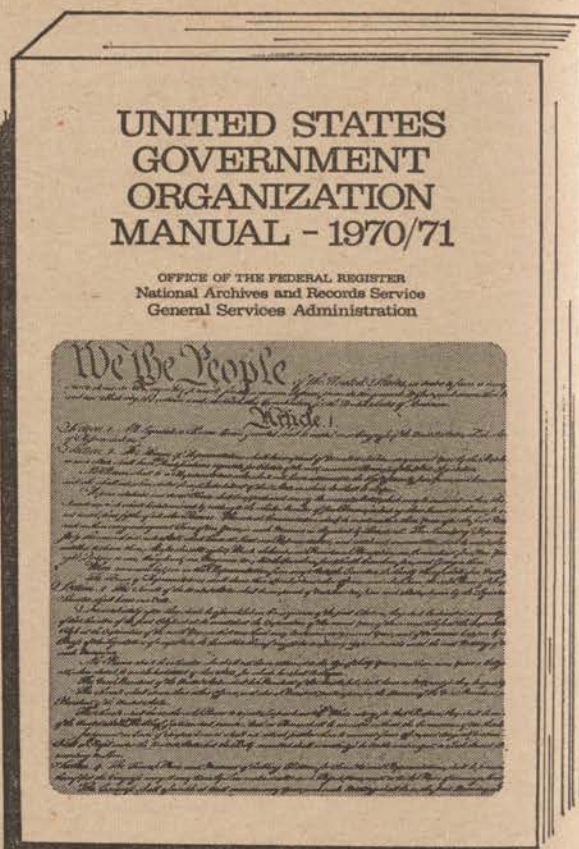


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