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PART 151—POLITICAL ACTIVITY OF STATE OR LOCAL OFFICERS OR EMPLOYEES

Authority Citation; Correction

In the FEDERAL REGISTER of April 21, 1971 (F.R. Doc. 71-5489), the authority statements of Part 151 and Part 733 were amended, but the correction in this issue should have applied only to Part 733. The authority for Part 151 should not have been corrected and should read as follows:

AUTHORITY: The provisions of this Part 151 issued under 5 U.S.C. secs. 1302, 1501-1508.

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc. 71-7246 Filed 5-24-71; 8:49 am]

PART 213—EXCEPTED SERVICE

Export-Import Bank of the United States

Section 213.3242 is amended to reflect the exception under Schedule B of an additional 14 positions of Loan Specialist when occupied by persons selected jointly by commercial banks and the agency for participation in the Eximbank-Commercial Bank Orientation Program. It is also amended to cover positions in grades GS-7, 9, and 14 as well as the GS-11 through 13 positions now covered. Appointments under this authority may not exceed 15 months.

Effective on publication in the FEDERAL REGISTER (5-25-71), paragraph (a) of § 213.3242 is amended as set out below.

§ 213.3242 Export-Import Bank of the United States.

(a) Not to exceed 24 positions of Loan Specialist GS-7 through 14 when occupied by persons selected jointly by commercial banks and the agency for participation in the Eximbank-Commercial Bank Orientation Program. Appointments under this authority may not exceed 15 months.

(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. 71-7245 Filed 5-24-71; 8:48 am]

PART 550—PAY ADMINISTRATION (GENERAL)

Part-Time Employment of Certain Bartenders

Section 550.505 is amended to except part-time bartenders at the Tooele Army Depot, Tooele, Utah, from the dual-compensation limitation of 5 U.S.C. 5533(a).

Effective on publication in the FEDERAL REGISTER (5-25-71), paragraph (v) is added to § 550.505 as set out below:

§ 550.505 Specific exceptions.

When appropriate authority in the department or agency concerned, or in the government of the District of Columbia, determines that personal services otherwise cannot be readily obtained, section 5533(a) of title 5, United States Code, does not apply to:

(v) Pay for part-time employment of bartenders at the Tooele Army Depot, Tooele, Utah.

(5 U.S.C. sec. 5533)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[FR Doc. 71-7247 Filed 5-24-71; 8:49 am]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 7117]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Revision of Rates

On January 5, 1971, notice of proposed rule making with respect to the amendments of the Income Tax Regulations (26 CFR Part 1) to conform the regulations to changes made by section 111 of the Revenue Act of 1964 (78 Stat. 19) and to section 803 (a)-(d) of the Tax Reform Act of 1969 (83 Stat. 487) was published in the FEDERAL REGISTER (36 F.R. 70). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendments of the regulations as proposed are hereby adopted, subject to the changes set forth below:

PARAGRAPH 1. In § 1.3, as set forth in paragraph 8 of the notice of proposed rule making, the following changes are made in the tables thereunder:

1. In Table I—Returns Claiming 1 Exemption, the rates for incomes of "at least \$8,100 but less than \$8,150" should appear only once.

2. In Table II—Returns Claiming 2 Exemptions:

a. In the rates for incomes of "at least \$4,250 but less than 4,300", the entry in the third column now reading "425" should read "424".

b. In the rates for incomes of "at least \$6,100 but less than 6,150", the entry in the last column should read "773".

3. In Table III—Returns Claiming 3 Exemptions:

a. In the rates for incomes of "at least \$2,350 but less than 2,375", the entry in the last column should read "35".

b. The second set of entries for incomes of "at least \$2,950" should be deleted.

c. In the rates for incomes of "at least \$7,400 but less than 7,450", the entry in the last column now reading "821" should read "921".

4. In Table IV—Returns Claiming 4 Exemptions:

a. In the rates for incomes of "at least \$5,400", the entry in the second column now reading "4,450" should read "5,450".

b. In the rates for incomes of "at least \$6,100", the entry in the second column now reading "5,150" should read "6,150".

c. In the rates for incomes of "at least \$6,750 but less than 6,800", the entry in the sixth column now reading "547" should read "647".

5. In Table V—Returns Claiming 5 Exemptions, in the rates for incomes of "at least \$9,350 but less than 9,400", the entry in the last column should read "1,075".

6. In Table VI—Returns Claiming 6 Exemptions, in the rates for incomes of "at least \$7,050 but less than 7,100", the entry in the last column now reading "567" should read "467".

7. In Table VIII—Returns Claiming 8 Exemptions, in the rates for incomes of "at least \$9,200 but less than 9,250", the entry in the fifth column now reading "588" should read "488".

8. In Table XI—Returns Claiming 11 Exemptions, in the rates for incomes of "at least \$9,800 but less than 9,850", the entry in the last column now reading "296" should read "396".

9. In Table XVIII—Returns Claiming 3 Exemptions, in the rates for incomes of "at least \$6,800 but less than 6,850", the entry in the sixth column now reading "759" should read "795".

10. In Table XXIII—Returns Claiming 8 Exemptions, following the set of entries for incomes of "at least \$8,500 but less than 8,450", the next set of entries should be designated "at least \$8,450 but less than 8,500".

11. In Table XXVIII—Returns Claiming 13 Exemptions:

a. In the rates for incomes of "at least \$9,350 but less than 9,400", the entry in the last column now reading "22" should read "25".

b. In the rates for incomes of "at least \$9,400 but less than 9,450", the entry in the last column now reading "33" should read "32".

PAR. 2. In § 1.3-1, as set forth in paragraph 9 of the notice of proposed rule making, the following changes are made:

1. In Example (1) of subdivision (2) of paragraph (a), the date "1954" should read "1970".

§ 1.1 Statutory provisions; tax imposed.

SECTION 1. *Tax imposed.*—(a) *Rates of tax on individuals.*—(1) *Taxable years beginning in 1964.* In the case of a taxable year beginning on or after January 1, 1964, and before January 1, 1965, there is hereby imposed on the taxable income of every individual (other than a head of a household to whom subsection (b) applies) a tax determined in accordance with the following table:

If the taxable income is:

Not over \$500	16% of the taxable income.
Over \$500 but not over \$1,000	\$80, plus 16.5% of excess over \$500.
Over \$1,000 but not over \$1,500	\$162.50, plus 17.5% of excess over \$1,000.
Over \$1,500 but not over \$2,000	\$250, plus 18% of excess over \$1,500.
Over \$2,000 but not over \$4,000	\$340, plus 20% of excess over \$2,000.
Over \$4,000 but not over \$6,000	\$740, plus 23.5% of excess over \$4,000.
Over \$6,000 but not over \$8,000	\$1,210, plus 27% of excess over \$6,000.
Over \$8,000 but not over \$10,000	\$1,750, plus 30.5% of excess over \$8,000.
Over \$10,000 but not over \$12,000	\$2,360, plus 34% of excess over \$10,000.
Over \$12,000 but not over \$14,000	\$3,040, plus 37.5% of excess over \$12,000.
Over \$14,000 but not over \$16,000	\$3,790, plus 41% of excess over \$14,000.
Over \$16,000 but not over \$18,000	\$4,610, plus 44.5% of excess over \$16,000.
Over \$18,000 but not over \$20,000	\$5,500, plus 47.5% of excess over \$18,000.
Over \$20,000 but not over \$22,000	\$6,450, plus 50.5% of excess over \$20,000.
Over \$22,000 but not over \$26,000	\$7,460, plus 53.5% of excess over \$22,000.
Over \$26,000 but not over \$32,000	\$9,600, plus 56% of excess over \$26,000.
Over \$32,000 but not over \$38,000	\$12,960, plus 58.5% of excess over \$32,000.
Over \$38,000 but not over \$44,000	\$16,470, plus 61% of excess over \$38,000.
Over \$44,000 but not over \$50,000	\$20,130, plus 63.5% of excess over \$44,000.
Over \$50,000 but not over \$60,000	\$23,940, plus 66% of excess over \$50,000.
Over \$60,000 but not over \$70,000	\$30,540, plus 68.5% of excess over \$60,000.
Over \$70,000 but not over \$80,000	\$37,390, plus 71% of excess over \$70,000.
Over \$80,000 but not over \$90,000	\$44,490, plus 73.5% of excess over \$80,000.
Over \$90,000 but not over \$100,000	\$51,840, plus 75% of excess over \$90,000.

The tax is:

16% of the taxable income.
\$80, plus 16.5% of excess over \$500.
\$162.50, plus 17.5% of excess over \$1,000.
\$250, plus 18% of excess over \$1,500.
\$340, plus 20% of excess over \$2,000.
\$740, plus 23.5% of excess over \$4,000.
\$1,210, plus 27% of excess over \$6,000.
\$1,750, plus 30.5% of excess over \$8,000.
\$2,360, plus 34% of excess over \$10,000.
\$3,040, plus 37.5% of excess over \$12,000.
\$3,790, plus 41% of excess over \$14,000.
\$4,610, plus 44.5% of excess over \$16,000.
\$5,500, plus 47.5% of excess over \$18,000.
\$6,450, plus 50.5% of excess over \$20,000.
\$7,460, plus 53.5% of excess over \$22,000.
\$9,600, plus 56% of excess over \$26,000.
\$12,960, plus 58.5% of excess over \$32,000.
\$16,470, plus 61% of excess over \$38,000.
\$20,130, plus 63.5% of excess over \$44,000.
\$23,940, plus 66% of excess over \$50,000.
\$30,540, plus 68.5% of excess over \$60,000.
\$37,390, plus 71% of excess over \$70,000.
\$44,490, plus 73.5% of excess over \$80,000.
\$51,840, plus 75% of excess over \$90,000.

If the taxable income is:

Over \$100,000 but not over \$200,000
Over \$200,000

(2) *Taxable years beginning after December 31, 1964.* In the case of a taxable year beginning after December 31, 1964, there is hereby imposed on the taxable income of every individual (other than a head of a household to whom subsection (b) applies) a tax determined in accordance with the following table:

If the taxable income is:

Not over \$500	14% of the taxable income.
Over \$500 but not over \$1,000	\$70, plus 15% of excess over \$500.
Over \$1,000 but not over \$1,500	\$145, plus 16% of excess over \$1,000.
Over \$1,500 but not over \$2,000	\$225, plus 17% of excess over \$1,500.
Over \$2,000 but not over \$4,000	\$310, plus 19% of excess over \$2,000.
Over \$4,000 but not over \$6,000	\$690, plus 22% of excess over \$4,000.
Over \$6,000 but not over \$8,000	\$1,130, plus 25% of excess over \$6,000.
Over \$8,000 but not over \$10,000	\$1,630, plus 28% of excess over \$8,000.
Over \$10,000 but not over \$12,000	\$2,190, plus 32% of excess over \$10,000.
Over \$12,000 but not over \$14,000	\$2,830, plus 36% of excess over \$12,000.
Over \$14,000 but not over \$16,000	\$3,550, plus 39% of excess over \$14,000.
Over \$16,000 but not over \$18,000	\$4,330, plus 42% of excess over \$16,000.
Over \$18,000 but not over \$20,000	\$5,170, plus 45% of excess over \$18,000.
Over \$20,000 but not over \$22,000	\$6,070, plus 48% of excess over \$20,000.
Over \$22,000 but not over \$26,000	\$7,030, plus 50% of excess over \$22,000.
Over \$26,000 but not over \$32,000	\$8,030, plus 53% of excess over \$26,000.
Over \$32,000 but not over \$38,000	\$12,210, plus 55% of excess over \$32,000.
Over \$38,000 but not over \$44,000	\$15,510, plus 58% of excess over \$38,000.
Over \$44,000 but not over \$50,000	\$18,990, plus 60% of excess over \$44,000.
Over \$50,000 but not over \$60,000	\$22,590, plus 62% of excess over \$50,000.
Over \$60,000 but not over \$70,000	\$28,790, plus 64% of excess over \$60,000.
Over \$70,000 but not over \$80,000	\$35,190, plus 66% of excess over \$70,000.
Over \$80,000 but not over \$90,000	\$41,790, plus 68% of excess over \$80,000.
Over \$90,000 but not over \$100,000	\$48,590, plus 69% of excess over \$90,000.
Over \$100,000	\$55,490, plus 70% of excess over \$100,000.

(b) *Rates of tax on heads of households.*—(1) *Rates of tax.*—(A) *Taxable years beginning in 1964.* In the case of a taxable year beginning on or after January 1, 1964, and before January 1, 1965, there is hereby imposed on the taxable income of every individual who is the head of a household a tax determined in accordance with the following table:

If the taxable income is:

Not over \$1,000	16% of the taxable income.
Over \$1,000 but not over \$2,000	\$160, plus 17.5% of excess over \$1,000.
Over \$2,000 but not over \$4,000	\$335, plus 19% of excess over \$2,000.
Over \$4,000 but not over \$6,000	\$715, plus 22% of excess over \$4,000.
Over \$6,000 but not over \$8,000	\$1,155, plus 23% of excess over \$6,000.
Over \$8,000 but not over \$10,000	\$1,615, plus 27% of excess over \$8,000.
Over \$10,000 but not over \$12,000	\$2,155, plus 29% of excess over \$10,000.
Over \$12,000 but not over \$14,000	\$2,735, plus 32% of excess over \$12,000.
Over \$14,000 but not over \$16,000	\$3,375, plus 34% of excess over \$14,000.
Over \$16,000 but not over \$18,000	\$4,055, plus 37.5% of excess over \$16,000.
Over \$18,000 but not over \$20,000	\$4,805, plus 39% of excess over \$18,000.
Over \$20,000 but not over \$22,000	\$5,585, plus 42.5% of excess over \$20,000.
Over \$22,000 but not over \$24,000	\$6,435, plus 43.5% of excess over \$22,000.
Over \$24,000 but not over \$26,000	\$7,305, plus 45.5% of excess over \$24,000.
Over \$26,000 but not over \$28,000	\$8,215, plus 47% of excess over \$26,000.

The tax is:

16% of the taxable income.
\$160, plus 17.5% of excess over \$1,000.
\$335, plus 19% of excess over \$2,000.
\$715, plus 22% of excess over \$4,000.
\$1,155, plus 23% of excess over \$6,000.
\$1,615, plus 27% of excess over \$8,000.
\$2,155, plus 29% of excess over \$10,000.
\$2,735, plus 32% of excess over \$12,000.
\$3,375, plus 34% of excess over \$14,000.
\$4,055, plus 37.5% of excess over \$16,000.
\$4,805, plus 39% of excess over \$18,000.
\$5,585, plus 42.5% of excess over \$20,000.
\$6,435, plus 43.5% of excess over \$22,000.
\$7,305, plus 45.5% of excess over \$24,000.
\$8,215, plus 47% of excess over \$26,000.

Not over \$1,000.	14% of the taxable income.
Over \$1,000 but not over \$2,000.	\$140, plus 16% of excess over \$1,000.
Over \$2,000 but not over \$4,000.	\$300, plus 18% of excess over \$2,000.
Over \$4,000 but not over \$6,000.	\$660, plus 19% of excess over \$4,000.
Over \$6,000 but not over \$8,000.	\$1,040, plus 22% of excess over \$6,000.
Over \$8,000 but not over \$10,000.	\$1,430, plus 23% of excess over \$8,000.
Over \$10,000 but not over \$12,000.	\$1,940, plus 25% of excess over \$10,000.
Over \$12,000 but not over \$14,000.	\$2,440, plus 27% of excess over \$12,000.
Over \$14,000 but not over \$16,000.	\$2,990, plus 28% of excess over \$14,000.
Over \$16,000 but not over \$18,000.	\$3,540, plus 31% of excess over \$16,000.
Over \$18,000 but not over \$20,000.	\$4,160, plus 32% of excess over \$18,000.
Over \$20,000 but not over \$22,000.	\$4,800, plus 35% of excess over \$20,000.
Over \$22,000 but not over \$24,000.	\$5,500, plus 36% of excess over \$22,000.
Over \$24,000 but not over \$26,000.	\$6,220, plus 38% of excess over \$24,000.
Over \$26,000 but not over \$28,000.	\$6,980, plus 41% of excess over \$26,000.
Over \$28,000 but not over \$32,000.	\$7,800, plus 42% of excess over \$28,000.
Over \$32,000 but not over \$36,000.	\$9,480, plus 45% of excess over \$32,000.
Over \$36,000 but not over \$38,000.	\$11,280, plus 48% of excess over \$36,000.
Over \$38,000 but not over \$40,000.	\$12,240, plus 51% of excess over \$38,000.
Over \$40,000 but not over \$44,000.	\$13,260, plus 52% of excess over \$40,000.
Over \$44,000 but not over \$50,000.	\$15,340, plus 55% of excess over \$44,000.
Over \$50,000 but not over \$52,000.	\$18,640, plus 56% of excess over \$50,000.
Over \$52,000 but not over \$64,000.	\$19,760, plus 58% of excess over \$52,000.
Over \$64,000 but not over \$70,000.	\$26,720, plus 59% of excess over \$64,000.

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If the taxable income is:

Over \$70,000 but not over \$76,000	\$30,260, plus 61% of excess over \$70,000.
Over \$76,000 but not over \$80,000	\$33,920, plus 62% of excess over \$76,000.
Over \$80,000 but not over \$88,000	\$36,400, plus 63% of excess over \$80,000.
Over \$88,000 but not over \$100,000	\$41,440, plus 64% of excess over \$88,000.
Over \$100,000 but not over \$120,000	\$49,120, plus 66% of excess over \$100,000.
Over \$120,000 but not over \$140,000	\$62,320, plus 67% of excess over \$120,000.
Over \$140,000 but not over \$160,000	\$75,720, plus 68% of excess over \$140,000.
Over \$160,000 but not over \$180,000	\$89,320, plus 69% of excess over \$160,000.
Over \$180,000	\$103,120, plus 70% of excess over \$180,000.

(c) UNMARRIED INDIVIDUALS (OTHER THAN SURVIVING SPOUSES AND HEADS OF HOUSEHOLDS).—There is hereby imposed on the taxable income of every individual (other than a surviving spouse as defined in section 2(a) or the head of a household as defined in section 2(b)) who is not a married individual (as defined in section 143) a tax determined in accordance with the following table:

If the taxable income is:

Not over \$500	14% of the taxable income.
Over \$500 but not over \$1,000	\$70, plus 15% of excess over \$500.
Over \$1,000 but not over \$1,500	\$145, plus 16% of excess over \$1,000.
Over \$1,500 but not over \$2,000	\$225, plus 17% of excess over \$1,500.
Over \$2,000 but not over \$4,000	\$310, plus 19% of excess over \$2,000.
Over \$4,000 but not over \$6,000	\$690, plus 21% of excess over \$4,000.
Over \$6,000 but not over \$8,000	\$1,110, plus 24% of excess over \$6,000.
Over \$8,000 but not over \$10,000	\$1,590, plus 25% of excess over \$8,000.
Over \$10,000 but not over \$12,000	\$2,090, plus 27% of excess over \$10,000.
Over \$12,000 but not over \$14,000	\$2,630, plus 29% of excess over \$12,000.
Over \$14,000 but not over \$16,000	\$3,210, plus 31% of excess over \$14,000.
Over \$16,000 but not over \$18,000	\$3,830, plus 34% of excess over \$16,000.
Over \$18,000 but not over \$20,000	\$4,510, plus 36% of excess over \$18,000.
Over \$20,000 but not over \$22,000	\$5,230, plus 38% of excess over \$20,000.
Over \$22,000 but not over \$26,000	\$5,990, plus 40% of excess over \$22,000.
Over \$26,000 but not over \$32,000	\$7,590, plus 45% of excess over \$26,000.
Over \$32,000 but not over \$38,000	\$10,290, plus 50% of excess over \$32,000.
Over \$38,000 but not over \$44,000	\$13,290, plus 55% of excess over \$38,000.
Over \$44,000 but not over \$50,000	\$16,590, plus 60% of excess over \$44,000.
Over \$50,000 but not over \$60,000	\$20,190, plus 62% of excess over \$50,000.
Over \$60,000 but not over \$70,000	\$26,390, plus 64% of excess over \$60,000.
Over \$70,000 but not over \$80,000	\$32,790, plus 66% of excess over \$70,000.
Over \$80,000 but not over \$90,000	\$39,390, plus 68% of excess over \$80,000.
Over \$90,000 but not over \$100,000	\$46,190, plus 69% of excess over \$90,000.
Over \$100,000	\$53,090, plus 70% of excess over \$100,000.

(d) MARRIED INDIVIDUALS FILING SEPARATE RETURNS; ESTATES AND TRUSTS.—There is hereby imposed on the taxable income of every married individual (as defined in section 143) who does not make a single return jointly with his spouse under section 6013, and of every estate and trust taxable under this subsection, a tax determined in accordance with the following table:

If the taxable income is:

Not over \$500	14% of the taxable income.
Over \$500 but not over \$1,000	\$70, plus 15% of excess over \$500.
Over \$1,000 but not over \$1,500	\$145, plus 16% of excess over \$1,000.
Over \$1,500 but not over \$2,000	\$225, plus 17% of excess over \$1,500.
Over \$2,000 but not over \$4,000	\$310, plus 19% of excess over \$2,000.
Over \$4,000 but not over \$6,000	\$690, plus 22% of excess over \$4,000.
Over \$6,000 but not over \$8,000	\$1,130, plus 25% of excess over \$6,000.
Over \$8,000 but not over \$10,000	\$1,630, plus 28% of excess over \$8,000.
Over \$10,000 but not over \$12,000	\$2,190, plus 32% of excess over \$10,000.
Over \$12,000 but not over \$14,000	\$2,830, plus 36% of excess over \$12,000.
Over \$14,000 but not over \$16,000	\$3,550, plus 39% of excess over \$14,000.

If the taxable income is:

Over \$16,000 but not over \$18,000	\$4,330, plus 42% of excess over \$16,000.
Over \$18,000 but not over \$20,000	\$5,170, plus 45% of excess over \$18,000.
Over \$20,000 but not over \$22,000	\$6,070, plus 48% of excess over \$20,000.
Over \$22,000 but not over \$26,000	\$7,030, plus 50% of excess over \$22,000.
Over \$26,000 but not over \$32,000	\$9,030, plus 53% of excess over \$26,000.
Over \$32,000 but not over \$38,000	\$12,210, plus 55% of excess over \$32,000.
Over \$38,000 but not over \$44,000	\$15,510, plus 58% of excess over \$38,000.
Over \$44,000 but not over \$50,000	\$18,990, plus 60% of excess over \$44,000.
Over \$50,000 but not over \$60,000	\$22,590, plus 62% of excess over \$50,000.
Over \$60,000 but not over \$70,000	\$28,790, plus 64% of excess over \$60,000.
Over \$70,000 but not over \$80,000	\$35,190, plus 66% of excess over \$70,000.
Over \$80,000 but not over \$90,000	\$41,790, plus 68% of excess over \$80,000.
Over \$90,000 but not over \$100,000	\$48,590, plus 69% of excess over \$90,000.
Over \$100,000	\$55,490, plus 70% of excess over \$100,000.

[Sec. 1 as amended by sec. 803 (a), Tax Reform Act 1969 (83 Stat. 487)]

PAR. 2. Paragraph (a) of § 1.1-1 is amended to read as follows:

§ 1.1-1 Income tax on individuals.

(a) General rule. (1) Section 1 of the Code imposes an income tax on every individual, resident or nonresident, other than a nonresident alien individual subject to the tax imposed by section 871(a) or section 877. For optional tax in the case of taxpayers with adjusted gross income of less than \$5,000 (less than \$10,000 for taxable years beginning after Dec. 31, 1969) see section 3. The tax imposed is upon taxable income (determined by subtracting the allowable deductions from gross income). The tax is determined in accordance with the table contained in section 1. See subparagraph (2) for reference guides to the appropriate table for taxable years beginning on or after January 1, 1964, and before January 1, 1965, taxable years beginning after December 31, 1964, and before January 1, 1971, and taxable years beginning after December 31, 1970. In certain cases credits are allowed against the amount of the tax. See part IV (section 31 and following), subchapter A, chapter 1 of the Code.

In general, the tax is payable upon the basis of returns rendered by persons liable therefor (subchapter A (sections 6001 and following), chapter 61 of the Code) or at the source of the income by withholding. For the computation of tax in the case of a joint return of a husband and wife, or a return of a surviving spouse, for taxable years beginning before January 1, 1971, see section 2. The computation of tax in such a case for taxable years beginning after December 31, 1970, is determined in accordance with the table contained in section 1(a) as amended by the Tax Reform Act of 1969. For other rates of tax on individuals, see section 5(a). For the imposition of an additional tax for the calendar years 1968, 1969, and 1970, see section 51(a).

(2) For taxable years beginning on or after January 1, 1964, the tax imposed upon a single individual, a head of a household, a married individual filing a separate return, and estates and trusts is the tax imposed by section 1 determined in accordance with the appropriate table contained in the following subsection of section 1:

Taxable years beginning in 1964	Taxable years beginning after Dec. 31, 1970 (reference in this column are to the Code as amended by the Tax Reform Act of 1969)
Single individual	Sec. 1(a)(1)
Head of a household	Sec. 1(b)(1)
Married individual filing a separate return	Sec. 1(a)(2)
Estates and trusts	Sec. 1(a)(1)
	Sec. 1(a)(2)
	Sec. 1(c)
	Sec. 1(b)
	Sec. 1(d)
	Sec. 1(d)

(3) The income tax imposed by section 1 upon any amount of taxable income is computed by adding to the income tax for the bracket in which that amount falls in the appropriate table in section 1 the income tax upon the excess of that amount over the bottom of the bracket at the rate indicated in such table.

(4) The provisions of section 1 of the Code, as amended by the Tax Reform Act of 1969, and of this paragraph may be illustrated by the following examples:

Example (1). A, an unmarried individual, had taxable income for the calendar year 1964 of \$15,750. Accordingly, the tax upon such taxable income would be \$4,507.50, computed as follows from the table in section 1(a)(1):

Tax on \$14,000 (from table)-----	\$3,790.00
Tax on \$1,750 (at 41 percent as determined from the table)-----	717.50
Total tax on \$15,750-----	4,507.50

Example (2). Assume the same facts as in example (1), except the figures are for the calendar year 1965. The tax upon such taxable income would be \$4,232.50, computed as follows from the table in section 1(a)(2):

Tax on \$14,000 (from table)-----	\$3,550.00
Tax on \$1,750 (at 39 percent as determined from the table)-----	682.50
Total tax on \$15,750-----	4,232.50

Example (3). Assume the same facts as in example (1), except the figures are for the calendar year 1971. The tax upon such taxable income would be \$3,752.50, computed as follows from the table in section 1(c), as amended:

Tax on \$14,000 (from table)-----	\$3,210.00
Tax on \$1,750 (at 31 percent as determined from the table)-----	542.50
Total tax on \$15,750-----	3,752.50

PAR. 3. Section 1.1-2 is deleted and § 1.1-3 is amended and redesignated § 1.1-2 as follows:

§ 1.1-2 Limitation on tax.

(a) *Taxable years ending before January 1, 1971.* For taxable years ending before January 1, 1971 the tax imposed by section 1 (whether by subsection (a) or subsection (b) thereof) shall not exceed 87 percent of the taxable income for the taxable year. For purposes of determining this limitation the tax under section 1 (a) or (b) and the tax at the 87-percent rate shall each be computed before the allowance of any credits against the tax. Where the alternative tax on capital gains is imposed under section 1201(b), the 87-percent limitation shall apply only to the partial tax computed on the taxable income reduced by 50 percent of the excess of net long-term capital gains over net short-term capital losses. Where, for purposes of computations under the income averaging provisions, section 1201(b) is treated as imposing the alternative tax on capital gains computed under section 1304(e)(2), the 87-percent limitation shall apply only to the tax equal to the tax imposed by section 1, reduced by the

amount of the tax imposed by section 1 which is attributable to capital gain net income for the computation year.

(b) *Taxable years beginning after December 31, 1970.* If, for any taxable year beginning after December 31, 1970, an individual has earned taxable income which exceeds his taxable income as defined by section 1348, the tax imposed by section 1, as amended by the Tax Reform Act of 1969, shall not exceed the sum computed under the provisions of section 1348. For imposition of minimum tax for tax preferences see sections 56 through 58.

PAR. 4. Section 1.1-4 is deleted and § 1.1-5 is redesignated as § 1.1-3:

§ 1.1-3 Change in rates applicable to taxable year.

PAR. 5. Section 1.2 is amended by inserting sections 1(b)(2), (3), and (4) before section 2, by revising section 2 to reflect the changes made by section 803(b) of the Tax Reform Act 1969, by revising the historical note, by adding thereafter section 2 as amended by section 803(b) of the Tax Reform Act of 1969 and by adding a historical note. These amended and added provisions read as follows:

§ 1.2 Statutory provisions.

SECTION 1. Tax imposed. * * *

(b) Rates of tax on heads of households—

(2) DEFINITION OF HEAD OF HOUSEHOLD.—For purposes of this subtitle, an individual shall be considered a head of a household if, and only if, such individual is not married at the close of his taxable year, is not a surviving spouse (as defined in section 2(b)), and either—

(A) Maintains as his home a household which constitutes for such taxable year the principal place of abode, as a member of such household, of—

(i) A son, stepson, daughter, or stepdaughter of the taxpayer, or a descendant of a son or daughter of the taxpayer, but if such son, stepson, daughter, stepdaughter, or descendant is married at the close of the taxpayer's taxable year, only if the taxpayer is entitled to a deduction for the taxable year for such person under section 151, or

(ii) Any other person who is a dependent of the taxpayer, if the taxpayer is entitled to a deduction for the taxable year for such person under section 151, or

(B) Maintains a household which constitutes for such taxable year the principal place of abode of the father or mother of the taxpayer, if the taxpayer is entitled to a deduction for the taxable year for such father or mother under section 151.

For purposes of this paragraph and of section 2(b)(1)(B), an individual shall be considered as maintaining a household only if over half of the cost of maintaining the household during the taxable year is furnished by such individual.

(3) DETERMINATION OF STATUS.—For purposes of this subsection—

(A) A legally adopted child of a person shall be considered a child of such person by blood;

(B) An individual who is legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married;

(C) A taxpayer shall be considered as not married at the close of his taxable year if

at any time during the taxable year his spouse is a nonresident alien; and

(D) A taxpayer shall be considered as married at the close of his taxable year if his spouse (other than a spouse described in subparagraph (C) died during the taxable year.

(4) LIMITATIONS.—Notwithstanding paragraph (2), for purposes of this subtitle a taxpayer shall not be considered to be a head of a household—

(A) If at any time during the taxable year he is a nonresident alien; or

(B) By reason of an individual who would not be a dependent for the taxable year but for—

- (i) Paragraph (9) of section 152(a),
- (ii) Paragraph (10) of section 152(a), or
- (iii) Subsection (c) of section 152.

SEC. 2. DEFINITIONS AND SPECIAL RULES.

[Sec. 2(a)]

(a) DEFINITION OF SURVIVING SPOUSE.—

(1) IN GENERAL.—For purposes of section 1, the term "surviving spouse" means a taxpayer—

(A) Whose spouse died during either of his 2 taxable years immediately preceding the taxable year, and

(B) Who maintains as his home a household which constitutes for the taxable year the principal place of abode (as a member of such household) of a dependent (i) who (within the meaning of section 152) is a son, stepson, daughter, or stepdaughter of the taxpayer, and (ii) with respect to whom the taxpayer is entitled to a deduction for the taxable year under section 151.

For purposes of this paragraph, an individual shall be considered as maintaining a household only if over half of the cost of maintaining the household during the taxable year is furnished by such individual.

(2) LIMITATIONS.—Notwithstanding paragraph (1), for purposes of section 1 a taxpayer shall not be considered to be a surviving spouse—

(A) If the taxpayer has remarried at any time before the close of the taxable year, or

(B) Unless, for the taxpayer's taxable year during which his spouse died, a joint return could have been made under the provisions of section 6013 (without regard to subsection (a)(3) thereof).

[Sec. 2(b)]

(b) DEFINITION OF HEAD OF HOUSEHOLD.—

(1) IN GENERAL.—For purposes of this subtitle, an individual shall be considered a head of a household if, and only if, such individual is not married at the close of his taxable year, is not a surviving spouse (as defined in subsection (a)), and either—

(A) Maintains as his home a household which constitutes for such taxable year the principal place of abode, as a member of such household, of—

(i) A son, stepson, daughter, or stepdaughter of the taxpayer, or a descendant of a son or daughter of the taxpayer, but if such son, stepson, daughter, stepdaughter, or descendant is married at the close of the taxpayer's taxable year, only if the taxpayer is entitled to a deduction for the taxable year for such person under section 151, or

(ii) Any other person who is a dependent of the taxpayer, if the taxpayer is entitled to a deduction for the taxable year for such person under section 151, or

(B) Maintains a household which constitutes for such taxable year the principal place of abode of the father or mother of the taxpayer, if the taxpayer is entitled to a deduction for the taxable year for such father or mother under section 151.

For purposes of this paragraph, an individual shall be considered as maintaining a household only if over half of the cost of maintaining the household during the taxable year is furnished by such individual.

(2) DETERMINATION OF STATUS.—For purposes of this subsection—

(A) A legally adopted child of a person shall be considered a child of such person by blood;

(B) An individual who is legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married;

(C) A taxpayer shall be considered as not married at the close of his taxable year if at any time during the taxable year his spouse is a nonresident alien; and

(D) A taxpayer shall be considered as married at the close of his taxable year if his spouse (other than a spouse described in subparagraph (C)) died during the taxable year.

(3) LIMITATIONS.—Notwithstanding paragraph (1), for purposes of this subtitle a taxpayer shall not be considered to be a head of a household—

(A) If at any time during the taxable year he is a nonresident alien; or

(B) By reason of an individual who would not be a dependent for the taxable year but for—

(i) Paragraph (9) of section 152(a),

(ii) Paragraph (10) of section 152(a), or

(iii) Subsection (c) of section 152.

[Sec. 2(c)]

(c) CERTAIN MARRIED INDIVIDUALS LIVING APART.—For purposes of this part, an individual who, under section 143(b), is not to be considered as married shall not be considered as married.

[Sec. 2(d)]

(d) NONRESIDENT ALIENS.—In the case of a nonresident alien individual, the tax imposed by section 1 shall apply only as provided by section 871 or 877.

[Sec. 2(c)]

(c) CROSS REFERENCE.—

For definition of taxable income, see section 63.

[Sec. 2 as amended by sec. 803(b) Tax Reform Act 1969]

PAR. 6. Section 1.2-1 is amended to read as follows:

§ 1.2-1 Tax in case of joint return of husband and wife or the return of a surviving spouse.

(a) Taxable year ending before January 1, 1971. (1) For taxable years ending before January 1, 1971, in the case of a joint return of husband and wife, or the return of a surviving spouse as defined in section 2(b), the tax imposed by section 1 shall be twice the tax that would be imposed if the taxable income were reduced by one-half. For rules relating to the filing of joint returns of husband and wife, see section 6013 and the regulations thereunder.

(2) The method of computing, under section 2(a), the tax of husband and wife in the case of a joint return, or the tax of a surviving spouse, is as follows:

(i) First, the taxable income is reduced by one-half. Second, the tax is determined as provided by section 1 by using the taxable income so reduced. Third,

the tax so determined, which is the tax that would be determined if the taxable income were reduced by one-half, is then multiplied by two to produce the tax imposed in the case of the joint return or the return of a surviving spouse, subject, however, to the allowance of any credits against the tax under the provisions of sections 31 through 38 and the regulations thereunder.

(ii) The limitation under section 1(c) of the tax to an amount not in excess of a specified percent of the taxable income for the taxable year is to be applied before the third step above, that is, the limitation to be applied upon the tax is determined as the applicable specified percent of one-half of the taxable income for the taxable year (such one-half of the taxable income being the actual aggregate taxable income of the spouses, or the total taxable income of the surviving spouse, as the case may be, reduced by one-half). For the percent applicable in determining the limitation of the tax under section 1(c), see § 1.1-2 (a). After such limitation is applied, then the tax so limited is multiplied by two as provided in section 2(a) (the third step above).

(iii) The following computation illustrates the method of application of section 2(a) in the determination of the tax of a husband and wife filing a joint return for the calendar year 1965. If the combined gross income is \$8,200, and the only deductions are the two exemptions of the taxpayers under section 151 (b) and the standard deduction under section 141, the tax on the joint return for 1965, without regard to any credits against the tax, is \$1,034.20 determined as follows:

1. Gross income.....		\$8,200.00
2. Less:		
Standard deduction,		
section 141.....	\$820	
Deduction for personal exemption,		
section 151.....	1,200	2,020.00
3. Taxable income.....		6,180.00
4. Taxable income reduced by one-half.....		3,090.00
5. Tax computed by the tax table provided under section 1(a) (2) (\$310 plus 19 percent of excess over \$2,000).....		517.10
6. Twice the tax in item 5.....		1,034.20

(b) Taxable years beginning after December 31, 1970. (1) For taxable years beginning after December 31, 1970, in the case of a joint return of husband and wife, or the return of a surviving spouse as defined in section 2(a) of the Code as amended by the Tax Reform Act of 1969, the tax shall be determined in accordance with the table contained in section 1(a) of the Code as so amended. For rules relating to the filing of joint returns of husband and wife see section 6013 as amended and the regulations thereunder.

(2) The following computation illustrates the method of computing the tax

of a husband and wife filing a joint return for calendar year 1971. If the combined gross income is \$8,200, and the only deductions are the two exemptions of the taxpayers under section 151(b), as amended, and the standard deduction under section 141, as amended, the tax on the joint return for 1971, without regard to any credits against the tax, is \$968.46, determined as follows:

1. Gross income.....		\$8,200.00
2. Less:		
Standard deduction,		
section 141.....	\$1,066.00	
Deduction for personal exemption, section 151.....	1,300.00	2,366.00
3. Taxable income.....		5,834.00
4. Tax computed by the tax table provided under section 1(a) (\$620 plus 19 percent of excess over \$4,000).....		968.46

(3) The limitation under section 1348 with respect to the maximum rate of tax on earned income shall apply to a married individual only if such individual and his spouse file a joint return for the taxable year.

(c) Death of a spouse. If a joint return of a husband and wife is filed under the provisions of section 6013 and if the husband and wife have different taxable years solely because of the death of either spouse, the taxable year of the deceased spouse covered by the joint return shall, for the purpose of the computation of the tax in respect of such joint return, be deemed to have ended on the date of the closing of the surviving spouse's taxable year.

(d) Computation of optional tax. For computation of optional tax in the case of a joint return or the return of a surviving spouse, see section 3 and the regulations thereunder.

(e) Change in rates. For treatment of taxable years during which a change in the tax rates occurs see section 21 and the regulations thereunder.

PAR. 7. Section 1.2-2 is amended to read as follows:

§ 1.2-2 Definitions and special rules.

(a) Surviving spouse. (1) If a taxpayer is eligible to file a joint return under the Internal Revenue Code of 1954 without regard to section 6013(a) (3) thereof for the taxable year in which his spouse dies, his return for each of the next 2 taxable years following the year of the death of the spouse shall be treated as a joint return for all purposes if all three of the following requirements are satisfied:

(i) He has not remarried before the close of the taxable year the return for which is sought to be treated as a joint return, and

(ii) He maintains as his home a household which constitutes for the taxable year the principal place of abode as a member of such household of a person who is (whether by blood or adoption)

a son, stepson, daughter, or stepdaughter of the taxpayer, and

(iii) He is entitled for the taxable year to a deduction under section 151 (relating to deductions for dependents) with respect to such son, stepson, daughter, or stepdaughter.

(2) See paragraphs (c) (1) and (d) of this section for rules for the determination of when the taxpayer maintains as his home a household which constitutes for the taxable year the principal place of abode, as a member of such household, of another person.

(3) If the taxpayer does not qualify as a surviving spouse he may nevertheless qualify as a head of a household if he meets the requirements of § 1.2-2(b).

(4) The following example illustrates the provisions relating to a surviving spouse:

Example: Assume that the taxpayer meets the requirements of this paragraph for the years 1967 through 1971, and that the taxpayer, whose wife died during 1966 while married to him, remarried in 1968. In 1969, the taxpayer's second wife died while married to him, and he remained single thereafter. For 1967 the taxpayer will qualify as a surviving spouse, provided that neither the taxpayer nor the first wife was a nonresident alien at any time during 1966 and that she (immediately prior to her death) did not have a taxable year different from that of the taxpayer. For 1968 the taxpayer does not qualify as a surviving spouse because he remarried before the close of the taxable year. The taxpayer will qualify as a surviving spouse for 1970 and 1971, provided that neither the taxpayer nor the second wife was a nonresident alien at any time during 1969 and that she (immediately prior to her death) did not have a taxable year different from that of the taxpayer. On the other hand, if the taxpayer, in 1969, was divorced or legally separated from his second wife, the taxpayer will not qualify as a surviving spouse for 1970 or 1971, since he could not have filed a joint return for 1969 (the year in which his second wife died).

(b) *Head of household.* (1) A taxpayer shall be considered the head of a household if, and only if, he is not married at the close of his taxable year, is not a surviving spouse (as defined in paragraph (a) of this section, and (i) maintains as his home a household which constitutes for such taxable year the principal place of abode, as a member of such household, of at least one of the individuals described in subparagraph (3), or (ii) maintains (whether or not as his home) a household which constitutes for such taxable year the principal place of abode of one of the individuals described in subparagraph (4).

(2) Under no circumstances shall the same person be used to qualify more than one taxpayer as the head of a household for the same taxable year.

(3) Any of the following persons may qualify the taxpayer as a head of a household:

(i) A son, stepson, daughter, or stepdaughter of the taxpayer, or a descendant of a son or daughter of the taxpayer. For the purpose of determining whether any of the stated relation-

ships exist, a legally adopted child of a person is considered a child of such person by blood. If any such person is not married at the close of the taxable year of the taxpayer, the taxpayer may qualify as the head of a household by reason of such person even though the taxpayer may not claim a deduction for such person under section 151, for example, because the taxpayer does not furnish more than half of the support of such person. However, if any such person is married at the close of the taxable year of the taxpayer, the taxpayer may qualify as the head of a household by reason of such person only if the taxpayer is entitled to a deduction for such person under section 151 and the regulations thereunder. In applying the preceding sentence there shall be disregarded any such person for whom a deduction is allowed under section 151 only by reason of section 152(c) (relating to persons covered by a multiple support agreement).

(ii) Any other person who is a dependent of the taxpayer, if the taxpayer is entitled to a deduction for the taxable year for such person under section 151 and paragraphs (3) through (8) of section 152(a) and the regulations thereunder. Under section 151 the taxpayer may be entitled to a deduction for any of the following persons:

(a) His brother, sister, stepbrother, or stepsister;

(b) His father or mother, or an ancestor of either;

(c) His stepfather or stepmother;

(d) A son or a daughter of his brother or sister;

(e) A brother or sister of his father or mother; or

(f) His son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law;

if such person has a gross income of less than the amount determined pursuant to § 1.151-2 applicable to the calendar year in which the taxable year of the taxpayer begins, if the taxpayer supplies more than one-half of the support of such person for such calendar year and if such person does not make a joint return with his spouse for the taxable year beginning in such calendar year. The taxpayer may not be considered to be a head of a household by reason of any person for whom a deduction is allowed under section 151 only by reason of sections 152(a)(9), 152(a)(10), or 152(c) (relating to persons not related to the taxpayer, persons receiving institutional care, and persons covered by multiple support agreements).

(4) The father or mother of the taxpayer may qualify the taxpayer as a head of a household, but only if the taxpayer is entitled to a deduction for the taxable year for such father or mother under section 151 (determined without regard to section 152(c)). For example, an unmarried taxpayer who maintains a home for his widowed mother may not qualify as the head of a household by reason of his maintenance of a home for

his mother if his mother has gross income equal to or in excess of the amount determined pursuant to § 1.151-2 applicable to the calendar year in which the taxable year of the taxpayer begins, or if he does not furnish more than one-half of the support of his mother for such calendar year. For this purpose, a person who legally adopted the taxpayer is considered the father or mother of the taxpayer.

(5) For the purpose of this paragraph, the status of the taxpayer shall be determined as of the close of the taxpayer's taxable year. A taxpayer shall be considered as not married if at the close of his taxable year he is legally separated from his spouse under a decree of divorce or separate maintenance, or if at any time during the taxable year the spouse to whom the taxpayer is married at the close of his taxable year was a nonresident alien. A taxpayer shall be considered married at the close of his taxable year if his spouse (other than a spouse who is a nonresident alien) dies during such year.

(6) If the taxpayer is a nonresident alien during any part of the taxable year he may not qualify as a head of a household even though he may comply with the other provisions of this paragraph. See the regulations prescribed under section 871 for a definition of nonresident alien.

(c) *Household.* (1) In order for a taxpayer to be considered as maintaining a household by reason of any individual described in paragraph (a) (1) or (b) (3) of this section, the household must actually constitute the home of the taxpayer for his taxable year. A physical change in the location of such home will not prevent a taxpayer from qualifying as a head of a household. Such home must also constitute the principal place of abode of at least one of the persons specified in such paragraph (a) (1) or (b) (3) of this section. It is not sufficient that the taxpayer maintain the household without being its occupant. The taxpayer and such other person must occupy the household for the entire taxable year of the taxpayer. However, the fact that such other person is born or dies within the taxable year will not prevent the taxpayer from qualifying as a head of household if the household constitutes the principal place of abode of such other person for the remaining or preceding part of such taxable year. The taxpayer and such other person will be considered as occupying the household for such entire taxable year notwithstanding temporary absences from the household due to special circumstances. A nonpermanent failure to occupy the common abode by reason of illness, education, business, vacation, military service, or a custody agreement under which a child or stepchild is absent for less than 6 months in the taxable year of the taxpayer, shall be considered temporary absence due to special circumstances. Such absence will not

TABLE I.—SINGLE PERSON—NOT HEAD OF HOUSEHOLD
Taxable Years Beginning After December 31, 1964, and Ending Before January 1, 1970

TABLE I.—SINGLE PERSON—NOT HEAD OF HOUSEHOLD														
Taxable Years Beginning After December 31, 1964, and Ending Before January 1, 1970				And the number of exemptions is—										
If adjusted gross income is—		And the number of exemptions is—				If adjusted gross income is—		And the number of exemptions is—						
At least	But less than	1	2	3	4 or more	At least	But less than	1	2	3	4	5	6	7 or more
0	\$000	0	0	0	0	\$2,450	\$2,475	\$236	\$124	\$23	0	0	0	0
900	925	\$2	0	0	0	2,475	2,500	240	128	26	0	0	0	0
925	950	5	0	0	0	2,500	2,525	244	132	30	0	0	0	0
950	975	9	0	0	0	2,525	2,550	248	136	33	0	0	0	0
975	1,000	12	0	0	0	2,550	2,575	253	139	37	0	0	0	0
1,000	1,025	16	0	0	0	2,575	2,600	257	143	40	0	0	0	0
1,025	1,050	19	0	0	0	2,600	2,625	261	147	44	0	0	0	0
1,050	1,075	23	0	0	0	2,625	2,650	265	151	47	0	0	0	0
1,075	1,100	26	0	0	0	2,650	2,675	270	155	51	0	0	0	0
1,100	1,125	30	0	0	0	2,675	2,700	274	159	54	0	0	0	0
1,125	1,150	33	0	0	0	2,700	2,725	278	163	58	0	0	0	0
1,150	1,175	37	0	0	0	2,725	2,750	282	167	61	0	0	0	0
1,175	1,200	40	0	0	0	2,750	2,775	287	171	65	0	0	0	0
1,200	1,225	44	0	0	0	2,775	2,800	291	175	68	0	0	0	0
1,225	1,250	47	0	0	0	2,800	2,825	295	179	72	0	0	0	0
1,250	1,275	51	0	0	0	2,825	2,850	299	183	76	0	0	0	0
1,275	1,300	54	0	0	0	2,850	2,875	304	187	79	0	0	0	0
1,300	1,325	58	0	0	0	2,875	2,900	308	191	83	0	0	0	0
1,325	1,350	61	0	0	0	2,900	2,925	312	195	87	0	0	0	0
1,350	1,375	65	0	0	0	2,925	2,950	317	199	91	0	0	0	0
1,375	1,400	68	0	0	0	2,950	2,975	322	203	94	0	0	0	0
1,400	1,425	72	0	0	0	2,975	3,000	327	207	98	0	0	0	0
1,425	1,450	76	0	0	0	3,000	3,050	333	213	104	\$4	0	0	0
1,450	1,475	79	0	0	0	3,050	3,100	342	221	111	11	0	0	0
1,475	1,500	83	0	0	0	3,100	3,150	350	229	119	18	0	0	0
1,500	1,525	87	0	0	0	3,150	3,200	359	238	126	25	0	0	0
1,525	1,550	91	0	0	0	3,200	3,250	367	246	134	32	0	0	0
1,550	1,575	94	0	0	0	3,250	3,300	376	255	141	39	0	0	0
1,575	1,600	98	0	0	0	3,300	3,350	385	263	149	46	0	0	0
1,600	1,625	102	\$2	0	0	3,350	3,400	393	272	157	53	0	0	0
1,625	1,650	106	5	0	0	3,400	3,450	402	280	165	60	0	0	0
1,650	1,675	109	9	0	0	3,450	3,500	410	289	173	67	0	0	0
1,675	1,700	113	12	0	0	3,500	3,550	419	297	181	74	0	0	0
1,700	1,725	117	16	0	0	3,550	3,600	427	306	189	81	0	0	0
1,725	1,750	121	19	0	0	3,600	3,650	436	315	197	89	0	0	0
1,750	1,775	124	23	0	0	3,650	3,700	444	324	205	96	0	0	0
1,775	1,800	128	26	0	0	3,700	3,750	453	334	213	104	\$4	0	0
1,800	1,825	132	30	0	0	3,750	3,800	462	343	221	111	11	0	0
1,825	1,850	136	33	0	0	3,800	3,850	470	352	229	119	18	0	0
1,850	1,875	139	37	0	0	3,850	3,900	479	362	238	126	25	0	0
1,875	1,900	143	40	0	0	3,900	3,950	487	372	246	134	32	0	0
1,900	1,925	147	44	0	0	3,950	4,000	496	381	255	141	39	0	0
1,925	1,950	151	47	0	0	4,000	4,050	504	390	263	149	46	0	0
1,950	1,975	155	51	0	0	4,050	4,100	513	401	272	157	53	0	0
1,975	2,000	159	54	0	0	4,100	4,150	522	410	280	165	60	0	0
2,000	2,025	163	58	0	0	4,150	4,200	530	419	289	173	67	0	0
2,025	2,050	167	61	0	0	4,200	4,250	539	428	297	181	74	0	0
2,050	2,075	171	65	0	0	4,250	4,300	547	437	305	189	81	0	0
2,075	2,100	175	68	0	0	4,300	4,350	556	446	315	197	89	0	0
2,100	2,125	179	72	0	0	4,350	4,400	564	455	324	205	96	0	0
2,125	2,150	183	76	0	0	4,400	4,450	573	464	333	213	104	\$4	0
2,150	2,175	187	79	0	0	4,450	4,500	581	473	342	221	111	11	0
2,175	2,200	191	83	0	0	4,500	4,550	590	482	352	229	119	18	0
2,200	2,225	195	87	0	0	4,550	4,600	598	491	362	238	126	25	0
2,225	2,250	199	91	0	0	4,600	4,650	607	501	372	246	134	32	0
2,250	2,275	203	94	0	0	4,650	4,700	615	501	381	255	141	39	0
2,275	2,300	207	98	0	0	4,700	4,750	624	510	391	263	149	46	0
2,300	2,325	211	102	\$2	0	4,750	4,800	633	519	400	272	157	53	0
2,325	2,350	215	106	9	0	4,800	4,850	641	527	410	280	165	60	0
2,350	2,375	219	109	13	0	4,850	4,900	650	536	419	289	173	67	0
2,375	2,400	223	113	12	0	4,900	4,950	658	544	429	297	181	74	0
2,400	2,425	227	117	16	0	4,950	5,000	667	553	438	306	189	81	0
2,425	2,450	231	121	19	0	5,000								0

thereof by reason of its operation as the principal place of abode of such occupants for such taxable year. The cost of maintaining a household shall not include expenses otherwise incurred. The expenses of maintaining a household include property taxes, mortgage interest, rent, utility charges, upkeep and repairs, property insurance, and food consumed on the premises. Such expenses do not include the cost of clothing, education, medical treatment, vacations, life insurance, and transportation. In addition, the cost of maintaining a household shall not include any amount which represents the value of services rendered in the household by the taxpayer or by a person qualifying by the taxpayer as a head of a household or as a surviving spouse.

(e) *Certain married individuals living apart.* For taxable years beginning after December 31, 1969, an individual who is considered as not married under section 143(b) shall be considered as not married for purposes of determining whether he or she qualifies as a single individual, a married individual, a head of household or a surviving spouse under sections 1 and 2 of the Code.

PAR. 8. Section 1.3 is amended to insert after section 3, applicable to taxable years ending before January 1, 1970, new section 3 applicable to taxable years beginning after December 31, 1969 and by adding a historical note. These amended and added provisions read as follows:

§ 1.3 Statutory provisions; optional tax tables for individuals.

Sec. 3. *Optional tax tables for individuals.* In lieu of the tax imposed by section 1, there is hereby imposed for each taxable year beginning after December 31, 1969, on the taxable income of every individual whose adjusted gross income for such year is less than \$10,000, and who has elected for such year to pay the tax imposed by this section, a tax determined under tables, applicable to such taxable year, which shall be prescribed by the Secretary or his delegate. In the tables so prescribed, the amounts of tax shall be computed on the basis of the taxable income computed by taking the standard deduction and on the basis of the rates prescribed by section 1.

prevent the taxpayer from being considered as maintaining a household if (i) it is reasonable to assume that the taxpayer or such other person will return to the household, and (ii) the taxpayer continues to maintain such household or a substantially equivalent household in anticipation of such return.

(2) In order for a taxpayer to be considered as maintaining a household by reason of any individual described in paragraph (b) (4) of this section, the household must actually constitute the principal place of abode of the taxpayer's dependent father or mother, or both of them. It is not, however, necessary for the purposes of such subparagraph for the taxpayer also to reside in such place of abode. A physical change in the location of such home will not prevent a taxpayer from qualifying as a head of a household. The father or mother of the taxpayer, however, must occupy the household for the entire taxable year of the taxpayer. They will be considered as occupying the household for such entire year notwithstanding temporary absences from the household due to special circumstances. For example, a nonpermanent failure to occupy the household by reason of illness or vacation shall be considered temporary absence due to special circumstances. Such absence will not prevent the taxpayer from qualifying as the head of a household if (i) it is reasonable to assume that such person will return to the household, and (ii) the taxpayer continues to maintain such household or a substantially equivalent household in anticipation of such return. However, the fact that the father or mother of the taxpayer dies within the year will not prevent the taxpayer from qualifying as a head of a household if the household constitutes the principal place of abode of the father or mother for the preceding part of such taxable year.

(d) *Cost of maintaining a household.* A taxpayer shall be considered as maintaining a household only if he pays more than one-half the cost thereof for his taxable year. The cost of maintaining a household shall be the expenses incurred for the mutual benefit of the occupants

TABLE III—MARRIED PERSONS FILING JOINT RETURNS

FEDERAL REGISTER, VOL. 36, NO. 101—TUESDAY, MAY 25, 1971

FEDERAL REGISTER, VOL. 36, NO. 101—TUESDAY, MAY 25, 1971

RULES AND REGULATIONS

TABLE II—RETURNS CLAIMING 2 EXEMPTIONS—Continued
Taxable Years Beginning After December 31, 1969, and Ending Before January 1, 1970

Taxable Years Beginning After December 31, 1969, and Ending Before January 1, 1971

If adjusted gross income is—			And you are—		
At least	But less than	Single, not head of household	Head of household	Married filing a separate return claiming—	Low income allowance
\$0	\$1,425	0	0	0	0
\$1,425	1,475	0	0	0	0
\$1,475	1,500	0	0	0	0
\$1,500	1,625	0	0	0	0
\$1,625	1,650	0	0	0	0
\$1,650	1,675	0	0	0	0
\$1,675	1,700	0	0	0	0
\$1,700	1,725	0	0	0	0
\$1,725	1,750	0	0	0	0
\$1,750	1,775	0	0	0	0
\$1,775	1,800	0	0	0	0
\$1,800	1,825	0	0	0	0
\$1,825	1,850	0	0	0	0
\$1,850	1,875	0	0	0	0
\$1,875	1,900	0	0	0	0
\$1,900	1,925	0	0	0	0
\$1,925	1,950	0	0	0	0
\$1,950	1,975	0	0	0	0
\$1,975	2,000	0	0	0	0
\$2,000	2,025	0	0	0	0
\$2,025	2,050	0	0	0	0
\$2,050	2,075	0	0	0	0
\$2,075	2,100	0	0	0	0
\$2,100	2,125	0	0	0	0
\$2,125	2,150	0	0	0	0
\$2,150	2,175	0	0	0	0
\$2,175	2,200	0	0	0	0
\$2,200	2,225	0	0	0	0
\$2,225	2,250	0	0	0	0
\$2,250	2,275	0	0	0	0
\$2,275	2,300	0	0	0	0
\$2,300	2,325	0	0	0	0
\$2,325	2,350	0	0	0	0
\$2,350	2,375	0	0	0	0
\$2,375	2,400	0	0	0	0
\$2,400	2,425	0	0	0	0
\$2,425	2,450	0	0	0	0
\$2,450	2,475	0	0	0	0
\$2,475	2,500	0	0	0	0
\$2,500	2,525	0	0	0	0
\$2,525	2,550	0	0	0	0
\$2,550	2,575	0	0	0	0
\$2,575	2,600	0	0	0	0
\$2,600	2,625	0	0	0	0
\$2,625	2,650	0	0	0	0
\$2,650	2,675	0	0	0	0
\$2,675	2,700	0	0	0	0
\$2,700	2,725	0	0	0	0
\$2,725	2,750	0	0	0	0
\$2,750	2,775	0	0	0	0
\$2,775	2,800	0	0	0	0
\$2,800	2,825	0	0	0	0
\$2,825	2,850	0	0	0	0
\$2,850	2,875	0	0	0	0
\$2,875	2,900	0	0	0	0
\$2,900	2,925	0	0	0	0
\$2,925	2,950	0	0	0	0
\$2,950	2,975	0	0	0	0
\$2,975	3,000	0	0	0	0
\$3,000	3,050	0	0	0	0
\$3,050	3,100	0	0	0	0
\$3,100	3,150	0	0	0	0
\$3,150	3,200	0	0	0	0
\$3,200	3,250	0	0	0	0
\$3,250	3,300	0	0	0	0
\$3,300	3,350	0	0	0	0
\$3,350	3,400	0	0	0	0
\$3,400	3,450	0	0	0	0
\$3,450	3,500	0	0	0	0
\$3,500	3,550	0	0	0	0
\$3,550	3,600	0	0	0	0
\$3,600	3,650	0	0	0	0
\$3,650	3,700	0	0	0	0
\$3,700	3,750	0	0	0	0
\$3,750	3,800	0	0	0	0
\$3,800	3,850	0	0	0	0
\$3,850	3,900	0	0	0	0
\$3,900	3,950	0	0	0	0
\$3,950	4,000	0	0	0	0
\$4,000	4,050	0	0	0	0
\$4,050	4,100	0	0	0	0
\$4,100	4,150	0	0	0	0
\$4,150	4,200	0	0	0	0
\$4,200	4,250	0	0	0	0
\$4,250	4,300	0	0	0	0
\$4,300	4,350	0	0	0	0
\$4,350	4,400	0	0	0	0
\$4,400	4,450	0	0	0	0
\$4,450	4,500	0	0	0	0
\$4,500	4,550	0	0	0	0
\$4,550	4,600	0	0	0	0
\$4,600	4,650	0	0	0	0
\$4,650	4,700	0	0	0	0
\$4,700	4,750	0	0	0	0
\$4,750	4,800	0	0	0	0
\$4,800	4,850	0	0	0	0
\$4,850	4,900	0	0	0	0
\$4,900	4,950	0	0	0	0
\$4,950	5,000	0	0	0	0
\$5,000	5,050	0	0	0	0
\$5,050	5,100	0	0	0	0
\$5,100	5,150	0	0	0	0
\$5,150	5,200	0	0	0	0
\$5,200	5,250	0	0	0	0
\$5,250	5,300	0	0	0	0
\$5,300	5,350	0	0	0	0
\$5,350	5,400	0	0	0	0
\$5,400	5,450	0	0	0	0
\$5,450	5,500	0	0	0	0
\$5,500	5,550	0	0	0	0
\$5,550	5,600	0	0	0	0
\$5,600	5,650	0	0	0	0
\$5,650	5,700	0	0	0	0
\$5,700	5,750	0	0	0	0
\$5,750	5,800	0	0	0	0
\$5,800	5,850	0	0	0	0
\$5,850	5,900	0	0	0	0
\$5,900	5,950	0	0	0	0
\$5,950	6,000	0	0	0	0
\$6,000	6,050	0	0	0	0
\$6,050	6,100	0	0	0	0
\$6,100	6,150	0	0	0	0
\$6,150	6,200	0	0	0	0
\$6,200	6,250	0	0	0	0
\$6,250	6,300	0	0	0	0
\$6,300	6,350	0	0	0	0
\$6,350	6,400	0	0	0	0
\$6,400	6,450	0	0	0	0
\$6,450	6,500	0	0	0	0
\$6,500	6,550	0	0	0	0
\$6,550	6,600	0	0	0	0
\$6,600	6,650	0	0	0	0
\$6,650	6,700	0	0	0	0
\$6,700	6,750	0	0	0	0
\$6,750	6,800	0	0	0	0
\$6,800	6,850	0	0	0	0
\$6,850	6,900	0	0	0	0
\$6,900	6,950	0	0	0	0
\$6,950	7,000	0	0	0	0
\$7,000	7,050	0	0	0	0
\$7,050	7,100	0	0	0	0
\$7,100	7,150	0	0	0	0
\$7,150	7,200	0	0	0	0
\$7,200	7,250	0	0	0	0
\$7,250	7,300	0	0	0	0
\$7,300	7,350	0	0	0	0
\$7,350	7,400	0	0	0	0
\$7,400	7,450	0	0	0	0
\$7,450	7,500	0	0	0	0
\$7,500	7,550	0	0	0	0
\$7,550	7,600	0	0	0	0
\$7,600	7,650	0	0	0	0
\$7,650	7,700	0	0	0	0
\$7,700	7,750	0	0	0	0
\$7,750	7,800	0	0	0	0
\$7,800	7,850	0	0	0	0
\$7,850	7,900	0	0	0	0
\$7,900	7,950	0	0	0	0
\$7,950	8,000	0	0	0	0
\$8,000	8,050	0	0	0	0
\$8,050	8,100	0	0	0	0
\$8,100	8,150	0	0	0	0
\$8,150	8,200	0	0	0	0
\$8,200	8,250	0	0	0	0
\$8,250	8,300	0	0	0	0
\$8,300	8,350	0	0	0	0
\$8,350	8,400	0	0	0	0
\$8,400	8,450	0	0	0	0
\$8,450	8,500	0	0	0	0
\$8,500	8,550	0	0	0	0
\$8,550	8,600	0	0	0	0
\$8,600	8,650	0	0	0	0
\$8,650	8,700	0	0	0	0
\$8,700	8,750	0	0	0	0
\$8,750	8,800	0	0	0	0
\$8,800	8,850	0	0	0	0
\$8,850	8,900	0	0	0	0
\$8,900	8,950	0	0	0	0
\$8,950	9,000	0	0	0	0
\$9,000	9,050	0	0	0	0
\$9,050	9,100	0	0	0	0
\$9,100	9,150	0	0	0	0
\$9,150	9,200	0	0	0	0
\$9,200	9,250	0	0	0	0
\$9,250	9,300	0	0	0	0
\$9,300	9,350	0	0	0	0
\$9,350	9,400	0	0	0	0
\$9,400	9,450	0	0	0	0
\$9,450	9,500	0	0	0	0
\$9,500	9,550	0	0	0	0
\$9,550	9,600	0	0	0	0
\$9,600	9,650	0	0	0	0
\$9,650	9,700	0	0	0	0
\$9,700	9,750	0	0	0	0
\$9,750	9,800	0	0	0	0
\$9,800	9,850	0	0	0	0
\$9,850	9,900	0	0	0	0
\$9,900	9,950	0	0	0	0
\$9,950	10,000	0	0	0	0
\$10,000	10,050	0	0	0	0
\$10,050	10,100	0	0	0	0
\$10,100	10,150	0	0	0	0
\$10,150	10,200	0	0	0	0
\$10,200	10,250	0	0	0	0
\$10,250	10,300	0	0	0	0
\$10,300	10,350	0	0	0	0
\$10,350	10,400	0	0	0	0
\$10,400	10,450	0	0	0	0
\$10,450	10,500	0	0	0	0
\$10,500	10,550	0	0	0	0
\$10,550	10,600	0	0	0	0
\$10,600	10,650	0	0	0	0
\$10,650	10,700	0	0	0	0
\$10,700	10,750	0	0	0	0
\$10,750	10,800	0	0	0	0
\$10,800	10,850	0	0	0	0
\$10,850	10,900	0	0	0	0
\$10,900	10,950	0	0	0	0
\$10,950	11,000	0	0	0	0
\$11,000	11,050	0	0	0	0
\$11,050	11,100	0	0	0	0
\$11,100	11,150	0	0	0	0
\$11,150	11,200	0	0	0	0
\$11,200	11,250	0	0	0	0
\$11,250	11,300	0	0	0	0
\$11,300	11,350	0	0	0	0
\$11,350	11,400	0	0	0	0
\$11,400	11,450	0	0	0	0
\$11,450	11,500	0	0	0	0
\$11,500	11,550	0	0	0	0
\$11,550	11,600	0	0	0	0
\$11,600	11,650	0	0	0	0
\$11,650	11,700	0	0	0	0
\$11,700	11,750	0	0	0	0
\$11,750	11,800	0	0	0	0
\$11,800	11,850	0	0	0	0
\$11,850	11,900	0	0	0	0
\$11,900	11,950	0	0	0	0
\$11,950	12,000	0	0	0	0
\$12,000	12,050	0	0	0	0
\$12,050	12,100	0	0	0	0
\$12,100	12,150	0	0	0	0
\$12,150	12,200	0	0	0	0
\$12,200	12,250	0	0	0	0
\$12,250	12,300	0	0	0	0
\$12,300	12,350	0	0	0	0
\$12,350	12,400	0	0	0	0
\$12,400	12,450	0	0	0	0
\$12,450	12,500	0	0	0	0
\$12,500	12,550	0	0	0	0
\$12,550	12,600	0	0	0	0
\$12,600	12,650	0	0	0	0
\$12,650	12,700	0	0	0	0
\$12,700	12,750	0	0	0	

• This column may also be used by certain widows or widowers who qualify for special tax rates:

TABLE III—RETURNS CLAIMING 3 EXEMPTIONS

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE V—RETURNS CLAIMING 5 EXEMPTIONS—Continued

Taxable Years Beginning After December 31, 1969, and Ending Before January 1, 1971

If adjusted gross income is—		And you are—				Your tax is—
Single, not head of household	Married filing jointly	Single, not head of household	Head of household	Married filing jointly	Married filing separately	
At least	But less than					
\$6,750	\$6,800	\$491	\$471	\$442	\$529	\$529
6,800	6,850	500	480	450	538	538
6,850	6,900	510	489	459	548	548
6,900	6,950	519	498	467	557	557
6,950	7,000	529	507	476	567	567
7,000	7,050	538	516	484	576	576
7,050	7,100	546	524	491	586	586
7,100	7,150	555	532	499	595	595
7,150	7,200	563	540	507	604	604
7,200	7,250	572	548	512	613	613
7,250	7,300	580	556	520	624	624
7,300	7,350	589	564	527	633	633
7,350	7,400	597	572	537	643	643
7,400	7,450	606	580	545	652	652
7,450	7,500	614	588	552	662	662
7,500	7,550	623	597	560	671	671
7,550	7,600	632	605	568	681	681
7,600	7,650	640	613	575	690	690
7,650	7,700	649	621	583	701	701
7,700	7,750	657	629	591	712	712
7,750	7,800	666	637	598	723	723
7,800	7,850	674	645	606	734	734
7,850	7,900	683	653	614	745	745
7,900	7,950	692	662	621	756	756
7,950	8,000	702	671	630	767	767
8,000	8,050	711	680	639	778	778
8,050	8,100	720	689	647	789	789
8,100	8,150	731	698	656	800	800
8,150	8,200	741	707	664	810	810
8,200	8,250	751	716	673	822	822
8,250	8,300	761	725	683	833	833
8,300	8,350	771	734	694	844	844
8,350	8,400	781	743	698	855	855

If adjusted gross income is—		And you are—				Your tax is—
Single, not head of household	Married filing jointly	Single, not head of household	Head of household	Married filing jointly	Married filing separately	
At least	But less than					
\$8,400	\$8,450	\$791	\$761	\$707	\$866	\$866
8,450	8,500	801	771	715	877	877
8,500	8,550	810	779	724	888	888
8,550	8,600	820	788	733	899	899
8,600	8,650	830	797	742	910	910
8,650	8,700	840	806	751	921	921
8,700	8,750	850	815	760	932	932
8,750	8,800	860	824	769	943	943
8,800	8,850	870	833	778	954	954
8,850	8,900	880	842	787	965	965
8,900	8,950	890	851	796	976	976
8,950	9,000	900	860	805	987	987
9,000	9,050	910	869	814	998	998
9,050	9,100	920	878	823	1,009	1,009
9,100	9,150	930	887	832	1,020	1,020
9,150	9,200	939	896	841	1,031	1,031
9,200	9,250	949	905	850	1,042	1,042
9,250	9,300	959	914	859	1,053	1,053
9,300	9,350	969	923	868	1,064	1,064
9,350	9,400	979	932	877	1,075	1,075
9,400	9,450	989	941	886	1,086	1,086
9,450	9,500	999	950	895	1,097	1,097
9,500	9,550	1,008	959	904	1,108	1,108
9,550	9,600	1,018	968	913	1,119	1,119
9,600	9,650	1,028	977	922	1,130	1,130
9,650	9,700	1,038	986	931	1,141	1,141
9,700	9,750	1,048	995	940	1,152	1,152
9,750	9,800	1,058	1,004	949	1,163	1,163
9,800	9,850	1,068	1,013	958	1,174	1,174
9,850	9,900	1,078	1,022	967	1,185	1,185
9,900	9,950	1,088	1,031	976	1,196	1,196
9,950	10,000	1,098	1,040	985	1,207	1,207
10,000		1,108	1,049	994	1,218	1,218

TABLE VI—RETURNS CLAIMING 6 EXEMPTIONS
Taxable Years Beginning After December 31, 1969, and Ending Before January 1, 1971

If adjusted gross income is—		And you are—			Your tax is—
		Single, not head of household	Head of household	Married filing jointly	
At least	But less than				
\$4,150	4,200	0	0	0	0
4,200	4,250	0	0	0	\$17
4,250	4,300	0	0	0	0
4,300	4,350	0	0	0	\$4
4,350	4,400	0	0	0	11
4,400	4,450	0	0	0	20
4,450	4,500	0	0	0	28
4,500	4,550	0	0	0	33
4,550	4,600	0	0	0	39
4,600	4,650	0	0	0	46
4,650	4,700	0	0	0	53
4,700	4,750	0	0	0	60
4,750	4,800	0	0	0	67
4,800	4,850	0	0	0	74
4,850	4,900	0	0	0	81
4,900	4,950	0	0	0	89
4,950	5,000	0	0	0	96
5,000	5,050	0	0	0	104
5,050	5,100	0	0	0	111
5,100	5,150	0	0	0	119
5,150	5,200	0	0	0	126
5,200	5,250	0	0	0	134
5,250	5,300	0	0	0	141
5,300	5,350	0	0	0	149
5,350	5,400	0	0	0	157
5,400	5,450	0	0	0	165
5,450	5,500	0	0	0	173
5,500	5,550	0	0	0	181
5,550	5,600	0	0	0	189
5,600	5,650	0	0	0	197
5,650	5,700	0	0	0	205
5,700	5,750	0	0	0	213
5,750	5,800	0	0	0	221
5,800	5,850	0	0	0	229
5,850	5,900	0	0	0	237
5,900	5,950	0	0	0	245
5,950	6,000	0	0	0	253
6,000	6,050	0	0	0	261
6,050	6,100	0	0	0	269
6,100	6,150	0	0	0	277
6,150	6,200	0	0	0	285
6,200	6,250	0	0	0	293
6,250	6,300	0	0	0	301
6,300	6,350	0	0	0	309
6,350	6,400	0	0	0	317
6,400	6,450	0	0	0	325
6,450	6,500	0	0	0	333
6,500	6,550	0	0	0	341
6,550	6,600	0	0	0	349
6,600	6,650	0	0	0	357
6,650	6,700	0	0	0	365
6,700	6,750	0	0	0	373
6,750	6,800	0	0	0	381
6,800	6,850	0	0	0	389
6,850	6,900	0	0	0	397
6,900	6,950	0	0	0	405
6,950	7,000	0	0	0	413
7,000	7,050	0	0	0	421
7,050	7,100	0	0	0	429
7,100	7,150	0	0	0	437
7,150	7,200	0	0	0	445
7,200	7,250	0	0	0	453
7,250	7,300	0	0	0	461
7,300	7,350	0	0	0	469
7,350	7,400	0	0	0	477
7,400	7,450	0	0	0	485
7,450	7,500	0	0	0	493
7,500	7,550	0	0	0	501
7,550	7,600	0	0	0	509
7,600	7,650	0	0	0	517
7,650	7,700	0	0	0	525
7,700	7,750	0	0	0	533
7,750	7,800	0	0	0	541
7,800	7,850	0	0	0	549
7,850	7,900	0	0	0	557
7,900	7,950	0	0	0	565
7,950	8,000	0	0	0	573
8,000	8,050	0	0	0	581
8,050	8,100	0	0	0	589
8,100	8,150	0	0	0	597
8,150	8,200	0	0	0	605
8,200	8,250	0	0	0	613
8,250	8,300	0	0	0	621
8,300	8,350	0	0	0	629
8,350	8,400	0	0	0	637
8,400	8,450	0	0	0	645
8,450	8,500	0	0	0	653
8,500	8,550	0	0	0	661
8,550	8,600	0	0	0	669
8,600	8,650	0	0	0	677
8,650	8,700	0	0	0	685
8,700	8,750	0	0	0	693
8,750	8,800	0	0	0	701
8,800	8,850	0	0	0	709
8,850	8,900	0	0	0	717
8,900	8,950	0	0	0	725
8,950	9,000	0	0	0	733
9,000	9,050	0	0	0	741
9,050	9,100	0	0	0	749
9,100	9,150	0	0	0	757
9,150	9,200	0	0	0	765
9,200	9,250	0	0	0	773
9,250	9,300	0	0	0	781
9,300	9,350	0	0	0	789
9,350	9,400	0	0	0	797
9,400	9,450	0	0	0	805
9,450	9,500	0	0	0	813
9,500	9,550	0	0	0	821
9,550	9,600	0	0	0	829
9,600	9,650	0	0	0	837
9,650	9,700	0	0	0	845
9,700	9,750	0	0	0	853
9,750	9,800	0	0	0	861
9,800	9,850	0	0	0	869
9,850	9,900	0	0	0	877
9,900	9,950	0	0	0	885
9,950	10,000	0	0	0	893

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE VII—RETURNS CLAIMING 7 EXEMPTIONS
Taxable Years Beginning After December 31, 1969, and Ending Before January 1, 1971

If adjusted gross income is—		And you are—			Your tax is—
		Single, not head of household	Head of household	Married filing jointly	
At least	But less than				
\$4,150	4,200	0	0	0	0
4,200	4,250	0	0	0	\$17
4,250	4,300	0	0	0	0
4,300	4,350	0	0	0	\$4
4,350	4,400	0	0	0	11
4,400	4,450	0	0	0	20
4,450	4,500	0	0	0	28
4,500	4,550	0	0	0	33
4,550	4,600	0	0	0	39
4,600	4,650	0	0	0	46
4,650	4,700	0	0	0	53
4,700	4,750	0	0	0	60
4,750	4,800	0	0	0	67
4,800	4,850	0	0	0	74
4,850	4,900	0	0	0	81
4,900	4,950	0	0	0	89
4,950	5,000	0	0	0	96
5,000	5,050	0	0	0	104
5,050	5,100	0	0	0	111
5,100	5,150	0	0	0	119
5,150	5,200	0	0	0	126
5,200	5,250	0	0	0	134
5,250	5,300	0	0	0	141
5,300	5,350	0	0	0	149
5,350	5,400	0	0	0	157
5,400	5,450	0	0	0	165
5,450	5,500	0	0	0	173
5,500	5,550	0	0	0	181
5,550	5,600	0	0	0	189
5,600	5,650	0	0	0	197
5,650	5,700	0	0	0	205
5,700	5,750	0	0	0	213
5,750	5,800	0	0	0	221
5,800	5,850	0	0	0	229
5,850	5,900	0	0	0	237
5,900	5,950	0	0	0	245
5,950	6,000	0	0	0	253
6,000	6,050	0	0	0	261
6,050	6,100	0	0	0	269
6,100	6,150	0	0	0	277
6,150	6,200	0	0	0	285
6,200	6,250	0	0	0	293
6,250	6,300	0	0	0	301
6,300	6,350	0	0	0	309
6,350	6,400	0	0	0	317
6,400	6,450	0	0	0	325
6,450	6,500	0	0	0	333
6,500	6,550	0	0	0	341
6,550	6,600	0	0	0	349
6,600	6,650	0	0	0	357
6,650	6,700	0	0	0	365
6,700	6,750	0	0	0	373
6,750	6,800	0	0	0	381
6,800	6,850	0	0	0	389
6,850	6,900	0	0	0	397
6,900	6,950	0	0	0	405
6,950	7,000	0	0	0	413
7,000	7,050	0	0	0	421
7,050	7,100	0	0	0	429
7,100	7,150	0	0	0	437
7,150	7,200	0	0	0	445
7,200	7,250	0	0	0	453
7,250	7,300	0	0	0	461
7,300	7,350	0	0	0	469
7,350	7,400	0	0	0	477
7,400	7,450	0	0	0	485
7,450	7,500	0	0	0	493
7,500	7,550	0	0	0	501
7,550	7,600	0	0	0	509
7,600	7,650	0	0	0	517
7,650	7,700	0	0	0	525
7,700	7,750	0	0	0	533
7,750	7,800	0	0	0	541
7,800	7,850	0	0	0	549
7,850	7,900	0	0	0	557
7,900	7,950	0	0	0	565
7,950	8,000	0	0	0	573
8,000	8,050	0	0	0	581
8,050	8,100	0	0	0	589
8,100	8,150	0	0	0	597
8,150	8,200	0	0	0	605
8,200	8,250	0	0	0	613
8,250	8,300	0	0	0	621
8,300	8,350	0	0	0	629
8,350	8,400	0	0	0	637
8,400	8,450	0	0	0	645
8,450	8,500	0	0	0	653
8,500	8,550	0	0	0	661
8,550	8,600	0	0	0	669
8,600	8,650	0	0	0	677
8,650	8,700	0	0	0	685
8,700	8,750	0	0	0	693
8,750	8,800	0	0	0	701
8,800	8,850	0	0	0	709
8,850	8,900	0	0	0	717
8,900	8,950	0	0	0	725
8,950	9,000	0	0	0	733
9,000	9,050	0	0	0	741
9,050	9,100	0	0	0	749
9,100	9,150	0	0	0	757
9,150	9,200	0	0	0	765
9,200	9,250	0	0	0	773
9,250	9,300	0	0	0	781
9,300	9,350	0	0	0	789
9,350	9,400	0	0	0	797
9,400	9,450	0	0	0	805
9,450	9,500	0	0	0	813
9,500	9,550	0	0	0	821

TABLE VIII—RETURNS CLAIMING 8 EXEMPTIONS
Taxable Years Beginning After December 31, 1969, and Ending Before January 1, 1971

If adjusted gross income is—		And you are—				Your tax is—
		Single, head of household	Married filing jointly	Married filing separately	Low Standard allowance	
At least	But less than					
\$5,500	\$6,000	0	0	0	0	0
5,500	5,550	0	0	0	0	0
5,550	5,600	0	0	0	0	0
5,600	5,650	0	0	0	0	0
5,650	5,700	0	0	0	0	0
5,700	5,750	0	0	0	0	0
5,750	5,800	0	0	0	0	0
5,800	5,850	0	0	0	0	0
5,850	5,900	0	0	0	0	0
5,900	5,950	0	0	0	0	0
5,950	6,000	0	0	0	0	0
6,000	6,050	0	0	0	0	0
6,050	6,100	0	0	0	0	0
6,100	6,150	0	0	0	0	0
6,150	6,200	0	0	0	0	0
6,200	6,250	0	0	0	0	0
6,250	6,300	0	0	0	0	0
6,300	6,350	0	0	0	0	0
6,350	6,400	0	0	0	0	0
6,400	6,450	0	0	0	0	0
6,450	6,500	0	0	0	0	0
6,500	6,550	0	0	0	0	0
6,550	6,600	0	0	0	0	0
6,600	6,650	0	0	0	0	0
6,650	6,700	0	0	0	0	0
6,700	6,750	0	0	0	0	0
6,750	6,800	0	0	0	0	0
6,800	6,850	0	0	0	0	0
6,850	6,900	0	0	0	0	0
6,900	6,950	0	0	0	0	0
6,950	7,000	0	0	0	0	0
7,000	7,050	0	0	0	0	0
7,050	7,100	0	0	0	0	0
7,100	7,150	0	0	0	0	0
7,150	7,200	0	0	0	0	0
7,200	7,250	0	0	0	0	0
7,250	7,300	0	0	0	0	0
7,300	7,350	0	0	0	0	0
7,350	7,400	0	0	0	0	0
7,400	7,450	0	0	0	0	0
7,450	7,500	0	0	0	0	0
7,500	7,550	0	0	0	0	0
7,550	7,600	0	0	0	0	0
7,600	7,650	0	0	0	0	0
7,650	7,700	0	0	0	0	0
7,700	7,750	0	0	0	0	0

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE IX—RETURNS CLAIMING 9 EXEMPTIONS
Taxable Years Beginning After December 31, 1969, and Ending Before January 1, 1971

If adjusted gross income is—		And you are—				Your tax is—
		Single, head of household	Married filing jointly	Married filing separately	Low Standard allowance	
At least	But less than					
\$7,500	\$7,550	0	0	0	0	0
7,550	7,600	0	0	0	0	0
7,600	7,650	0	0	0	0	0
7,650	7,700	0	0	0	0	0
7,700	7,750	0	0	0	0	0
7,750	7,800	0	0	0	0	0
7,800	7,850	0	0	0	0	0
7,850	7,900	0	0	0	0	0
7,900	7,950	0	0	0	0	0
7,950	8,000	0	0	0	0	0
8,000	8,050	0	0	0	0	0
8,050	8,100	0	0	0	0	0
8,100	8,150	0	0	0	0	0
8,150	8,200	0	0	0	0	0
8,200	8,250	0	0	0	0	0
8,250	8,300	0	0	0	0	0
8,300	8,350	0	0	0	0	0
8,350	8,400	0	0	0	0	0
8,400	8,450	0	0	0	0	0
8,450	8,500	0	0	0	0	0
8,500	8,550	0	0	0	0	0
8,550	8,600	0	0	0	0	0
8,600	8,650	0	0	0	0	0
8,650	8,700	0	0	0	0	0
8,700	8,750	0	0	0	0	0
8,750	8,800	0	0	0	0	0
8,800	8,850	0	0	0	0	0
8,850	8,900	0	0	0	0	0
8,900	8,950	0	0	0	0	0
8,950	9,000	0	0	0	0	0
9,000	9,050	0	0	0	0	0
9,050	9,100	0	0	0	0	0
9,100	9,150	0	0	0	0	0
9,150	9,200	0	0	0	0	0
9,200	9,250	0	0	0	0	0
9,250	9,300	0	0	0	0	0
9,300	9,350	0	0	0	0	0
9,350	9,400	0	0	0	0	0
9,400	9,450	0	0	0	0	0
9,450	9,500	0	0	0	0	0
9,500	9,550	0	0	0	0	0
9,550	9,600	0	0	0	0	0
9,600	9,650	0	0	0	0	0
9,650	9,700	0	0	0	0	0
9,700	9,750	0	0	0	0	0
9,750	9,800	0	0	0	0	0
9,800	9,850	0	0	0	0	0
9,850	9,900	0	0	0	0	0
9,900	9,950	0	0	0	0	0
9,950	10,000	0	0	0	0	0

*This column may also be used by certain widows or widowers who qualify for special tax rates.

Taxable Years Beginning After December 31, 1969, and Ending Before January 1, 1971

[illegible]

*This column may also be used by certain widows or widowers who qualify for special tax rates:

Table. Years Beginning After December 31 1969 and Ending Before January 1 1971

	If adjusted gross income is—	And you are—
Single, head of household or married filing jointly	At least	Married filing separately return claiming— Low Standard income allowance
Head of household or married filing jointly	But less than	Your tax is—

4	001	USA	13
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[illegible]

*This column may also be used by certain widows or widowers who qualify for special tax rates.

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XVII—RETURNS CLAIMING 2 EXEMPTIONS

Taxable Years Beginning After December 31, 1970 and Ending Before January 1, 1972

*This column may also be used by certain widows or widowers who qualify for special tax rates.

RULES AND REGULATIONS

If adjusted gross income is—				And you are—		
At least	But less than	Single, not head of household	Head of household	Married filing jointly	Married filing a separate return	Low income and allowable deduction
\$0	\$2,250	0	0	0	0	\$178
\$2,250	2,275	0	0	0	0	\$189
2,275	2,300	0	0	0	0	197
2,300	2,325	0	0	0	0	185
2,325	2,350	0	0	0	0	192
2,350	2,375	0	0	0	0	198
2,375	2,400	0	0	0	0	205
2,400	2,425	0	0	\$2	15	212
2,425	2,450	0	0	5	18	212
2,450	2,475	0	0	9	21	219
2,475	2,500	0	0	12	24	219
2,500	2,525	0	0	16	27	226
2,525	2,550	0	0	19	30	234
2,550	2,575	0	0	23	33	241
2,575	2,600	0	0	26	36	249
2,600	2,625	0	0	30	39	256
2,625	2,650	0	0	33	42	263
2,650	2,675	0	0	37	45	268
2,675	2,700	0	0	40	48	278
2,700	2,725	0	0	44	51	286
2,725	2,750	0	0	47	54	293
2,750	2,775	0	0	51	57	300
2,775	2,800	0	0	54	60	306
2,800	2,825	0	0	58	63	315
2,825	2,850	0	0	61	67	324
2,850	2,875	0	0	65	70	334
2,875	2,900	0	0	68	73	341
2,900	2,925	0	0	72	76	349
2,925	2,950	0	0	76	79	357
2,950	2,975	0	0	80	83	366
2,975	3,000	0	0	83	86	375
3,000	3,025	0	0	87	89	384
3,025	3,050	0	0	91	92	393
3,050	3,075	\$4	\$4	96	97	402
3,075	3,100	11	11	104	104	411
3,100	3,125	11	11	111	111	420
3,125	3,150	26	26	118	118	429
3,150	3,175	26	26	124	124	438
3,175	3,200	34	34	134	134	447
3,200	3,225	41	41	141	141	456
3,225	3,250	41	41	148	148	465
3,250	3,275	56	56	155	155	474
3,275	3,300	63	63	165	165	483
3,300	3,325	71	71	173	173	492
3,325	3,350	79	79	181	181	501
3,350	3,375	87	87	188	188	510
3,375	3,400	87	87	195	195	519
3,400	3,425	95	95	202	202	528
3,425	3,450	103	103	210	210	537
3,450	3,475	111	111	218	218	546
3,475	3,500	119	119	226	226	555
3,500	3,525	127	127	234	234	564
3,525	3,550	135	135	242	242	573
3,550	3,575	143	143	250	250	582
3,575	3,600	151	151	258	258	591
3,600	3,625	159	159	266	266	600
3,625	3,650	167	167	274	274	609
3,650	3,675	175	175	282	282	618
3,675	3,700	183	183	290	290	627
3,700	3,725	191	191	298	298	636
3,725	3,750	199	199	306	306	645
3,750	3,775	207	207	314	314	654
3,775	3,800	215	215	322	322	663
3,800	3,825	223	223	330	330	672
3,825	3,850	231	231	338	338	681</

If adjusted gross income is—			And you are—		
Single, not head of household	Head of household	Married filing a separate return claiming—	Single, not head of household	Head of household	Married filing a separate return claiming—
\$5,750	\$5,900	\$6,050	\$473	\$444	\$514
\$5,800	\$5,950	\$6,100	482	452	524
\$5,850	\$6,000	\$6,150	492	461	533
\$5,900	\$6,050	\$6,200	502	470	543
\$5,950	\$6,100	\$6,250	511	479	552
\$6,000	\$6,150	\$6,300	521	489	562
\$6,050	\$6,200	\$6,350	530	498	571
\$6,100	\$6,250	\$6,400	540	507	581
\$6,150	\$6,300	\$6,450	550	516	590
\$6,200	\$6,350	\$6,500	559	525	600
\$6,250	\$6,400	\$6,550	568	534	609
\$6,300	\$6,450	\$6,600	578	543	619
\$6,350	\$6,500	\$6,650	587	551	628
\$6,400	\$6,550	\$6,700	596	559	638
\$6,450	\$6,600	\$6,750	603	566	647
\$6,500	\$6,650	\$6,800	611	574	657
\$6,550	\$6,700	\$6,850	619	581	666
\$6,600	\$6,750	\$6,900	626	588	675
\$6,650	\$6,800	\$6,950	634	596	685
\$6,700	\$6,850	\$7,000	642	603	693
\$6,750	\$6,900	\$7,050	650	611	701
\$6,800	\$6,950	\$7,100	658	618	718
\$6,850	\$7,000	\$7,150	666	626	729
\$6,900	\$7,050	\$7,200	674	634	740
\$6,950	\$7,100	\$7,250	682	642	751
\$7,000	\$7,150	\$7,300	691	651	762
\$7,050	\$7,200	\$7,350	699	659	773
\$7,100	\$7,250	\$7,400	707	667	784
\$7,150	\$7,300	\$7,450	715	676	795
\$7,200	\$7,350	\$7,500	724	684	806
\$7,250	\$7,400	\$7,550	732	692	817
\$7,300	\$7,450	\$7,600	740	700	828
\$7,350	\$7,500	\$7,650	749	709	839
\$7,400	\$7,550	\$7,700	757	717	850
\$7,450	\$7,600	\$7,750	765	725	861
\$7,500	\$7,650	\$7,800	773	733	872
\$7,550	\$7,700	\$7,850	782	742	883
\$7,600	\$7,750	\$7,900	790	750	894
\$7,650	\$7,800	\$7,950	798	758	905
\$7,700	\$7,850	\$8,000	806	766	916*
\$7,750	\$7,900	\$8,050	815	775	927
\$7,800	\$7,950	\$8,100	823	783	938
\$7,850	\$8,000	\$8,150	831	791	948
\$7,900	\$8,050	\$8,200	839	799	958
\$7,950	\$8,100	\$8,250	847	807	968
\$8,000	\$8,150	\$8,300	855	815	978
\$8,050	\$8,200	\$8,350	863	823	988
\$8,100	\$8,250	\$8,400	871	831	998
\$8,150	\$8,300	\$8,450	879	839	1,008
\$8,200	\$8,350	\$8,500	887	847	1,018
\$8,250	\$8,400	\$8,550	895	855	1,028
\$8,300	\$8,450	\$8,600	903	863	1,038
\$8,350	\$8,500	\$8,650	911	871	1,048
\$8,400	\$8,550	\$8,700	919	879	1,058
\$8,450	\$8,600	\$8,750	927	887	1,068
\$8,500	\$8,650	\$8,800	935	895	1,078
\$8,550	\$8,700	\$8,850	943	903	1,088
\$8,600	\$8,750	\$8,900	951	911	1,098
\$8,650	\$8,800	\$8,950	959	919	1,108
\$8,700	\$8,850	\$9,000	967	927	1,118
\$8,750	\$8,900	\$9,050	975	935	1,128
\$8,800	\$8,950	\$9,100	983	943	1,138
\$8,850	\$9,000	\$9,150	991	951	1,148
\$8,900	\$9,050	\$9,200	999	959	1,158
\$8,950	\$9,100	\$9,250	1,007	967	1,168
\$9,000	\$9,150	\$9,300	1,015	975	1,174
\$9,050	\$9,200	\$9,350	1,023	983	1,184
\$9,100	\$9,250	\$9,400	1,031	991	1,194
\$9,150	\$9,300	\$9,450	1,039	1,000	1,204
\$9,200	\$9,350	\$9,500	1,047	1,008	1,214
\$9,250	\$9,400	\$9,550	1,055	1,016	1,224
\$9,300	\$9,450	\$9,600	1,063	1,024	1,234
\$9,350	\$9,500	\$9,650	1,071	1,032	1,244
\$9,400	\$9,550	\$9,700	1,079	1,040	1,254
\$9,450	\$9,600	\$9,750	1,087	1,048	1,264
\$9,500	\$9,650	\$9,800	1,095	1,056	1,274
\$9,550	\$9,700	\$9,850	1,103	1,064	1,284
\$9,600	\$9,750	\$9,900	1,111	1,072	1,294
\$9,650	\$9,800	\$9,950	1,119	1,080	1,304
\$9,700	\$9,850	\$10,000	1,127	1,088	1,314
\$9,750	\$9,900	\$10,050	1,135	1,096	1,324
\$9,800	\$9,950	\$10,100	1,143	1,104	1,334
\$9,850	\$10,000	\$10,150	1,151	1,112	1,344
\$9,900	\$10,050	\$10,200	1,159	1,120	1,354
\$9,950	\$10,100	\$10,250	1,167	1,128	1,364
\$10,000	\$10,150	\$10,300	1,175	1,136	1,374
\$10,050	\$10,200	\$10,350	1,183	1,144	1,384
\$10,100	\$10,250	\$10,400	1,191	1,152	1,394
\$10,150	\$10,300	\$10,450	1,199	1,160	1,404
\$10,200	\$10,350	\$10,500	1,207	1,168	1,414
\$10,250	\$10,400	\$10,550	1,215	1,176	1,424
\$10,300	\$10,450	\$10,600	1,223	1,184	1,434
\$10,350	\$10,500	\$10,650	1,231	1,192	1,444
\$10,400	\$10,550	\$10,700	1,239	1,200	1,454
\$10,450	\$10,600	\$10,750	1,247	1,208	1,464
\$10,500	\$10,650	\$10,800	1,255	1,216	1,474
\$10,550	\$10,700	\$10,850	1,263	1,224	1,484
\$10,600	\$10,750	\$10,900	1,271	1,232	1,494
\$10,650	\$10,800	\$10,950	1,279	1,240	1,504
\$10,700	\$10,850	\$11,000	1,287	1,248	1,514
\$10,750	\$10,900	\$11,050	1,295	1,256	1,524
\$10,800	\$10,950	\$11,100	1,303	1,264	1,534
\$10,850	\$11,000	\$11,150	1,311	1,272	1,544
\$10,900	\$11,050	\$11,200	1,319	1,280	1,554
\$10,950	\$11,100	\$11,250	1,327	1,288	1,564
\$11,000	\$11,150	\$11,300	1,335	1,296	1,574
\$11,050	\$11,200	\$11,350	1,343	1,304	1,584
\$11,100	\$11,250	\$11,400	1,351	1,312	1,594
\$11,150	\$11,300	\$11,450	1,359	1,320	1,604
\$11,200	\$11,350	\$11,500	1,367	1,328	1,614
\$11,250	\$11,400	\$11,550	1,375	1,336	1,624
\$11,300	\$11,450	\$11,600	1,383	1,344	1,634
\$11,350	\$11,500	\$11,650	1,391	1,352	1,644
\$11,400	\$11,550	\$11,700	1,399	1,360	1,654
\$11,450	\$11,600	\$11,750	1,407	1,368	1,664
\$11,500	\$11,650	\$11,800	1,415	1,376	1,674
\$11,550	\$11,700	\$11,850	1,423	1,384	1,684
\$11,600	\$11,750	\$11,900	1,431	1,392	1,694
\$11,650	\$11,800	\$11,950	1,439	1,400	1,704
\$11,700	\$11,850	\$12,000	1,447	1,408	1,714
\$11,750	\$11,900	\$12,050	1,455	1,416	1,724
\$11,800	\$11,950	\$12,100	1,463	1,424	1,734
\$11,850	\$12,000	\$12,150	1,471	1,432	1,744
\$11,900	\$12,050	\$12,200	1,479	1,440	1,754
\$11,950	\$12,100	\$12,250	1,487	1,448	1,764
\$12,000	\$12,150	\$12,300	1,495	1,456	1,774
\$12,050	\$12,200	\$12,350	1,503	1,464	1,784
\$12,100	\$12,250	\$12,400	1,511	1,472	1,794
\$12,150	\$12,300	\$12,450	1,519	1,480	1,804
\$12,200	\$12,350	\$12,500	1,527	1,488	1,814
\$12,250	\$12,400	\$12,550	1,535	1,496	1,824
\$12,300	\$12,450	\$12,600	1,543	1,504	1,834
\$12,350	\$12,500	\$12,650	1,551	1,512	1,844
\$12,400	\$12,550	\$12,700	1,559	1,520	1,854
\$12,450	\$12,600	\$12,750	1,567	1,528	1,864
\$12,500	\$12,650	\$12,800	1,575	1,536	1,874
\$12,550	\$12,700	\$12,850	1,583	1,544	1,884
\$12,600	\$12,750	\$12,900	1,591	1,552	1,894
\$12,650	\$12,800	\$12,950	1,599	1,560	1,904
\$12,700	\$12,850	\$13,000	1,607	1,568	1,914
\$12,750	\$12,900	\$13,050	1,615	1,576	1,924
\$12,800	\$12,950	\$13,100	1,623	1,584	1,934
\$12,850	\$13,000	\$13,150	1,631	1,592	1,944
\$12,900	\$13,050	\$13,200	1,639	1,600	1,954
\$12,950	\$13,100	\$13,250	1,647	1,608	1,964
\$13,000	\$13,150	\$13,300	1,655	1,616	1,974
\$13,050	\$13,200	\$13,350	1,663	1,624	1,984
\$13,100	\$13,250	\$13,400	1,671	1,632	1,994
\$13,150	\$13,300	\$13,450	1,679	1,640	2,004
\$13,200	\$13,350	\$13,500	1,687	1,648	2,014
\$13,250	\$13,400	\$13,550	1,695	1,656	2,024
\$13,300	\$13,450	\$13,600	1,703	1,664	2,034
\$13,350	\$13,500	\$13,650	1,711	1,672	2,044
\$13,400	\$13,550	\$13,700	1,719	1,680	2,054
\$13,450	\$13,600	\$13,750	1,727	1,688	2,064
\$13,500	\$13,650	\$13,800	1,735	1,696	2,074
\$13,550	\$13,700	\$13,850	1,743	1,704	2,084
\$13,600	\$13,750	\$13,900	1,751	1,712	2,094
\$13,650	\$13,800	\$13,950	1,759	1,720	2,104
\$13,700	\$13,850	\$14,000	1,767	1,728	2,114
\$13,750	\$13,900	\$14,050	1,775	1,736	2,124
\$13,800	\$13,950	\$14,100	1,783	1,744	2,134
\$13,850	\$14,000	\$14,150	1,791	1,752	2,144
\$13,900	\$14,050	\$14,200	1,799	1,760	2,154
\$13,950	\$14,100	\$14,250	1,807	1,768	2,164
\$14,000	\$14,150	\$14,300	1,815	1,776	2,174
\$14,050	\$14,200	\$14,350	1,823	1,784	2,184
\$14,100	\$14,250	\$14,400	1,831	1,792	2,194
\$14,150	\$14,300	\$14,450	1,839	1,800	2,204
\$14,200	\$14,350	\$14,500	1,847	1,808	2,214
\$14,250	\$14,400	\$14,550	1,855	1,816	2,224
\$14,300	\$14,450	\$14,600	1,863	1,824	2,234
\$14,350	\$14,500	\$14,650	1,871	1,832	2,244
\$14,400	\$14,550	\$14,700	1,879	1,840	2,254
\$14,450	\$14,600	\$14,750	1,887	1,848	2,264
\$14,500	\$14,650	\$14,800	1,895	1,856	2,274
\$14,550	\$14,700	\$14,850	1,903	1,864	2,284
\$14,600	\$14,750	\$14,900	1,911	1,872	2,294
\$14,650	\$14,800	\$14,950	1,919	1,880	2,304
\$14,700	\$14,850	\$15,000	1,927	1,888	2,314
\$14,750	\$14,900	\$15,050	1,935	1,896	2,324
\$14,800	\$14,950	\$15,100	1,943	1,904	2,334
\$14,850	\$15,000	\$15,150	1,951	1,912	2,344
\$14,900	\$15,050	\$15,200	1,959	1,920	2,354
\$14,950	\$15,100	\$15,250	1,967	1,928	2,364
\$15,000	\$15,150	\$15,300	1,975	1,936	2,374
\$15,050	\$15,200	\$15,350	1,983	1,944	2,384
\$15,100	\$15,250	\$15,400	1,991	1,952	2,394
\$15,150	\$15,300	\$15,450	1,999	1,960	2,404
\$15,200	\$15,350	\$15,500	2,007	1,968	2,414
\$15,250	\$15,400	\$15,550	2,015	1,976	2,424
\$15,300	\$15,450	\$15,600	2,023	1,984	2,434
\$15,350	\$15,500	\$			

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XIX—RETURNS CLAIMING 4 EXEMPTIONS—Continued
Taxable Years Beginning After December 31, 1970, and Ending Before January 1, 1972

And you are—				And you are—				And you are—				And you are—			
If adjusted gross income is—	Single, not head of household	Married filing jointly	Head of household	Single, not head of household	Married filing jointly	Head of household	Single, not head of household	If adjusted gross income is—	Single, not head of household	Married filing jointly	Head of household	Single, not head of household	Married filing jointly	Head of household	Single, not head of household
At least	But less than	At least	But less than	At least	But less than	At least	But less than	At least	But less than	At least	But less than	At least	But less than	At least	But less than
Your tax is—															
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000	\$3,000
\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050	\$3,050
\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100	\$3,100
\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150	\$3,150
\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200	\$3,200
\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250	\$3,250
\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300	\$3,300
\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350	\$3,350
\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400	\$3,400
\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450	\$3,450
\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500	\$3,500
\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550	\$3,550
\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600	\$3,600
\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650	\$3,650
\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700	\$3,700
\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750	\$3,750
\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800	\$3,800
\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850	\$3,850
\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900	\$3,900
\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950	\$3,950
\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050	\$4,050
\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100	\$4,100
\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150	\$4,150
\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200	\$4,200
\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250	\$4,250
\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300	\$4,300
\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350	\$4,350
\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400	\$4,400
\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450	\$4,450
\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500	\$4,500
\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550	\$4,550
\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600	\$4,600
\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650	\$4,650
\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700	\$4,700

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXI—RETURNS CLAIMING 6 EXEMPTIONS
Taxable Years Beginning After December 31, 1970 and Ending Before January 1, 1972

If adjusted gross income is—		And you are—			If adjusted gross income is—		And you are—		
At least	But less than	Single, head of household	Married filing jointly	Head of household	At least	But less than	Single, head of household	Married filing jointly	Head of household
\$7,150	\$7,200	0	0	0	\$7,150	\$7,200	0	0	0
7,200	7,250	0	0	0	7,200	7,250	0	0	0
7,250	7,300	0	0	0	7,250	7,300	0	0	0
7,300	7,350	0	0	0	7,300	7,350	0	0	0
7,350	7,400	0	0	0	7,350	7,400	0	0	0
7,400	7,450	0	0	0	7,400	7,450	0	0	0
7,450	7,500	0	0	0	7,450	7,500	0	0	0
7,500	7,550	0	0	0	7,500	7,550	0	0	0
7,550	7,600	0	0	0	7,550	7,600	0	0	0
7,600	7,650	0	0	0	7,600	7,650	0	0	0
7,650	7,700	0	0	0	7,650	7,700	0	0	0
7,700	7,750	0	0	0	7,700	7,750	0	0	0
7,750	7,800	0	0	0	7,750	7,800	0	0	0
7,800	7,850	0	0	0	7,800	7,850	0	0	0
7,850	7,900	0	0	0	7,850	7,900	0	0	0
7,900	7,950	0	0	0	7,900	7,950	0	0	0
7,950	8,000	0	0	0	7,950	8,000	0	0	0
8,000	8,050	0	0	0	8,000	8,050	0	0	0
8,050	8,100	0	0	0	8,050	8,100	0	0	0
8,100	8,150	0	0	0	8,100	8,150	0	0	0
8,150	8,200	0	0	0	8,150	8,200	0	0	0
8,200	8,250	0	0	0	8,200	8,250	0	0	0
8,250	8,300	0	0	0	8,250	8,300	0	0	0
8,300	8,350	0	0	0	8,300	8,350	0	0	0
8,350	8,400	0	0	0	8,350	8,400	0	0	0
8,400	8,450	0	0	0	8,400	8,450	0	0	0
8,450	8,500	0	0	0	8,450	8,500	0	0	0
8,500	8,550	0	0	0	8,500	8,550	0	0	0
8,550	8,600	0	0	0	8,550	8,600	0	0	0
8,600	8,650	0	0	0	8,600	8,650	0	0	0
8,650	8,700	0	0	0	8,650	8,700	0	0	0
8,700	8,750	0	0	0	8,700	8,750	0	0	0
8,750	8,800	0	0	0	8,750	8,800	0	0	0
8,800	8,850	0	0	0	8,800	8,850	0	0	0
8,850	8,900	0	0	0	8,850	8,900	0	0	0
8,900	8,950	0	0	0	8,900	8,950	0	0	0
8,950	9,000	0	0	0	8,950	9,000	0	0	0
9,000	9,050	0	0	0	9,000	9,050	0	0	0
9,050	9,100	0	0	0	9,050	9,100	0	0	0
9,100	9,150	0	0	0	9,100	9,150	0	0	0
9,150	9,200	0	0	0	9,150	9,200	0	0	0
9,200	9,250	0	0	0	9,200	9,250	0	0	0
9,250	9,300	0	0	0	9,250	9,300	0	0	0
9,300	9,350	0	0	0	9,300	9,350	0	0	0
9,350	9,400	0	0	0	9,350	9,400	0	0	0
9,400	9,450	0	0	0	9,400	9,450	0	0	0
9,450	9,500	0	0	0	9,450	9,500	0	0	0
9,500	9,550	0	0	0	9,500	9,550	0	0	0
9,550	9,600	0	0	0	9,550	9,600	0	0	0
9,600	9,650	0	0	0	9,600	9,650	0	0	0
9,650	9,700	0	0	0	9,650	9,700	0	0	0
9,700	9,750	0	0	0	9,700	9,750	0	0	0
9,750	9,800	0	0	0	9,750	9,800	0	0	0
9,800	9,850	0	0	0	9,800	9,850	0	0	0
9,850	9,900	0	0	0	9,850	9,900	0	0	0
9,900	9,950	0	0	0	9,900	9,950	0	0	0
9,950	10,000	0	0	0	9,950	10,000	0	0	0

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XX—RETURNS CLAIMING 5 EXEMPTIONS
Taxable Years Beginning After December 31, 1970 and Ending Before January 1, 1972

If adjusted gross income is—		And you are—			If adjusted gross income is—		And you are—		
At least	But less than	Single, head of household	Married filing jointly	Head of household	At least	But less than	Single, head of household	Married filing jointly	Head of household
\$3,750	\$3,800	0	0	0	\$3,750	\$3,800	0	0	0
3,800	3,850	0	0	0	3,800	3,850	0	0	0
3,850	3,900	0	0	0	3,850	3,900	0	0	0
3,900	3,950	0	0	0	3,900	3,950	0	0	0
3,950	4,000	0	0	0	3,950	4,000	0	0	0
4,000	4,050	0	0	0	4,000	4,050	0	0	0
4,050	4,100	0	0	0	4,050	4,100	0	0	0
4,100	4,150	0	0	0	4,100	4,150	0	0	0
4,150	4,200	0	0	0	4,150	4,200	0	0	0
4,200	4,250	0	0	0	4,200	4,250	0	0	0
4,250	4,300	0	0	0	4,250	4,300	0	0	0
4,300	4,350	0	0	0	4,300	4,350	0	0	0
4,350	4,400	0	0	0	4,350	4,400	0	0	0
4,400	4,450	0	0	0	4,400	4,450	0	0	0
4,450	4,500	0	0	0	4,450	4,500	0	0	0
4,500	4,550	0	0	0	4,500	4,550	0	0	0
4,550	4,600	0	0	0	4,550	4,600	0	0	0
4,600	4,650	0	0	0	4,600	4,650	0	0	0
4,650	4,700	0	0	0	4,650	4,700	0	0	0
4,700	4,750	0	0	0	4,700	4,750	0	0	0
4,750	4,800	0	0	0	4,750	4,800	0	0	0
4,800	4,850	0	0	0	4,800	4,850	0	0	0
4,850	4,900	0	0	0	4,850	4,900	0	0	0
4,900	4,950	0	0	0	4,900	4,950	0	0	0
4,950	5,000	0	0	0	4,950	5,000	0	0	0
5,000	5,050	0	0	0	5,000	5,050	0	0	0
5,050	5,100	0	0	0	5,050	5,100	0	0	0
5,100	5,150	0	0	0	5,100	5,150	0	0	0
5,150	5,200	0	0	0	5,150	5,200	0	0	0
5,200	5,250	0	0	0	5,200	5,250	0	0	0
5,250	5,300	0	0	0	5,250	5,300	0	0	0
5,300	5,350	0	0	0	5,300	5,350	0	0	0
5,350	5,400	0	0	0	5,350	5,400	0	0	0
5,400	5,450	0	0	0	5,400	5,450	0	0	0
5,450	5,500	0	0	0	5,450	5,500	0	0	0
5,500	5,550	0	0	0	5,500	5,550	0	0	0
5,550	5,600	0	0	0	5,550	5,600	0	0	0
5,600	5,650	0	0	0	5,600	5,650	0	0	0
5,650	5,700	0	0	0	5,650	5,700	0	0	0
5,700	5,750	0	0	0	5,700	5,750	0	0	0
5,750	5,800	0	0	0	5,750	5,800	0	0	0
5,800	5,850	0	0	0	5,800	5,850	0	0	0
5,850	5,900	0	0	0	5,850	5,900	0	0	0
5,900	5,950	0	0	0	5,900	5,950	0	0	0
5,950	6,000	0	0	0	5,950	6,000	0	0	0
6,000	6,050	0	0	0	6,000	6,050	0	0	0
6,050	6,100	0	0	0	6,050	6,100	0	0	0
6,100	6,150	0	0	0	6,100	6,150	0	0	0
6,150	6,200	0	0	0	6,150	6,200	0	0	0
6,200	6,250	0	0	0	6,200	6,250	0	0	0
6,250	6,300	0	0	0	6,250	6,300	0	0	0
6,300	6,350	0	0	0	6,300	6,350	0	0	0
6,350	6,400	0	0	0	6,350	6,400	0	0	0
6,400	6,450	0	0	0	6,400	6,450	0	0	0
6,450	6,500	0	0	0	6,450	6,500	0	0	0
6,500	6,550	0	0	0	6,500	6,550	0	0	0
6,550	6,600	0	0	0	6,550	6,600	0	0	0
6,600	6,650	0	0	0	6,600	6,650	0	0	0
6,650	6,700	0	0	0	6,650	6,700	0	0	0
6,700	6,750	0	0	0	6,700	6,750	0	0	0
6,750	6,800	0	0	0	6,750	6,800	0	0	0
6,800	6,850	0	0	0	6,800	6,850	0	0	0

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXIII—RETURNS CLAIMING 8 EXEMPTIONS
Taxable Years Beginning After December 31, 1970 and Ending Before January 1, 1972

And you are—				And you are—			
If adjusted gross income is—	Single, not head of household	Head of household	Married filing a separate return	If adjusted gross income is—	Single, not head of household	Head of household	Married filing a separate return
At least	But less than	At least	But less than	At least	But less than	At least	But less than
\$7,850	\$7,900	\$251	\$244	\$238	\$243	\$207	\$207
7,900	7,950	251	244	238	243	306	306
7,950	8,000	251	244	238	243	315	315
8,000	8,050	251	244	238	243	324	324
8,050	8,100	251	244	238	243	333	333
8,100	8,150	251	244	238	243	342	342
8,150	8,200	251	244	238	243	351	351
8,200	8,250	251	244	238	243	360	360
8,250	8,300	251	244	238	243	369	369
8,300	8,350	251	244	238	243	378	378
8,350	8,400	251	244	238	243	387	387
8,400	8,450	251	244	238	243	396	396
8,450	8,500	251	244	238	243	405	405
8,500	8,550	251	244	238	243	414	414
8,550	8,600	251	244	238	243	423	423
8,600	8,650	251	244	238	243	432	432
8,650	8,700	251	244	238	243	441	441
8,700	8,750	251	244	238	243	450	450
8,750	8,800	251	244	238	243	459	459
8,800	8,850	251	244	238	243	468	468
8,850	8,900	251	244	238	243	477	477
8,900	8,950	251	244	238	243	486	486
8,950	9,000	251	244	238	243	495	495
9,000	9,050	251	244	238	243	504	504
9,050	9,100	251	244	238	243	513	513
9,100	9,150	251	244	238	243	522	522
9,150	9,200	251	244	238	243	531	531
9,200	9,250	251	244	238	243	540	540
9,250	9,300	251	244	238	243	549	549
9,300	9,350	251	244	238	243	558	558
9,350	9,400	251	244	238	243	567	567
9,400	9,450	251	244	238	243	576	576
9,450	9,500	251	244	238	243	585	585
9,500	9,550	251	244	238	243	594	594
9,550	9,600	251	244	238	243	603	603
9,600	9,650	251	244	238	243	612	612
9,650	9,700	251	244	238	243	621	621
9,700	9,750	251	244	238	243	630	630
9,750	9,800	251	244	238	243	639	639
9,800	9,850	251	244	238	243	648	648
9,850	9,900	251	244	238	243	657	657
9,900	9,950	251	244	238	243	666	666
9,950	10,000	251	244	238	243	675	675
10,000		251	244	238	243	684	684

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXII—RETURNS CLAIMING 7 EXEMPTIONS
Taxable Years Beginning After December 31, 1970, and Ending Before January 1, 1972

And you are—				And you are—			
If adjusted gross income is—	Single, not head of household	Head of household	Married filing a separate return	If adjusted gross income is—	Single, not head of household	Head of household	Married filing a separate return
At least	But less than	At least	But less than	At least	But less than	At least	But less than
\$7,500	\$7,550	\$309	\$299	\$290	\$400	\$353	\$353
7,550	7,600	318	307	296	410	362	362
7,600	7,650	326	315	303	420	371	371
7,650	7,700	334	323	310	430	380	380
7,700	7,750	342	331	317	440	389	389
7,750	7,800	351	339	324	450	398	398
7,800	7,850	359	346	331	460	407	407
7,850	7,900	367	354	338	470	416	416
7,900	7,950	375	362	345	480	425	425
7,950	8,000	384	370	352	490	434	434
8,000	8,050	392	378	359	500	443	443
8,050	8,100	400	386	366	510	452	452
8,100	8,150	409	393	373	520	461	461
8,150	8,200	417	401	380	530	470	470
8,200	8,250	425	409	387	540	479	479
8,250	8,300	433	417	394	550	488	488
8,300	8,350	441	425	401	560	497	497
8,350	8,400	449	433	408	570	506	506
8,400	8,450	457	441	415	580	515	515
8,450	8,500	465	449	422	590	524	524
8,500	8,550	473	456	429	600	533	533
8,550	8,600	481	464	436	610	542	542
8,600	8,650	489	472	443	620	551	551
8,650	8,700	497	480	450	630	560	560
8,700	8,750	505	488	457	640	569	569
8,750	8,800	513	496	464	650	578	578
8,800	8,850	521	504	471	660	587	587
8,850	8,900	529	512	478	670	596	596
8,900	8,950	537	520	485	680	605	605
8,950	9,000	545	528	492	690	614	614
9,000	9,050	553	536	500	700	623	623
9,050	9,100	561	544	507	710	632	632
9,100	9,150	569	552	515	720	641	641
9,150	9,200	577	560	523	730	650	650
9,200	9,250	585	568	531	740	659	659
9,250	9,300	593	576	539	750	668	668
9,300	9,350	601	584	547	760	677	677
9,350	9,400	609	592	555	770	686	686
9,400	9,450	617	600	563	780	695	695
9,450	9,500	625	608	571	790	704	704
9,500	9,550	633	616	579	800	713	713
9,550	9,600	641	624	587	810	722	722
9,600	9,650	649	632	595	820	731	731
9,650	9,700	657	640	603	830	740	740
9,700	9,750	665	648	611	840	749	749
9,750	9,800	673	656	619	850	758	758
9,800	9,850	681	664	627	860	767	767
9,850	9,900	689	672	635	870	776	776
9,900	9,950	697	680	643	880	785	785
9,950	10,000	705	688	651	890	794	794
10,000		713	696	659	900	803	803
		721	704	667	910	812	812
		729	712	675	920	821	821
		737	720	683	930	830	830
		745	728	691	940	839	839
		753	736	699	950	848	848
		761	744	707	960	857	857
		769	752	715	970	866	866
		777	760	723	980	875	875
		785	768	731	990	884	884
		793	776	739	1000	893	893

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXIV—RETURNS CLAIMING 9 EXEMPTIONS
Taxable Years Beginning After December 31, 1970 and Ending Before January 1, 1972

If adjusted gross income is—		And you are—				Your tax is—
		Single, not head of household	Head of household	Married filing jointly	Married filing separately	
At least	But less than					
\$0	\$6,350	0	0	0	0	0
6,400	6,450	0	0	0	0	\$4
6,500	6,550	0	0	0	0	11
6,600	6,650	0	0	0	0	18
6,700	6,750	0	0	0	0	25
6,800	6,850	0	0	0	0	32
6,900	6,950	0	0	0	0	39
7,000	7,050	0	0	0	0	46
7,100	7,150	0	0	0	0	53
7,200	7,250	0	0	0	0	60
7,300	7,350	0	0	0	0	67
7,400	7,450	0	0	0	0	74
7,500	7,550	0	0	0	0	81
7,600	7,650	0	0	0	0	88
7,700	7,750	0	0	0	0	95
7,800	7,850	0	0	0	0	102
7,900	7,950	0	0	0	0	109
8,000	8,050	0	0	0	0	116
8,100	8,150	0	0	0	0	123
8,200	8,250	0	0	0	0	130
8,300	8,350	0	0	0	0	137
8,400	8,450	0	0	0	0	144
8,500	8,550	0	0	0	0	151
8,600	8,650	0	0	0	0	158
8,700	8,750	0	0	0	0	165
8,800	8,850	0	0	0	0	172
8,900	8,950	0	0	0	0	179
9,000	9,050	0	0	0	0	186
9,100	9,150	0	0	0	0	193
9,200	9,250	0	0	0	0	200
9,300	9,350	0	0	0	0	207
9,400	9,450	0	0	0	0	214
9,500	9,550	0	0	0	0	221
9,600	9,650	0	0	0	0	228
9,700	9,750	0	0	0	0	235
9,800	9,850	0	0	0	0	242
9,900	9,950	0	0	0	0	249
10,000	10,050	0	0	0	0	256
10,100	10,150	0	0	0	0	263
10,200	10,250	0	0	0	0	270
10,300	10,350	0	0	0	0	277
10,400	10,450	0	0	0	0	284
10,500	10,550	0	0	0	0	291
10,600	10,650	0	0	0	0	298
10,700	10,750	0	0	0	0	305
10,800	10,850	0	0	0	0	312
10,900	10,950	0	0	0	0	319
11,000	11,050	0	0	0	0	326
11,100	11,150	0	0	0	0	333
11,200	11,250	0	0	0	0	340
11,300	11,350	0	0	0	0	347
11,400	11,450	0	0	0	0	354
11,500	11,550	0	0	0	0	361
11,600	11,650	0	0	0	0	368
11,700	11,750	0	0	0	0	375
11,800	11,850	0	0	0	0	382
11,900	11,950	0	0	0	0	389
12,000	12,050	0	0	0	0	396
12,100	12,150	0	0	0	0	403
12,200	12,250	0	0	0	0	410
12,300	12,350	0	0	0	0	417
12,400	12,450	0	0	0	0	424
12,500	12,550	0	0	0	0	431
12,600	12,650	0	0	0	0	438
12,700	12,750	0	0	0	0	445
12,800	12,850	0	0	0	0	452
12,900	12,950	0	0	0	0	459
13,000	13,050	0	0	0	0	466
13,100	13,150	0	0	0	0	473
13,200	13,250	0	0	0	0	480
13,300	13,350	0	0	0	0	487
13,400	13,450	0	0	0	0	494
13,500	13,550	0	0	0	0	501
13,600	13,650	0	0	0	0	508
13,700	13,750	0	0	0	0	515
13,800	13,850	0	0	0	0	522
13,900	13,950	0	0	0	0	529
14,000	14,050	0	0	0	0	536
14,100	14,150	0	0	0	0	543
14,200	14,250	0	0	0	0	550
14,300	14,350	0	0	0	0	557
14,400	14,450	0	0	0	0	564
14,500	14,550	0	0	0	0	571

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXV—RETURNS CLAIMING 10 EXEMPTIONS
Taxable Years Beginning After December 31, 1970 and Ending Before January 1, 1972

If adjusted gross income is—		And you are—				Your tax is—
		Single, not head of household	Head of household	Married filing jointly	Married filing separately	
At least	But less than					
\$0	\$8,450	0	0	0	0	0
8,500	8,550	0	0	0	0	\$4
8,600	8,650	0	0	0	0	11
8,700	8,750	0	0	0	0	18
8,800	8,850	0	0	0	0	25
8,900	8,950	0	0	0	0	32
9,000	9,050	0	0	0	0	39
9,100	9,150	0	0	0	0	46
9,200	9,250	0	0	0	0	53
9,300	9,350	0	0	0	0	60
9,400	9,450	0	0	0	0	67
9,500	9,550	0	0	0	0	74
9,600	9,650	0	0	0	0	81
9,700	9,750	0	0	0	0	88
9,800	9,850	0	0	0	0	95
9,900	9,950	0	0	0	0	102
10,000	10,050	0	0	0	0	109
10,100	10,150	0	0	0	0	116
10,200	10,250	0	0	0	0	123
10,300	10,350	0	0	0	0	130
10,400	10,450	0	0	0	0	137
10,500	10,550	0	0	0	0	144
10,600	10,650	0	0	0	0	151
10,700	10,750	0	0	0	0	158
10,800	10,850	0	0	0	0	165
10,900	10,950	0	0	0	0	172
11,000	11,050	0	0	0	0	179
11,100	11,150	0	0	0	0	186
11,200	11,250	0	0	0	0	193
11,300	11,350	0	0	0	0	200
11,400	11,450	0	0	0	0	207
11,500	11,550	0	0	0	0	214
11,600	11,650	0	0	0	0	221
11,700	11,750	0	0	0	0	228
11,800	11,850	0	0	0	0	235
11,900	11,950	0	0	0	0	242
12,000	12,050	0	0	0	0	249
12,100	12,150	0	0	0	0	256
12,200	12,250	0	0	0	0	263
12,300	12,350	0	0	0	0	270
12,400	12,450	0	0	0	0	277
12,500	12,550	0	0	0	0	284
12,600	12,650	0	0	0	0	291
12,700	12,750	0	0	0	0	298
12,800	12,850	0	0	0	0	305
12,900	12,950	0	0	0	0	312
13,000	13,050	0	0	0	0	319
13,100	13,150	0	0	0	0	326
13,200	13,250	0	0	0	0	333
13,300	13,350	0	0	0	0	340
13,400	13,450	0	0	0	0	347
13,500	13,550	0	0	0	0	354
13,600	13,650	0	0	0	0	361
13,700	13,750	0	0	0	0	368
13,800	13,850	0	0	0	0	375
13,900	13,950	0	0	0	0	382
14,000	14,050	0	0	0	0	389
14,100	14,150	0	0	0	0	396
14,200	14,250	0	0	0	0	403
14,300	14,350	0	0	0	0	410
14,400	14,450	0	0	0	0	417
14,500	14,550	0	0	0	0	424
14,600	14,650	0	0	0	0	431
14,700	14,750	0	0	0	0	438
14,800	14,850	0	0	0	0	445
14,900	14,950	0	0	0	0	452
15,000	15,050	0	0	0	0	459
15,100	15,150	0	0	0	0	466
15,200	15,250	0	0	0	0	473
15,300	15,350	0	0	0	0	480
15,400	15,450	0	0	0	0	487
15,500	15,550	0	0	0	0	494
15,600	15,650	0	0	0	0	501
15,700	15,750	0	0	0	0	508
15,800	15,850	0	0	0	0	515
15,900	15,950	0	0	0	0	522
16,000	16,050	0	0	0	0	529
16,100	16,150	0	0	0	0	536
16,200	16,250	0	0	0	0	543
16,300	16,350	0	0	0	0	550
16,400	16,450	0	0	0	0	557
16,500	16,550	0	0	0	0	564
16,600	16,650	0	0	0	0	571

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXVII—RETURNS CLAIMING 12 EXEMPTIONS
Taxable Years Beginning After December 31, 1970, and Ending Before January 1, 1972

If adjusted gross income is—		And you are—				Your tax is—	
		Single, head of household	Head of household	Married filing jointly	Married filing a separate return claiming—		
At least	But less than				Low income allowance deduction		
\$0	\$7,650	0	0	0	0	\$26	\$39
7,650	7,700	0	0	0	0	32	96
7,700	7,750	0	0	0	0	38	104
7,750	7,800	0	0	0	0	44	111
7,800	7,850	0	0	0	0	50	119
7,850	7,900	0	0	0	0	56	126
7,900	7,950	0	0	0	0	62	134
7,950	8,000	0	0	0	0	68	141
8,000	8,050	0	0	0	0	74	149
8,050	8,100	0	0	0	0	80	157
8,100	8,150	0	0	0	0	86	165
8,150	8,200	0	0	0	0	93	173
8,200	8,250	0	0	0	0	99	181
8,250	8,300	0	0	0	0	105	189
8,300	8,350	0	0	0	0	111	197
8,350	8,400	0	0	0	0	117	205
8,400	8,450	0	0	0	0	123	213

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXVI—RETURNS CLAIMING 11 EXEMPTIONS
Taxable Years Beginning After December 31, 1970, and Ending Before January 1, 1972

If adjusted gross income is—		And you are—				Your tax is—	
		Single, head of household	Head of household	Married filing jointly	Married filing a separate return claiming—		
At least	But less than				Low income allowance deduction		
\$0	\$7,650	0	0	0	0	\$74	\$134
7,650	7,700	0	0	0	0	80	141
7,700	7,750	0	0	0	0	86	149
7,750	7,800	0	0	0	0	92	157
7,800	7,850	0	0	0	0	98	165
7,850	7,900	0	0	0	0	104	173
7,900	7,950	0	0	0	0	110	181
7,950	8,000	0	0	0	0	117	189
8,000	8,050	0	0	0	0	123	197
8,050	8,100	0	0	0	0	129	205
8,100	8,150	0	0	0	0	135	213
8,150	8,200	0	0	0	0	141	221
8,200	8,250	0	0	0	0	148	229
8,250	8,300	0	0	0	0	155	238
8,300	8,350	0	0	0	0	162	246
8,350	8,400	0	0	0	0	169	255
8,400	8,450	0	0	0	0	176	263
8,450	8,500	0	0	0	0	183	272
8,500	8,550	0	0	0	0	190	280
8,550	8,600	0	0	0	0	197	289
8,600	8,650	0	0	0	0	204	297
8,650	8,700	0	0	0	0	211	306
8,700	8,750	0	0	0	0	218	316
8,750	8,800	0	0	0	0	225	324

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXVIII—RETURNS CLAIMING 13 EXEMPTIONS

Taxable Years Beginning After December 31, 1970, and Ending Before January 1, 1972

If adjusted gross income is—		And you are—					If adjusted gross income is—		And you are—				
		Single, not head of household	Head of household	Married* filing joint return	Married filing a separate return claiming—				Single, not head of household	Head of household	Married* filing joint return	Married filing a separate return claiming—	
At least	But less than				Low income allowance	Standard deduction	At least	But less than				Low income allowance	Standard deduction
Your tax is—													
0	\$8,950	0	0	0	0	0	\$9,450	\$9,500	0	0	0	\$74	\$39
\$8,950	9,000	0	0	0	\$4	0	9,500	9,550	0	0	0	81	46
9,000	9,050	0	0	0	11	0	9,550	9,600	0	0	0	89	53
9,050	9,100	0	0	0	18	0	9,600	9,650	0	0	0	96	60
9,100	9,150	0	0	0	25	0	9,650	9,700	0	0	0	104	67
9,150	9,200	0	0	0	32	0	9,700	9,750	\$2	\$2	\$2	111	74
9,200	9,250	0	0	0	39	\$4	9,750	9,800	8	8	8	119	81
9,250	9,300	0	0	0	46	11	9,800	9,850	14	14	14	126	89
9,300	9,350	0	0	0	53	18	9,850	9,900	20	20	20	134	96
9,350	9,400	0	0	0	60	25	9,900	9,950	26	26	26	141	104
9,400	9,450	0	0	0	67	32	9,950	10,000	32	32	32	149	111

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXIX—RETURNS CLAIMING 14 EXEMPTIONS

Taxable Years Beginning After December 31, 1970, and Ending Before January 1, 1972

If adjusted gross income is—		And you are—					If adjusted gross income is—		And you are—				
		Single, not head of household	Head of household	Married* filing joint return	Married filing a separate return claiming—				Single, not head of household	Head of household	Married* filing joint return	Married filing a separate return claiming—	
At least	But less than				Low income allowance	Standard deduction	At least	But less than				Low income allowance	Standard deduction
Your tax is—													
0	\$9,600	0	0	0	0	0	\$9,800	\$9,850	0	0	0	\$32	0
\$9,600	9,650	0	0	0	\$4	0	9,850	9,900	0	0	0	39	\$4
9,650	9,700	0	0	0	11	0	9,900	9,950	0	0	0	46	11
9,700	9,750	0	0	0	18	0	9,950	10,000	0	0	0	53	18
9,750	9,800	0	0	0	25	0							

*This column may also be used by certain widows or widowers who qualify for special tax rates.

TABLE XXX—RETURNS CLAIMING 15 EXEMPTIONS

Taxable Years Beginning After December 31, 1970 and Ending Before January 1, 1972

If adjusted gross income is—		And you are—				
		Single, not head of household	Head of household	Married* filing joint return	Married filing a separate return claiming—	
At least	But less than				Low income allowance	Standard deduction
Your tax is—						
0	\$10,250	0	0	0	0	0

*This column may also be used by certain widows or widowers who qualify for special tax rates.

PAR. 9. Section 1.3-1 is amended to read as follows:

§ 1.3-1 Application of optional tax.

(a) *General rules.* (1) For taxable years ending before January 1, 1970, an individual whose adjusted gross income is less than \$5,000 (or a husband and wife filing a joint return whose combined adjusted gross income is less than \$5,000) may elect to pay the tax imposed by section 3 in place of the tax imposed by section 1 (a) or (b). For taxable years beginning after December 31, 1969

and before January 1, 1971 an individual whose adjusted gross income is less than \$10,000 (or a husband and wife filing a joint return whose combined adjusted gross income is less than \$10,000) may elect to pay the tax imposed by section 3 as amended by the Tax Reform Act of 1969 in place of the tax imposed by section 1 (a) or (b). For taxable years beginning after December 31, 1970 an individual whose adjusted gross income is less than \$10,000 (or a husband and wife filing a joint return whose combined adjusted gross income is less than \$10,000) may elect to pay the tax imposed by section 3 as amended in place of the tax imposed by section 1 as amended. See § 1.4-2 for the manner of making such election. A taxpayer may make such election regardless of the sources from which his income is derived and regardless of whether his income is computed by the cash method or the accrual method. See section 62 and the regulations thereunder for the determination of adjusted gross income. For the purpose of determining whether a taxpayer may elect to pay the tax under section 3, the amount of the adjusted gross income is controlling, without reference to the number of exemptions to which the taxpayer may be entitled. See section 4 and

the regulations thereunder for additional rules applicable to section 3.

(2) The following examples illustrate the rule that section 3 applies only if the adjusted gross income is less than \$10,000 (\$5,000 for taxable years ending before January 1, 1970).

Example (1). A is employed at a salary of \$9,200 for the calendar year 1970. In the course of such employment, he incurred travel expenses of \$1,500 for which he was reimbursed during the year. Such items constitute his sole income for 1970. In such case the gross income is \$10,700 but the amount of \$1,500 is deducted from gross income in the determination of adjusted gross income and thus A's adjusted gross income for 1970 is \$9,200. Hence, the adjusted gross income being less than \$10,000, he may elect to pay his tax for 1970 under section 3. Similarly, in the case of an individual engaged in trade or business (excluding from the term "engaged in trade or business" the performance of personal services as an employee), there may be deducted from gross income in ascertaining adjusted gross income those expenses directly relating to the carrying on of such trade or business.

Example (2). If B has, as his only income for 1970, a salary of \$11,600 and his spouse has no gross income, then B's adjusted gross income is \$11,600 (not \$11,600 reduced by exemptions of \$1,250) and he is not for such year, entitled to pay his tax under section 3. If, however, B has for 1970 a salary of \$13,000 and incident to his employment he incurs expenses in the amount of \$3,400 for travel, meals, and lodging while away from home, for which he is not reimbursed, the adjusted gross income is \$13,000 minus \$3,400 or \$9,600. In such case his adjusted gross income being less than \$10,000, B may elect to pay the tax under section 3. However, if B's wife has adjusted gross income of \$400, the total adjusted gross income is \$10,000. In such case, if B and his wife file a joint return, they may not elect to pay the optional tax since the combined adjusted gross income is not less than \$10,000. B may nevertheless elect to pay the optional tax, but if he makes this election he must file a separate return and, since his wife has gross income, he may not claim an exemption for her in computing the optional tax.

(b) *Surviving spouse.* The return of a surviving spouse is treated as a joint return for purposes of section 3. See section 2, and the regulations thereunder, with respect to the qualifications of a taxpayer as a surviving spouse. Accordingly, if the taxpayer qualifies as a surviving spouse and elects to pay the optional tax, he shall use the column in the tax table, appropriate to his number of exemptions, provided for cases in which a joint return is filed.

(c) *Use of tax table.* (1) To determine the amount of the tax, the individual ascertains the amount of his adjusted gross income, refers to the appropriate table set forth in section 3 or the regulations thereunder, ascertains the income bracket into which such income falls, and, using the number of exemptions applicable to his case, finds the tax in the vertical column having at the top thereof a number corresponding to the number of exemptions to which the taxpayer is entitled.

(2) Section 3(b) (relating to taxable years beginning after Dec. 31, 1964 and ending before Jan. 1, 1970) contains 5 tables for use in computing the tax.

Table I is to be used by a single person who is not a head of household. Table II is to be used by a head of household. Table III is to be used by married persons filing joint returns and by a surviving spouse. Table IV is to be used by married persons filing separate returns using the 10 percent standard deduction. Table V is to be used by married persons filing separate returns using the minimum standard deduction. For an explanation of the standard deduction see section 141 and the regulations thereunder.

(3) 30 tables are provided for use in computing the tax under the Tax Reform Act of 1969. Tables I through XV apply for taxable years beginning after December 31, 1969 and ending before January 1, 1971. Tables XVI through XXX apply for taxable years beginning after December 31, 1970. The standard deduction for Tables I through XV, applicable to taxable years beginning in 1970, is 10 percent. The standard deduction for Tables XVI through XXX, applicable to taxable years beginning in 1971, is 13 percent. For an explanation of the standard deduction and the low income allowance see section 141 as amended by the Tax Reform Act of 1969.

(4) In the case of married persons filing separate returns who qualify to use the optional tax imposed by section 3, such persons shall use the tax imposed by the table for the applicable year in accordance with the rules prescribed by sections 4(c) and 141 and the regulations thereunder governing the use and application of the standard deduction and the low income allowance.

(5) The tax shown in the tax tables set forth in section 3 or the regulations thereunder reflects full income splitting in the case of a joint return (including the return of a surviving spouse) and lesser income splitting in the case of a head of household. Therefore, it is possible for the tax shown in the tables relating to joint returns, or relating to a return of a head of a household, to be lower than that shown in the table for separate returns even though the amounts of adjusted gross income and the number of exemptions are the same.

PAR. 10. Section 1.511 is amended by revising subsection (b) (1) of section 511 to reflect the change made by section 803(d)(2) of the Tax Reform Act of 1969 and by revising the historical note. The amended provision and note read as follows:

§ 1.511 Statutory provisions; imposition of tax on unrelated business income of charitable, etc., organizations.

Sec. 511. Imposition of tax on unrelated business income of charitable organizations . . .

(b) *Tax on Charitable, etc., trusts.*—(1) *Imposition of tax.*—There is hereby imposed for each taxable year on the unrelated business taxable income of every trust described in paragraph (2) a tax computed as provided in section 1(d). In making such computation for purposes of this section, the term "taxable income" as used in section 1 shall be read as "unrelated business taxable income" as defined in section 512.

[Sec. 511 as amended by sec. 3, Act of July 14, 1960 (74 Stat. 535); sec. 803(d)(2) Tax Reform Act 1969 (83 Stat. 487, 684)]

PAR. 11. Section 1.511-1 is amended to read as follows:

§ 1.511-1 Imposition and rates of tax.

Section 511(a) imposes a tax upon the unrelated business taxable income of certain organizations otherwise exempt from Federal income tax. Under section 511(a)(1), organizations described in section 511(a)(2)(A) and in paragraph (a) of § 1.511-2 and organizations described in section 511(a)(2)(B) are subject to normal tax and surtax at the corporate rates provided by section 11. Under section 511(b)(1), trusts described in section 511(b)(2) are subject to tax at the individual rates prescribed in section 1(d) of the Code as amended by the Tax Reform Act of 1969 (section 1 for taxable years ending before Jan. 1, 1971). The deduction for personal exemption provided in section 642(b) in the case of a trust taxable under subchapter J, chapter 1 of the Code, is not allowed in computing unrelated business taxable income.

PAR. 12. Section 1.641 is amended by revising subsection (a) of section 641 to reflect the change made by section 803(d)(3) of the Tax Reform Act of 1969 and by adding a historical note thereafter. The amended provision and note read as follows:

§ 1.641(a). Statutory provisions; estates and trusts; imposition of tax; application of tax.

Sec. 641. Imposition of tax.—(a) *Application of Tax.*—The tax imposed by section 1(d) shall apply to the taxable income of estates or of any kind of property held in trust, including—

[Sec. 641(a) as amended by sec. 803(d)(3) Tax Reform Act of 1969 (83 Stat. 487, 684)]

PAR. 13. Section 1.641(a)-1 is amended to read as follows:

§ 1.641(a)-1 Imposition of tax; application of tax.

For taxable years beginning after December 31, 1970, section 641 prescribes that the taxes imposed by section 1(d), as amended by the Tax Reform Act of 1969, shall apply to the income of estates or of any kind of property held in trust. For taxable years ending before January 1, 1971, section 641 prescribes that the taxes imposed upon individuals by chapter 1 of the Code apply to the income of estates or of any kind of property held in trust. The rates of tax, the statutory provisions respecting gross income, and, with certain exceptions, the deductions and credits allowed to individuals apply also to estates and trusts.

PAR. 14. Section 1.632 is amended by revising section 632 to reflect the changes made by section 803(d)(4) of the Tax Reform Act of 1969 and by adding a historical note thereafter. The amended provision and historical note read as follows:

§ 1.632 Statutory provisions; sale of oil or gas properties.

Sec. 632. *Sale of oil or gas properties.* In the case of a bona fide sale of any oil or gas

property, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration or discovery work done by the taxpayer, the portion of the tax imposed by section 1 attributable to such sale shall not exceed 33 percent of the selling price of such property or interest.

[Sec. 632 as amended by sec. 803(d)(4), Tax Reform Act 1969 (83 Stat. 487, 684)]

PAR. 15. Paragraph (a) of § 1.632-1 is amended to read as follows:

§ 1.632-1 Tax on sale of oil or gas properties.

(a) If the taxpayer, by prospecting and locating claims or by exploring or discovering undeveloped claims, has demonstrated the principal value of oil or gas property, which prior to his efforts had a relatively minor value, the portion of the tax (or, in the case of taxable years beginning before Jan. 1, 1971, the surtax) imposed by section 1 attributable to a sale of such property, or of any interest of the taxpayer therein, shall not exceed 33 percent (or, in the case of taxable years beginning before Jan. 1, 1971, 30 percent) of the selling price of such property or such interest. Shares of stock in a corporation owning oil or gas property do not constitute an interest in such property. To determine the application of section 632 to a particular case, the taxpayer should first compute the tax (or surtax) imposed by section 1 upon his entire taxable income, including the taxable income from any sale of such property or interest therein, without regard to section 632. The proportion of the tax (or surtax) so computed, indicated by the ratio which the taxpayer's taxable income from the sale of the property or interest therein, computed as prescribed in this section, bears to his total taxable income is the portion of the tax attributable to such sale and, if it exceeds 33 percent (or 30 percent) of the selling price of such property or interest, such portion of the tax (or surtax) shall be reduced to that amount.

PAR. 16. Section 1.1347 is amended by revising section 1347 to reflect the changes made by section 803(d)(5) of the Tax Reform Act of 1969 and by revising the historical note thereafter. The amended provision and note read as follows:

§ 1.1347 Statutory provisions; claims against the United States involving acquisition of property.

Sec. 1347. *Claims against the United States involving acquisition of property.* In the case of amounts (other than interest) received by a taxpayer from the United States with respect to a claim against the United States involving the acquisition of property and remaining unpaid for more than 15 years, the tax imposed by section 1 attributable to such receipt shall not exceed 33 percent of the amount (other than interest) so received. This section shall apply only if claim was filed with the United States before January 1, 1958.

[Sec. 1347 as amended by sec. 61 Technical Amendments Act 1958 (72 Stat. 1648); sec. 803(d)(5), Tax Reform Act 1969 (83 Stat. 487, 684)]

PAR. 17. Paragraphs (a) and (b) of § 1.1347-1 are amended to read as follows:

§ 1.1347-1 Tax on certain amounts received from the United States.

(a) In the case of an amount (other than interest) received from the United States by an individual under a claim involving acquisition of property and remaining unpaid for more than 15 years, the tax (or, in the case of taxable years beginning before Jan. 1, 1971, the surtax) imposed by section 1 attributable to such amount shall not exceed 33 percent of the amount (other than interest) so received (30 percent for taxable years beginning before Jan. 1, 1971). For the purpose of section 1347 and this section, such amount shall not include any amount received from the United States which constitutes interest, whether such interest was included in the claim or in any judgment thereon or has accrued on such judgment. Section 1347 and this section shall only apply with respect to amounts received under a claim filed with the United States before January 1, 1958.

(b) To determine the application of section 1347 and this section to a particular amount, the taxpayer shall first compute the tax (or, in the case of taxable years beginning before Jan. 1, 1971, the surtax) imposed by section 1 upon his entire taxable income, including the amount specified in paragraph (a) of this section, without regard to the limitation on tax provided in section 1347. The proportion of the tax (or surtax), so computed, indicated by the ratio which the taxpayer's taxable income attributable to the amount specified in paragraph (a) of this section, computed as prescribed in paragraph (c) of this section (bears to his total taxable income, is the portion of the tax (or surtax) attributable to such amount. If this portion of the tax (or surtax) exceeds 33 percent (30 percent for taxable years beginning before Jan. 1, 1971) of the amount specified in paragraph (a) of this section, that portion of the tax (or surtax) shall be reduced to 33 percent (or 30 percent) of such amount.

PAR. 18. Section 1.5 is amended by revising subsection (b) of section 5 to reflect the changes made by section 803 (d) (6) of the Tax Reform Act of 1969 and by revising the historical note. The amended provision and note read as follows:

§ 1.5 Statutory provisions; cross reference relating to tax on individuals.

SEC. 5. Cross references relating to tax on individuals. . . .

- (b) Special limitations on tax.—
- (1) For limitation on tax attributable to sales of oil or gas properties, see section 632.
- (2) For limitation on tax in case of income of members of Armed Forces on death, see section 692.
- (3) For limitation on tax where an individual chooses the benefits of income averaging, see section 1301.
- (4) For computation of tax where taxpayer restores substantial amount held under claim of right, see section 1341.
- (5) For limitation on tax attributable to claims against the United States involving acquisition of property, see section 1347.

[Sec. 5 as amended by sec. 232(b) (2), Rev. Act 1964 (78 Stat. 111); sec. 803(d) (6) Tax Reform Act 1969 (83 Stat. 487, 684).]

PAR. 19. Section 1.6015 is amended by revising subsection (a) (1) of section 6015 to reflect the changes made by section 803(d) (7) of the Tax Reform Act of 1969 and by revising the historical note. The amended provision and note read as follows:

§ 1.6015 Statutory provisions; declaration of estimated income tax by individuals; requirement of declaration.

SEC. 6015. Declaration of estimated income tax by individuals.—

(a) Requirement of declaration. Except as otherwise provided in subsection (1), every individual shall make a declaration of his estimated tax for the taxable year if—

(1) The gross income for the taxable year can reasonably be expected to exceed—

(A) \$5,000, in the case of—

(i) A single individual other than a head of a household (as defined in section 2(b) or a surviving spouse (as defined in section 2(a))); or

(ii) A married individual not entitled under subsection (b) to file a joint declaration with his spouse; or

(iii) A married individual entitled under subsection (b) to file a joint declaration with his spouse, but only if the aggregate gross income of such individual and his spouse for the taxable year can reasonably be expected to exceed \$10,000; or

(B) \$10,000, in the case of—

(i) A head of a household (as defined in section 2(b)); or

(ii) A surviving spouse (as defined in section 2(a)); or

[Sec. 6015(a) as amended by sec. 5, Act of Sept. 14, 1960 (74 Stat. 1000); sec. 103(j) (1) Foreign Investors Tax Act 1966 (74 Stat. 1000); sec. 803(d) (7) Tax Reform Act 1969 (83 Stat. 487, 684).]

PAR. 20. Section 1.6015(a)-1 is amended by revising paragraph (a) to read as follows:

§ 1.6015(a)-1 Declaration of estimated income tax by individuals.

(a) Requirement.—(1) *Taxable years beginning after December 31, 1966.* With respect to taxable years beginning after December 31, 1966, a declaration of estimated income tax by an individual is not required if the estimated tax (as defined in section 6015(c)) can reasonably be expected to be less than \$40. In all other cases a declaration of estimated income tax shall be made by every individual if the following conditions are met and if such individual is not a nonresident alien individual who is excepted under section 6015(i) and § 1.6015(i)-1 from the requirement of making a declaration:

(i) The gross income for the taxable year can reasonably be expected to exceed—

(A) \$5,000, in the case of—

(1) A single individual other than a head of a household (as defined in section 1(b) (2) for taxable years ending before Jan. 1, 1971, or as defined in section 2(b) of the Code as amended by the Tax Reform Act of 1969 for taxable years beginning after Dec. 31, 1970) or a

surviving spouse (as defined in section 2(b) for taxable years ending before Jan. 1, 1971, or as defined in section 2(a) of the Code as amended by the Tax Reform Act of 1969 for taxable years beginning after Dec. 31, 1970);

(2) A married individual not entitled under section 6015(b) to file a joint declaration with his spouse; or

(3) A married individual entitled under section 6015(b) to file a joint declaration with his spouse, but only if the aggregate gross income of such individual and his spouse for the taxable year can reasonably be expected to exceed \$10,000; or

(b) \$10,000, in the case of—

(1) A head of household (as defined in section 1(b) (2) for taxable years ending before Jan. 1, 1971, or as defined in section 2(b) of the Code as amended by the Tax Reform Act of 1969 for taxable years beginning after Dec. 31, 1970); or

(2) A surviving spouse (as defined in section 2(b) for taxable years ending before Jan. 1, 1971, or as defined in section 2(a) of the Code as amended by the Tax Reform Act of 1969 for taxable years beginning after Dec. 31, 1970); or

(i) The gross income can reasonably be expected to include more than \$200 from sources other than wages (as defined in section 3401(a)).

(2) *Taxable years beginning before January 1, 1967.* With respect to taxable years beginning before January 1, 1967, and after December 31, 1960, a declaration of estimated income tax by an individual is not required if the estimated tax (as defined in section 6015(c)) can reasonably be expected to be less than \$40. In all other cases a declaration shall be made by every citizen of the United States, whether residing at home or abroad, every individual residing in the United States though not a citizen thereof, every nonresident alien who is a resident of Canada, Mexico, or Puerto Rico and who has wages subject to withholding at the source under section 3402, and every nonresident alien who has been, or expects to be, a resident of Puerto Rico during the entire taxable year, if—

(i) The gross income for the taxable year can reasonably be expected to exceed—

(A) \$5,000, in the case of—

(1) A single individual other than a head of a household (as defined in section 1(b) (2)); or

(2) A married individual not entitled under section 6015(b) to file a joint declaration with his spouse; or

(3) A married individual entitled under section 6015(b) to file a joint declaration with his spouse, but only if the aggregate gross income of such individual and his spouse for the taxable year can reasonably be expected to exceed \$10,000; or

(b) \$10,000, in the case of—

(1) A head of a household (as defined in section 1(b) (2)); or

(2) A surviving spouse (as defined in section 2(b)); or

(ii) The gross income can reasonably be expected to include more than \$200 from sources other than wages (as defined in section 3401(a)).

PAR. 21. Section 1.1304 is amended by revising subsection (a) (1) to reflect the change made by section 803(d) (8) of the Tax Reform Act of 1969 and by revising the historical note. The amended provision and note read as follows:

§ 1.1304 Statutory provisions; special rules.

Sec. 1304. *Special rules.* * * *

(b) *Certain provisions inapplicable.*—If the taxpayer chooses the benefits of this part for the taxable year, the following provisions shall not apply to him for such year:

(1) Section 3 (relating to optional tax),
(2) Section 72(n) (2) (relating to limitation of tax in case of total distribution),
(3) Section 911 (relating to earned income from sources without the United States),

(4) Subpart D of part III of subchapter N (sec. 931 and following, relating to income from sources within possessions of the United States),

(5) Section 1201(b) (relating to alternative capital gains tax), and

(6) Section 1348 (relating to 50 percent maximum rate on earned income).

[Sec. 1304 as amended by sec. 232(a), Rev. Act 1964 (78 Stat. 105); sec. 803(d) (8) Tax Reform Act 1969 (83 Stat. 487, 684)]

PAR. 22. Paragraph (a) (1) of § 1.1304-2 is amended to read as follows:

§ 1.1304-2 Provisions inapplicable if income averaging is chosen.

(a) *Provisions inapplicable.* If a taxpayer chooses the benefits of income averaging for any taxable year, pursuant to section 1304(a) and § 1.1304-1, the following sections of the Code will not apply for such year:

(1) Section 3 (relating to optional tax). A taxpayer may not, therefore, make use of the tax table contained in section 3 for any taxable year for which he chooses the benefits of income averaging. For availability of standard deduction, see section 144(d) and the regulations thereunder.

[FR Doc.71-7048 Filed 5-24-71;8:46 am]

Title 29—LABOR

Chapter XIII—Bureau of Labor Standards, Department of Labor

PART 1518—SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION

Correction

In F.R. Doc. 71-5317 appearing at page 7340 in the issue for Saturday, April 17, 1971, the following changes should be made:

1. In § 1518.200(i) the reference to "Z35.3-1968" in the next to last line should read "Z35.2-1968".

2. In Subpart J the section numbers and headings are in incorrect order. They

should read, consecutively, as follows:
§ 1518.350 *Gas welding and cutting*,
§ 1518.351 *Arc welding and cutting*,
§ 1518.352 *Fire prevention*, § 1518.353 *Ventilation and protection in welding, cutting, and heating*, § 1518.354 *Welding, cutting, and heating in way of preservative coatings*. The texts of the sections, however, appear in correct order.

3. Section 1518.451(h) (1) should read as follows: "(1) The scaffold shall be capable of sustaining a working load of 50 pounds per square foot and shall not be loaded in excess of that figure."

4. The reference to "SAE J74a-1964" in § 1518.550(a) (18) should read "SAE J743a-1964".

5. The words "and which" should be inserted between the words "operator," and "meets" in § 1518.603(a) (3).

6. The word "conclude" in § 1518.800(h) (3) (v) should read "occlude".

7. Section 1518.907 was omitted and should be inserted immediately after § 1518.906. It reads as follows:

§ 1518.907 Use of safety fuse.

(a) Safety fuse shall only be used where sources of extraneous electricity make the use of electric blasting caps dangerous. The use of a fuse that has been hammered or injured in any way shall be forbidden.

(b) The hanging of fuse on nails or other projections which will cause a sharp bend to be formed in the fuse is prohibited.

(c) Before capping safety fuse, a short length shall be cut from the end of the supply reel so as to assure a fresh cut end in each blasting cap.

(d) Only a cap crimper of approved design shall be used for attaching blasting caps to safety fuse. Crimpers shall be kept in good repair and accessible for use.

(e) No unused cap or short capped fuse shall be placed in any hole to be blasted; such unused detonators shall be removed from the working place and destroyed.

(f) No fuse shall be capped, or primers made up, in any magazine or near any possible source of ignition.

(g) No one shall be permitted to carry detonators or primers of any kind on his person.

(h) The minimum length of safety fuse to be used in blasting shall be as required by State law, but shall not be less than 30 inches.

(i) At least two men shall be present when multiple cap and fuse blasting is done by hand lighting methods.

(j) Not more than 12 fuses shall be lighted by each blaster when hand lighting devices are used. However, when two or more safety fuses in a group are lighted as one by means of igniter cord, or other similar fuse-lighting devices, they may be considered as one fuse.

(k) The so-called "drop fuse" method of dropping or pushing a primer or any explosive with a lighted fuse attached is forbidden.

(l) Cap and fuse shall not be used for firing mudcap charges unless charges are separated sufficiently to prevent one

charge from dislodging other shots in the blast.

(m) When blasting with safety fuses, consideration shall be given to the length and burning rate of the fuse. Sufficient time, with a margin of safety, shall always be provided for the blaster to reach a place of safety.

8. A table should be inserted at the end of § 1518.909 to appear as follows:

TABLE U-1

WARNING SIGNAL—A 1-minute series of long blasts 5 minutes prior to blast signal.

BLAST SIGNAL—A series of short blasts 1 minute prior to the shot.

ALL CLEAR SIGNAL—A prolonged blast following the inspection of blast area.

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER M—MISCELLANEOUS

PART 242—AIR POLLUTION CONTROL

PART 243—WATER POLLUTION CONTROL

Discontinuance of Parts

Codification of Parts 242 and 243 is discontinued.

MAURICE W. ROCHE,
Director, Correspondence and
Directives Division, OASD
(Administration).

[FR Doc.71-7243 Filed 5-24-71;8:48 am]

Chapter V—Department of the Army

SUBCHAPTER B—CLAIMS AND ACCOUNTS

PART 538—NONAPPROPRIATED FUNDS AND RELATED ACTIVITIES

Title 32 CFR, Chapter V, Subchapter B, is amended by adding a new Part 538, as follows:

GENERAL POLICIES

Sec. 538.1	General.
538.2	Revenue-producing funds.
538.3	Welfare funds.
538.4	Sundry funds.
538.5	Vocational training funds.
538.6	Personnel.
538.7	Travel and transportation.
538.8	Taxes.
538.9	Sales of State tax-free beer; tobacco products, and soft drinks by non-appropriated fund activities.

PROTECTING, INSURING, AND INVESTING ASSETS; TORT AND CONTRACT CLAIMS

538.10-538.16 [Reserved]

NONAPPROPRIATED MILITARY WELFARE FUNDS

538.17 General.
538.18 Funds authorized.

CONTRACT CLAUSES

538.19	Appendix A—Equal Employment Opportunity.
538.20	Appendix B—Service Contract Act of 1965.
538.21	Appendix C—Davis-Bacon Act.

AUTHORITY: The provisions of this Part 538 issued under secs. 3012, 4831, 70A Stat. 157, 272; 10 U.S.C. 3012, 4831.

GENERAL POLICIES

§ 538.1 General.

(a) *Purpose.* This part sets forth basic policies and principles governing the nonappropriated fund system within the Army establishment.

(b) *Scope.* (1) The policies and principles prescribed by this part are applicable to all nonappropriated funds on a worldwide basis. Major commanders may publish implementing directives not in conflict with this part.

(2) The following funds are not subject to the provisions of this part but will be administered in accordance with other departmental regulations and directives specifically pertaining thereto:

- (i) Funds of Army Emergency Relief.
- (ii) Central Hospital Fund.
- (iii) Prisoner of War Funds.
- (iv) Patients' Trust Funds.
- (v) Prisoners' Personal Deposit Funds.
- (vi) Donor Deposit Funds.
- (vii) Funds established for civilian employees at civil works activities of the Corps of Engineers, Department of the Army.
- (viii) Funds established for contractors' employees at contractor-operated installations.

(ix) Funds of labor union locals, posts veterans' organizations, or credit unions. Responsibilities of commanders with respect to employee organizations and employee groups, for employee relations purposes, are contained in CPR 700, chapter 711. Provisions governing the establishment and operation of credit unions are contained in AR 210-24. Also see subparagraph (3) of this paragraph.

(3) Funds of private associations, defined in paragraph (c) (6) of this section are not subject to the policies and principles applicable to nonappropriated funds as prescribed in this part. Such associations and funds thereof, except as otherwise provided by law or regulations, may exist on a military installation only with the written consent of the installation commander. Such consent shall be contingent upon the following requirements and conditions as may be appropriate.

(i) That programs and activities conducted do not prejudice or discredit the military services or other agencies of the U.S. Government.

(ii) That activities will not be conducted in the name of an installation or organization of the Army establishment.

(iii) That neither the Army nor a nonappropriated fund as defined in this part shall assert claim to the assets of any such association; nor shall the Army or any nonappropriated fund incur any obligation on behalf of or assume any of the obligations of such an association.

(iv) That such associations will not engage in activities which are in conflict with provisions for proper disposition of appropriated funds defined in this part.

(v) That the nature and authorized function of such associations, together with provisions for proper disposition of

residual assets and liabilities upon dissolution, will be established in their constitution and bylaws, charter, or articles of agreement.

(vi) That such associations are self-sustaining and receive no support assistance or facilities from the Army or from nonappropriated funds defined in this part except as provided in AR 210-55 and AR 420-80.

(vii) That the installation commander has authority to enforce compliance by such associations with the conditions enumerated herein, to inquire into their activities, and to withdraw his consent for their existence on the installation if deemed necessary in the interest of the Government.

(viii) That private associations will not be established to provide morale, welfare, and recreational services essential to the operation of the Army.

(c) *Explanation of terms.* For the purpose of this part, the following definitions apply:

(1) *Nonappropriated fund.* A fiscal entity established by authority of the Secretary of the Army, or jointly by the Secretary of the Army and the Secretary of the Air Force, for the purpose of administering moneys not appropriated by the Congress, but derived primarily from the patronage of Armed Forces personnel; and which moneys are held in trust and used for the collective benefit of military personnel and their dependents or civilian employees of the Army and other Armed Services tenanted at Army installations. Nonappropriated fund entities and their related activities are not incorporated under the laws of any State or the District of Columbia, but are instrumentalities of the United States established to conduct activities essential to the operation of the Army.

(2) *Revenue-producing fund.* A nonappropriated fund established primarily to administer the sale of merchandise and services to military personnel and their dependents, and to civilian employees at Army installations and, secondarily, to generate a net financial return to be used for the collective benefit of personnel served. Revenue-producing funds make monetary distributions to welfare funds only.

(3) *Welfare fund.* A nonappropriated fund established to receive and disburse moneys derived primarily from revenue-producing funds, and from other authorized sources, the use of which is to supplement, but not supplant, moneys appropriated by the Congress for the support of morale, welfare, and recreational programs collectively benefiting Armed Forces personnel or civilian employees.

(4) *Sundry fund.* A nonappropriated fund established to perform a combination of the functions of revenue-producing and welfare funds, benefiting limited groups of military personnel their dependents, eligible civilian employees, or a combination of such personnel associated in voluntary membership; or to conduct specialized activities benefiting designated categories of Armed Forces personnel not associated in membership. Sundry funds neither receive nor con-

tribute monetary distributions from or to revenue-producing and welfare funds.

(5) *Vocational training fund.* A nonappropriated fund established at U.S. disciplinary barracks for the purpose of administering prisoner vocational and rehabilitative training activities, and which neither receives nor contributes monetary distributions from or to any other category of nonappropriated funds.

(6) *Private association.* A financially self-sustaining, nongovernmental organization or association, incorporated or not, and constituted, established, and operated by individuals acting exclusively outside the scope of any official capacity as officers, employees, or agents of the Government. Such associations are not established nor operated pursuant to authority vested in the Army or any official thereof (see paragraph (b) (3) of this section).

(7) *Donor deposit fund.* Funds donated by individuals for specific charitable, humanitarian, or similar purposes to enhance the socio-economic environment and to promote community relations. These funds may be received and administered as prescribed by installation and organizational commanders subject to approval of the major commander, and may be expended or used only for the donated purposes. Donor deposit funds are not to be identified as nor commingled with nonappropriated funds defined in subparagraphs (2), (4), and (5) of this paragraph.

(8) *Installation.* An installation is land and the improvements thereon, under the control of the Department of the Army, which has been established by order of the Department of the Army, and at which functions of the department are administered. Installations include arsenals, posts, camps, stations, hospitals, depots, airfields, ports, forts, laboratories, procurement organizations, or similar establishments at which military activities are conducted under the control of the Department of the Army.

(9) *Major command.* For the purposes of this part, the terms major command and major commanders mean the continental United States numbered Armies; the Military District of Washington; Department of the Army Staff Agencies having command jurisdiction over installations and major class II activities; Army Security Agency; Army Air Defense Command; Army Materiel Command; Army Strategic Communications Command; Military Traffic Management and Terminal Services, and oversea commands directly under the Department of the Army and the commanding generals, heads, chiefs, and commanders in chief thereof.

(d) *Basic concept of nonappropriated fund system.* (1) It is the policy of the Department of the Army to provide a well-rounded morale, welfare, and recreational program to insure the mental and physical well-being of its personnel. Adequate free-time facilities should be provided, operated, and maintained through financial support from funds appropriated by the Congress of the United States. Nonappropriated funds will be

used to supplement the cost of programs using these facilities as prescribed in this part and other applicable regulations (see AR 210-55).

(2) Nonappropriated funds established primarily for civilian employees of the Army are intended to provide food and other services where required, and to offer certain employment oriented recreational activities as inducement to recruitment and retention of the civilian work force.

(3) Necessary command supervision of nonappropriated fund activities will be provided without cost to nonappropriated funds. Housing, grounds, maintenance and repairs, supplies, equipment, and utilities services will be furnished to nonappropriated fund activities as prescribed in AR 210-55.

(4) Nonappropriated funds authorized by this part are instrumentalities of the Federal Government and as such are entitled to all the immunities and privileges which are available to the departments and agencies of the Federal Government under the Federal Constitution and statutes. Among the additional characteristics peculiar to nonappropriated funds established by this part are the following:

(i) Such funds are established and supervised as a command function by officers or employees of the Government acting within the scope of their official capacity.

(ii) Individuals, installations, organizations, and units have no proprietary interest in these nonappropriated funds, and profits, if any, generated by such funds do not accrue to any individual.

(iii) Accumulations of nonappropriated funds which are in excess to the requirements of an installation, organization, or unit may be redistributed to other activities, installations, organizations, or units in accordance with procedures established by the Department of the Army.

§ 538.2 Revenue-producing funds.

(a) *General.* Revenue-producing funds are authorized to administer the sale of merchandise and services to military personnel and their dependents and civilian employees at Army installations and, secondarily, to generate funds as a primary source of income to nonappropriated welfare funds. Dividends derived from the net profits of revenue-producing funds operated primarily for military personnel will be devoted to welfare programs of military personnel; similarly, dividends from the net profits of revenue-producing funds operated primarily for the benefit of civilian personnel will be devoted to welfare programs of civilian personnel.

(b) *Exchanges.* (1) Exchanges on Army installations are fiscally integrated with, and technically supervised by, the Army and Air Force Exchange Service. The Chief, AAFES, is responsible for administering the Executive Management Program (EMP), to include the authority to assign and transfer employees occupying EMP designated posi-

tions and authority to assign, transfer, and separate EMP employees after consultation with the commander concerned (AR 60-10/AFR 147-7). Funds of exchanges are administered and controlled within the provisions of the AR 60/AFR 147-series.

(2) The Army and Air Force Exchange Service is established primarily to administer the sale of merchandise and services to military personnel and other authorized customers and, secondarily, to generate funds as a primary source of income to nonappropriated military welfare funds.

(c) *Theaters and funds.* (1) Entertainment motion picture theaters on Army installations are fiscally integrated with, and technically supervised by, the Army and Air Force Motion Picture Service. Funds of theaters are administered and controlled under the provisions of AR 28-62/AFR 34-32 and related regulations.

(2) The Army and Air Force Motion Picture Service is operated primarily for the purpose of furnishing recreation through the medium of entertainment motion pictures for military personnel, and secondarily to generate funds as a source of income to nonappropriated military welfare funds.

(d) *Book departments and funds.* Book departments may be established at authorized service schools for the primary purpose of providing students and faculty members with supplies and training materials, at reasonable prices, necessary in the furtherance of military education and for the secondary purpose of furnishing the school commandant with a source of nonappropriated funds to meet operating requirements not provided for from appropriated funds. These funds will be administered in accordance with AR 230-43.

(e) *Post restaurants and funds.* The term "post restaurant" is used to designate the medium through which the installation commander provides necessary facilities and services for civilian employees at Army installations. The administration of these funds will be as prescribed by AR 230-81/AFR 176-5.

(f) *Armed Services newspaper funds.* Nonappropriated funds may be established for the purpose of publication and circulation of overseas Armed Services newspapers. These funds also may be used for publication and circulation of other informational materials for internal service use when funding is authorized from nonappropriated funds. The administration and operation of these funds will be prescribed by the major overseas commander, except that editorial policy will be controlled by the appropriate overseas unified commander. Stars and Stripes, Europe, and Stars and Stripes, Pacific (AR 360-81), are examples of Armed Services newspapers.

§ 538.3 Welfare funds.

(a) *General.* (1) Welfare funds for military personnel are established at the departmental, major command, installation, and unit level for the purpose of administering nonappropriated welfare moneys. Welfare funds for civilian per-

sonnel are established at departmental and installation level. Military nonappropriated welfare funds will be administered in accordance with §§ 538.17 and 538.18. Civilian nonappropriated welfare funds will be administered in accordance with the provisions of AR 230-81/AFR 176-5.

(2) Programs supported by nonappropriated military or civilian welfare funds normally will be conducted without expense to individual military personnel or civilian employees, respectively; however, when the cost of conducting welfare programs exceeds the availability of appropriated funds and authorized resources of welfare funds, installation commanders may permit the collection of nominal service charges from participants and patrons of services activities to assist in the maintenance of such programs, unless specifically prohibited by the operating regulations.

(3) Recurring dividend distributions to welfare funds provide a continuing income to finance operations of welfare programs and provide for the procurement and maintenance of property. Hoarding or dissipation of such dividends at their sources to the detriment of welfare programs will not be permitted. The major commander is authorized to transfer or redistribute assets of active installation and organizational military welfare funds which are in excess of requirements by making transfers to the major command welfare fund, redistributions locally, or by reporting the excess assets to the Department of the Army for transfer to the Army Central Welfare Fund.

(4) Welfare fund councils will not incur obligations when the aggregate amount thereof exceeds net worth without written approval of the next higher command.

(5) Within the continental United States, expenditures from military welfare funds authorized by this section will be for the primary benefit of military personnel and incidental benefit of their dependents.

(6) Within overseas areas, military welfare funds authorized by this section will be for the primary benefit of military personnel and incidental benefit of dependents of military personnel, and civilian employees of the Department of the Army and their dependents.

(7) Commanders exercising control over nonappropriated welfare funds should be guided by the principle that such funds are held in trust to be used for morale, welfare, and recreational activities of direct collective benefit to military personnel, and to civilian employees where applicable.

(b) *Army Central Welfare Fund.* The Army Central Welfare Fund is established as a central depository from which redistributions are made to assist commanders in the maintenance of well-balanced welfare programs for military personnel. The Army Central Welfare Fund will be administered by The Adjutant General under the general staff supervision of the Deputy Chief of Staff

for Personnel in accordance with policies established by the Department of the Army. The Army Central Welfare Fund is designated the successor in interest to the residual assets and liabilities of dissolved Army military welfare funds within the continental United States, of dissolved Army major command welfare funds in overseas areas, and of such other nonappropriated funds as the Secretary of the Army may determine.

(c) *Major command welfare funds.* Major command welfare funds are established to finance morale, welfare, and recreational activities primarily benefiting military personnel within the command.

(1) Within the continental United States, major command welfare funds will be established at the headquarters of each major command of the Army.

(2) In overseas areas, major command and subordinate command central welfare funds may be established by the following echelons of command:

- (i) Major commanders.
- (ii) Major subordinate commanders.

(d) *Central post funds.* (1) Central post funds supplement appropriated funds in providing welfare equipment, supplies, and services for military personnel morale, welfare, and recreational activities of an installation.

(2) A central post fund may be established at each installation occupied by two or more units, each of which is maintaining a unit fund authorized by this section. There will be only one central post fund at an installation. Where two or more installations are geographically adjacent, the central post fund of the installation reporting the greatest military strength may be authorized to serve the welfare requirements of the other installation or installations.

(e) *Unit funds.* (1) Unit funds provide money for the procurement of articles or services which are not available from appropriated funds and which are for the welfare of military personnel of the unit to which the fund pertains.

(2) Unit funds may be established by commanders of organizations smaller than battalions, such as companies, troops, batteries, bands, and detachments, except that battalion unit funds may be established when the battalion is organized as the lowest echelon administrative unit within Army tables of organization. Unit funds are not authorized for organizations composed entirely of officer personnel.

(3) Inmates' welfare funds at U.S. disciplinary barracks are comparable to unit funds and will be administered in accordance with AR 230-21 and AR 210-170. Monthly dividends will be paid to such funds by central post funds at U.S. disciplinary barracks. Expenditures of inmates' welfare funds for the benefit of all prisoners at U.S. disciplinary barracks are authorized regardless of the executed or unexecuted status of their discharges.

(f) *Installation stockade welfare funds.* Installation stockade welfare funds may be established by installation

commanders for military prisoners undergoing training in correctional training facilities and prisoners confined in installation confinement facilities to assist in their confinement treatment. One such fund may be established at a military installation authorized a stockade under provisions of AR 190-2, and one such fund may be established at an installation which has a correctional training facility under the provisions of AR 190-19. Field stockade welfare funds are not authorized.

(g) *Commandants' welfare funds.* (1) Commandants' welfare funds are authorized to be established in conjunction with book departments at service schools within the continental United States for the purpose of—

- (i) Development or improvement of training materials.
- (ii) Payment of expenses incident to the engagement of civilian speakers or lecturers.

(iii) Payment of expenses incident to the official entertainment of distinguished guests when it is determined that appropriated funds cannot be made available and the appropriate commandant so certifies.

(2) Commandants' welfare funds are governed by AR 230-43.

(h) *Civilian welfare funds.* (1) Civilian welfare funds authorized by this regulation are established to provide financial support for recreational and welfare activities for all civilian employees at an Army installation, except civilian employees of engineer-operated civil works and civilian employees of contractor-operated installations.

(2) The Army and Air Force Civilian Welfare Fund is established to serve as a central depository at departmental level from which redistribution of funds may be made to assist installation commanders in the establishment and maintenance of adequate facilities and services patronized primarily by civilian employees at installations located within the continental United States.

§ 538.4 Sundry funds.

(a) *General.* (1) General characteristics of nonappropriated sundry funds are enumerated in § 538.1(c)(4). In addition, sundry funds must possess the following specific characteristics:

- (i) They are established by written orders of competent military authority describing the purpose and designating the governing bodies and custodians.
- (ii) They do not declare or pay dividends in any form and do not receive grants from revenue-producing or welfare funds.
- (iii) Individuals derive benefits therefrom exclusively through participation in, or patronage of, the programs for which the funds are established.
- (iv) Any profits generated by their programs and related activities will be retained and utilized to finance the specific programs for which the funds are established.

(2) The disposition of residual assets of dissolved sundry funds will be in ac-

cordance with the provisions of AR 230-60.

(3) Within CONUS, assets of sundry funds which are in excess to requirements will be transferred or redistributed upon approval of the Department of the Army. Requests for approval will be addressed to The Adjutant General, Attention: AGMF, Department of the Army, Washington, D.C. 20315.

(4) Sundry funds will not incur financial obligations when the aggregate amount thereof exceeds net current assets without written approval of the next higher command.

(b) *The Army Central Mess Fund.* The Army Central Mess Fund is the central depository in the Department of the Army authorized to receive residual assets of dissolved open messes, including supplemental field ration mess funds within the continental United States, and dissolved overseas open messes, when the major command is inactivated. Redistribution of available funds may be made through grants or loans to open messes. Separate accounts will be maintained for accountability of funds derived from officers open messes, and from noncommissioned officers open messes. Custodial services will be provided by The Adjutant General who will administer these funds under the general staff supervision of the Deputy Chief of Staff for Personnel.

(c) *Overseas central mess funds.* Central mess funds may be established for the purpose of providing financial assistance to open messes for the command concerned, and to serve as the central depository for dissolved open mess funds with the jurisdiction of the overseas major command.

(d) *Open mess funds.* Open messes may be established at installations with the approval of the installation commander for the purpose of providing services essential to messing, morale, welfare and recreation of commissioned officers, warrant officers, noncommissioned officers, other enlisted personnel, and their dependents. Within the continental United States, funds of open messes will be established, administered, and dissolved in accordance with AR 230-60. Enlisted men's open messes may be established in overseas areas utilizing space criteria authorized for NCO Open Messes, and in CONUS utilizing space allowances authorized enlisted men's service clubs.

(e) *Supplemental field ration mess funds.* Supplemental field ration mess funds may be established to administer the collection and expenditure of service charges collected from persons subsisting in a field ration mess (see AR 30-41). Service charges will not exceed the minimum required to meet expenditures for which the charge is imposed. When the balance of cash and other liquid assets at the end of any fiscal month exceeds the combined amounts of accounts payable at the end of the same date and operating expenses anticipated for the next fiscal month, service charges will be reduced as required. Expenditures

may be authorized only to supplement the field ration and to provide equipment, supplies, and services not available from appropriated funds. Supplemental field ration mess funds will not engage in the sale of subsistence, beverages, merchandise, or other services. Supplemental service charges collected will not be commingled with collections from the sale of the field ration, or surcharges. The supplemental field ration mess fund may be administered as a separate sundry fund or as an activity of an open mess fund. Accounting procedures will be as prescribed by AR 230-65. Funds will be administered in accordance with operational principles prescribed by AR 230-60.

(f) *Department of the Army Chaplain Fund and other chaplain funds.* The Department of the Army Chaplain Fund serves as a central depository to receive contributions and donations designated for the support and promotion of moral, spiritual, and social activities related to the religious program of the Army, to redistribute funds to chaplain funds at unit, organizational, or installation level, and to receive residual assets of dissolved chaplain funds. Installation, organizational, or unit chaplain funds may be established at an installation with the approval of the installation or organization commander. The receipts of such funds may be segregated according to religious denominations. Chaplain funds will be administered in accordance with AR 230-36.

(g) *Army flying club funds.* Army flying clubs are established to encourage and further the interest of military personnel in the field of aviation and to provide off-duty recreational activities for such personnel. Nonappropriated sundry funds established to administer Army flying club activities will be controlled by this section and the provisions of AR 28-95.

(h) *Other sundry funds.* Other military sundry funds (e.g., Overseas Transient Billeting Fund, AR 230-18; Bachelor Officer Quarters Fund, AR 210-14; Central Accounting Office Fund, AR 230-25; Guest House Fund; and Army Community Service Funds (AR 608-1)), may be established by an installation commander for purposes essential to the command mission, subject to compliance with this section and provisions of AR 230-60. The establishment of new sundry funds will be held to a minimum consistent with command mission. Where the establishment of a new program is contemplated, consideration will be given to the feasibility of incorporating such program, if appropriate, as an adjunct of an existing installation central post or open mess, prior to establishing a new sundry fund. This policy is also applicable to existing sundry fund activities. The establishment of civilian sundry funds within CONUS is not authorized. Income from service charges or other authorized sources will not exceed that required to finance activities for which the fund is established, and income will be expended only for the purposes for

which the fund is established. Accounting procedures will be as prescribed by AR 230-65.

§ 538.5 Vocational training funds.

Vocational training funds are established at U.S. disciplinary barracks for the purpose of furthering prisoner vocational and rehabilitative training. The administration of these funds will be as prescribed in AR 210-170.

§ 538.6 Personnel.

(a) *Utilization of military personnel.* (1) Military personnel staffing of nonappropriated fund activities will be in accordance with AR 1-45.

(2) Enlisted military personnel assigned to a nonappropriated fund activity as a primary duty will be limited as to the number of hours, over and above regular duty hours, for which they may be compensated from nonappropriated funds. Such personnel may not be paid for more than 24 hours per week from nonappropriated funds.

(3) Payments from nonappropriated funds may be made to enlisted personnel for authorized voluntary services rendered during off-duty hours under the following conditions:

(i) Employment does not impair or diminish efficiency in the performance of assigned military duties.

(ii) Such compensation shall be computed at an hourly rate for work performed while in an "off-duty" status except in the payment of sports officials when appropriate per game payments may be established based on the level of competition and local officiating rates.

(iii) Hourly rates of pay shall not exceed those in effect for civilian employees performing similar services in the military community.

(4) Payments from nonappropriated funds may be made to commissioned or warrant officers for authorized voluntary services rendered during off-duty hours under the following conditions:

(i) Services shall be limited to those to be performed on an intermittent fee basis, without direct supervision and control of official superiors, such as officiating at sports events and conducting educational, religious, recreational, or entertainment activities, so that no relationship of employer and employee is created.

(ii) Engagement for such services shall be in accordance with policies, established by the major commander.

(b) *Employment of retired members of the uniformed services.* (1) As used in this section, the term "retired member" includes also those members of the uniformed services who are in a retainer pay status. Members of the uniformed services who are either retired from such service (or are in a retainer pay status) may be considered as eligible for regular full-time, part-time, temporary, or intermittent employment by a nonappropriated fund activity authorized and established pursuant to authority contained in this regulation. Action will be taken, however, to assure that such employment

is on an equitable basis, in strict compliance with the principles of merit and open competition, and avoids the practice and appearance of preferential treatment. The following principles will be strictly observed before employing such member in any position for which compensation for services performed is paid from nonappropriated funds.

(i) Full consideration will be given to all eligible and qualified employees of the recruiting activity, in accordance with inservice placement and promotion procedures, before resorting to employment of retired members of the uniformed services.

(ii) Before selecting a retired member of the uniformed services for employment, recruitment for the position will be conducted in a way designed to assure that reasonable efforts are made to obtain applicants from all possible sources in a manner which will avoid any suspicion of attempts to unduly limit competition to a particular individual.

(iii) A vacancy must be well publicized and recruitment conducted over a period of time sufficient to give all interested candidates an opportunity to apply.

(iv) Qualification requirements for a position may not be established in a manner designed to give advantage to a particular individual.

(v) Every reasonable effort will be made to locate and recruit qualified candidates before appointing a retired member of the uniformed services to a position, and when selecting such retired member it must be clearly established that he is better qualified than any inservice candidate for the position.

(vi) Positions will not be held open pending the retirement of a member of the uniformed services in order to provide that person with a preferential opportunity to apply for or be appointed to the position. Active recruitment will be initiated not later than the time the position becomes vacant unless suspension of recruitment may be fully justified for management reasons unrelated to the impending retirement of a member of the uniformed services.

(vii) If the position was last occupied by the proposed appointee or any other military incumbent it must be clearly demonstrated that the proposed change to civilian incumbency is to meet a bona fide management need and not for the purpose of affording civilian employment to the proposed appointee.

(2) Appointment of transfer of retired members of the uniformed services by Army or joint Army and Air Force nonappropriated fund activities, located on Army installations, during the 180 days immediately following the member's retirement requires the prior approval of the Secretary of the Army or an official designated by him for this purpose. The Secretary's authority in these matters has been redelegated as follows:

(i) CONUS and oversea major commanders as defined in § 538.1(c) are authorized to approve appointment or transfers of retired enlisted members to

a position at activities within their command jurisdiction for which the annual salary does not exceed the entrance rate for a grade GS-7 position. Appointments or transfers of retired enlisted members to positions for which the annual salary exceeds the entrance rate for a grade GS-7 position, and appointments of all retired officers (regardless of the annual salary rate) require approval at the department level. Requests for approval must be routed through channels as follows:

Through: The Adjutant General, Attention: AGMF, Department of the Army, Washington, D.C. 20315

To: The Deputy Chief of Staff for Personnel, Department of the Army, Washington, D.C. 20310.

(ii) The Chief AAFES and the Chief AAFMPS, respectively, are authorized to approve appointments of retired enlisted members to a position for which the annual salary rate does not exceed the entrance rate for a grade GS-7 position, in an AAFES CONUS Area Support Center or an AAFMPS Regional Office or subordinate field office. Appointment of retired enlisted members to positions for which the annual salary exceeds the entrance rate for a grade GS-7 position and appointments of all retired officers (regardless of the annual salary rate) to a position in an AAFES CONUS Area Support Center or an AAFMPS Regional Office or a subordinate field office are subject to the approval of the Chairman of the Board, AAFEMPS. Such requests will be submitted through the Chief, AAFES or Chief, AAFMPS, as appropriate, to: The Chairman of the Board of Directors, Army and Air Force Exchange and Motion Picture Services, Washington, D.C. 20310.

(iii) Designees may not approve appointments or transfers to a position in their own headquarters. Such action will be obtained from the next higher authority.

(iv) Records will be maintained by the requesting installation or activity and the approving authority to support each request and permit meaningful inspection by the proper authority.

(v) Requests for employment of retired members of the uniformed services will be submitted in writing and will be accompanied by a statement of the actions taken to comply with each of the policies prescribed in subparagraph (1) of this paragraph; the name, pay grade, social security number, duty station at retirement, and date of retirement of the prospective applicant; and the location, name of employing nonappropriated fund activity, date of proposed employment, job title and position, grade or simulated grade of position and the beginning rate of pay.

(3) All Army and joint Army and Air Force nonappropriated fund activities employing retired officers of the regular components of the uniformed services, or having so employed such officers on or after December 1, 1964, by initial appointment, reinstatement, or reemployment of such retired officers, will prepare

and submit a report to the finance center of the uniformed services in which the officer holds retired status.

Addresses:
Commanding General, Finance Center, U.S. Army, Attention: Chief, Retired Pay Division, Indianapolis, IN 46429.
Retired Pay Department, U.S. Navy Finance Center, Cleveland, OH 44114.
Director of Allotments and Retired Pay (MR), Air Force Accounting and Finance Center, 3800 York Street, Denver, CO 80205.
Headquarters, U.S. Marine Corps, Code: CDH, Washington, D.C. 20380.
U.S. Coast Guard, Fiscal Procedure Branch, Station 616, Washington, DC 20226.

(4) A one-time report is required upon initial employment and upon separation from employment. In the case of a regular officer employed on a part-time or intermittent basis, a monthly report is required. The written report will contain the following:

(i) Title: Dual Compensation Status, Retired Officer of the Regular Service, Employed by Nonappropriated Fund Activities, RCS OSD-1218.

(ii) Name and address of employing nonappropriated fund agency.

(iii) Name, social security number of retired regular officer.

(iv) Effective date of initial employment, or date of separation from employment (separate reports required).

(v) Type of employment (identify one): Permanent, full-time; temporary, full-time; intermittent; permanent, part-time; or temporary, part-time (if intermittent or part-time, report must be submitted monthly as of the end of each calendar month, giving employment from-to date of months and years).

(vi) Signature, rank or grade, and title of nonappropriated fund or other official who is duly authorized to authenticate or approve agency payrolls.

(vii) Date of report.

(c) Utilization of civilian personnel.

(1) Civilian employees paid from nonappropriated funds will ordinarily be utilized in the operation of nonappropriated funds and related programs. Under the provisions of the Act of June 19, 1952, 66 Stat. 138, 5 U.S.C. 2105(c), civilian employees of nonappropriated funds will not be considered employees of the United States for the purpose of any law administered by the Civil Service Commission or the provisions of the Federal Employees Compensation Act.

(2) Civilian employees of nonappropriated funds are considered essential to the operation of the military establishment and their standing as employees will not differ materially from the standing enjoyed by other civilian employees of the Department of the Army.

(3) The pay, allowances, or other emoluments for nonappropriated fund employees will not exceed the maximum annual or hourly rates authorized in the locality of employment for a GS-15 in the classified Federal Service unless specifically approved by the Department of the Army; the Board of Directors, Army and Air Force Exchange and Motion Picture Services; or the Board of Directors, Army and Air Force Civilian Welfare Fund, as appropriate.

(4) The employment of civilian personnel within the Army, compensated from nonappropriated funds authorized by this section will be without discrimination as to race, color, creed, or national origin. This policy applies to applicants for employment by such nonappropriated fund activities as well as to employees thereof.

(5) The provisions of 5 U.S.C. 5531(2) and 5531(a) preclude a full-time Federal employee from being employed concurrently as a nonappropriated fund employee. However, a Federal hourly employee having less than full-time employment could receive nonappropriated fund compensation for performing other than his Federal job so long as his total employment would not exceed 40 hours per week. A nonappropriated fund employee may be employed in more than one nonappropriated job so long as his total number of hours of employment does not exceed 40 per week.

(6) U.S. nationals employed by nonappropriated fund activities, wherever located, and foreign nationals employed by nonappropriated fund activities within the United States, its territories, possessions, and other areas subject to its jurisdiction, are forbidden by law to strike against the Government or any instrumentality thereof, to assert the right to strike against such body, or to be a member of an organization of Government employees which asserts the right to strike against the United States, knowing that such organization asserts such right (act of August 9, 1955, 69 Stat. 624, 5 U.S.C. 118p et seq.).

(7) The use of official time of civilian employees paid from appropriated funds in the operation of revenue-producing and sundry funds is prohibited. However, the official time of civilian employees paid from appropriated funds may be utilized for the—

(i) Performance of command responsibilities in the administration (including supervision, technical advice, audit, and inspection) of nonappropriated funds.

(ii) Administration or operation of military welfare programs and facilities supported partially from appropriated and nonappropriated funds, provided such employment is within the purview of the purpose for which the money was appropriated. See also AR 230-81.

(8) All civilian personnel paid from nonappropriated funds occupying other than temporary positions have reemployment rights after military service. The provisions of CPR R6 will apply to such personnel except for the right of appeal to the Civil Service Commission. In lieu of appeal to the Civil Service Commission in cases of denial to reemployment after active military service, the provisions of CPR E2 will apply to such employees, including the right of review by higher echelons up to and including the Secretary of the Army, where the regulations so provide.

(9) Any person employed and compensated from funds collected from the sale of licenses and permits to hunt and fish

at a military installation (see AR 420-74) must be considered as an appropriated fund employee subject to Civil Service Commission rules and regulations and manpower authorization documents.

(10) Employment of civilian personnel by nonappropriated fund activities authorized by this section will comply with applicable Federal Labor Laws and will conform to the labor laws of the State or U.S. Territory in which the employing activity is located, when applicable, and will conform to the provisions of international agreements between the United States and foreign countries.

(11) Nonappropriated fund employees are entitled to benefits under the Federal Unemployment Compensation Program as set forth in AR 230-117.

(12) Executive Order 10988 (DA Bul. 3, 1962), Employee-Management Corporation in the Federal Service, is not directly applicable to Army relationships with organizations composed of employees of nonappropriated fund activities governed by this regulation. However, commanders responsible for the operation of nonappropriated fund activities at Army installations, including Army and Air Force Exchange and Motion Picture Services activities, will utilize the general provisions of CPR 700 as an administrative guide in conducting relations with nonappropriated fund activity employee organizations. Employee management relationships involving nonappropriated fund activity employees normally will be administered locally by the appropriate installation commander. Matters requiring action at departmental level pursuant to CPR 700 involving the conduct of relations with employee organizations composed of employees of nonappropriated fund activities at Army installations will be forwarded through command channels to the Deputy Chief of Staff for Personnel, Department of the Army, Washington, DC 20310. Such activities involving exchange or motion picture theater employees will be forwarded as prescribed above, but through the Chief, AAFES or the Chief, AAFMPS as appropriate. The Chief, AAFES and the Chief, AAFMPS are responsible for the resolution of employee relation matters as they may involve employees assigned to the joint Army and Air Force headquarters and subordinate service centers and elements thereof.

(13) Nonappropriated fund employees may not engage in political activities which are in violation of the Hatch Act (sec. 9, Act of Aug. 2, 1939, ch. 410, as amended, 5 U.S.C. 1181 et seq.). In this connection custodians, installation and major commanders will utilize as a guide, information contained in U.S. Civil Service Commission Pamphlet No. 20 "Political Activity of Federal Officers and Employees."

(d) *Minimum wages.* (1) The Fair Labor Standards Act (FLSA) amendments of 1966, Public Law 89-601 enacted September 23, 1966 (29 U.S.C. 201 et seq.) applies the minimum wage and overtime pay provisions of the act to nonappropriated fund employees of the Armed Forces including military person-

nel employed during off-duty hours, effective February 1, 1967.

(2) Section 306 of the Fair Labor Standards Act provides that employees referred to in subparagraph (1) of this paragraph will be paid not less than \$1.40 per hour effective February 1, 1967, and \$1.60 per hour effective February 1, 1968, for services performed in a work place located within a State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, the outer Continental Shelf Lands (as defined in the Outer Continental Shelf Lands Act (ch. 345, 67 Stat. 462)), American Samoa, Guam, Wake Island, Eniwetok Atoll, Kwajalein Atoll, and Johnston Island, section 306 of the act also provides that nonappropriated fund employees in the Canal Zone shall receive basic compensation effective February 1, 1967, and thereafter of not less than the following rates:

- (i) \$1.00 an hour during the first year.
- (ii) \$1.15 an hour during the second year.
- (iii) \$1.30 an hour during the third year.
- (iv) \$1.45 an hour during the fourth year.
- (v) \$1.60 an hour thereafter.

(3) The minimum rate to be paid to a covered nonappropriated fund employee shall not be less than either the current minimum wage or the applicable State or municipal minimum wage rate, whichever is higher.

(4) An employee who works more than 40 hours during a given workweek shall receive not less than one and one-half times his regular basic rate of pay for all time worked in excess of 40 hours, except:

(i) One who is "employed in a bona fide executive, administrative, or professional capacity," as provided in section 13(a)(1) of the FLSA, and

(ii) Pursuant to section 7(f) of the FLSA, the 40-hour basic workweek will not apply if an employee's maximum workweek exceeds 40 hours because his duties necessitate irregular hours of work, provided an individual contract or agreement for employment (a) specifies a regular rate of pay of not less than the applicable minimum hourly rate and compensation is paid not less than one and one-half times such regular rate for all hours worked in excess of such maximum workweek, and (b) the employment contract or agreement provides a weekly guaranty of pay for not more than 60 hours based on the rates so specified.

(5) In determining the wage of a "tipped" employee, the amount paid such employee by his employer shall be deemed to be increased on account of tips by an amount determined by the employer, but in no event shall such increase be in excess of 50 percent of the applicable minimum wage rate. A "tipped" employee is defined as an employee engaged in an occupation in which he customarily and regularly receives more than \$20 a month in tips.

(6) The employing nonappropriated fund activity will, where applicable, de-

duct both Federal income taxes and FICA taxes from a "tipped" employee's wages. Such wages for this purpose include those paid directly by the employer and the value of the employee's tips classified as wages in accordance with subparagraph (5) of this paragraph. The employer, however, will make a FICA contribution matching only those wages paid directly to the employee, exclusive of the value of tips considered as wages for purposes of compliance with the FLSA.

(e) *Cost-of-living allowances.* (1) Pursuant to Executive Order 11137, January 7, 1964, civilians employed overseas who are compensated by Army nonappropriated fund instrumentalities of the United States (5 U.S.C. 2105(c)) who are citizens of the United States will receive certain base pay for allowances as prescribed herein. The Chief, Army and Air Force Exchange Service and the Chief, Army and Air Force Motion Picture Service will establish rates for employees of their respective activities. Major overseas commanders will be responsible for establishing rates applicable to employees of other nonappropriated fund activities. Payments will be subject to the following limitations:

(i) Such allowances and differentials will not exceed those established under Executive Order 10903, January 9, 1961 (CPR T7) for employees in foreign areas; and Executive Order 10000, September 16, 1948, as amended (CPR T6), for employees in nonforeign areas.

(ii) Allowances and differentials paid to nonappropriated fund employees in foreign areas and nonforeign areas shall be limited to those authorized to be paid appropriated fund employees of the Department of Defense in the same locality, except that an educational allowance may be paid as authorized in Department of State Regulations (Government Civilians, Foreign Areas).

(iii) Maximum rates applicable to foreign areas are set out in the Standardized Regulations of the Department of State, and those applicable to nonforeign areas are set out in regulations of the Civil Service Commission as published in the Federal Personnel Manual.

(2) Nonappropriated fund custodians will assure that payrolls include appropriate breakdown of allowances and differentials not subject to Federal income tax, and that these are excluded from the base pay reported on U.S. Treasury Department, Internal Revenue Service, Form W-2, "Withholding Tax Statement." Cost of living allowances are not subject to Federal income or FICA taxes.

§ 538.7 Travel and transportation.

(a) *Travel.* (1) Reimbursement for personnel travel expenses from nonappropriated funds will not exceed the rates authorized by Joint Travel Regulations.

(2) Air transportation accommodations for nonappropriated fund personnel travel will be limited to accommodations provided from appropriated funds for like travel (AR 59-41).

(3) Nonappropriated funds will not be used to defray expenses incident to official travel of military personnel and civilian employees paid from appropriated funds when such travel is conducted incidental to their duty assignments.

(b) *Transportation*—(1) *Personnel*. (i) The transportation of nonappropriated fund employees and their dependents, and the movement of household goods and privately owned motor vehicles, may be authorized on the same basis as similar service provided appropriated fund employees under the provisions of volume 2, JTR. Such transportation and shipments, however, will be provided on a reimbursable basis from the employing nonappropriated fund, or by the employee from allowances authorized for such purpose.

(ii) AR 59-12 establishes eligibility of U.S. citizen nonappropriated fund employees for travel on MAC industrially funded aircraft. Such transportation for PCS or TDY purposes will be furnished on a space-required basis with reimbursement from the employing nonappropriated fund. A U.S. citizen nonappropriated fund employee stationed overseas, when travel to the overseas area was at nonappropriated fund expense, may be authorized space available emergency leave travel when traveling on competent orders to the CONUS APOE and return in connection with the serious illness, death, or impending death of a member of his immediate family.

(iii) Although AR 55-107 does not specifically identify nonappropriated fund employees as being authorized travel via MSTs facilities, space-required travel for U.S. citizen nonappropriated fund employees is authorized when traveling on competent PCS and TDY orders. Space-available transportation is authorized for the same personnel when travel is on emergency leave orders.

(2) *Cargo*. (i) Oversea commanders will determine what nonappropriated fund items may be carried on aircraft under their organizational control on a nonreimbursable basis. These items must be determined as basically essential to the morale and welfare program after considering factors such as geographical location, climatic conditions, other sources of supply, and availability of items. Once the determination is made, these items, including all property and merchandise of the Army and Air Force Exchange Service, may be transported on space-available nonreimbursable airlift, provided air transportation is required and can be furnished from available resources. The movement document will be annotated to indicate "Nonrevenue traffic." Items not so qualifying will be transported only on a reimbursable basis at the cost tariff rate and the movement document will be annotated "Revenue Traffic."

(ii) AR 59-12 provides for the use of MAC industrially funded aircraft for transporting authorized nonappropriated fund traffic.

(iii) AR 55-167 provides for the use of MSTs for transporting authorized nonappropriated fund cargo.

(iv) DOD Regulation 4500.32-R, Military Standard Transportation and Movement Procedures (MILSTAMP) and DA Pam 55-10 provide documentation procedures for authorized nonappropriated fund shipments utilizing the military transportation system.

§ 538.8 Taxes.

(a) *Federal taxes*. Reporting and remittance of Federal taxes will be as prescribed by the appropriate Director of Internal Revenue.

(1) *Federal income tax*. Federal income tax will be withheld from compensation of civilian and off-duty military personnel employees of nonappropriated fund activities in conformance with the Internal Revenue Code as follows:

(i) Within continental United States, Alaska, and Hawaii—from compensation of all employees.

(ii) Within the possessions of the United States, including the Commonwealth of Puerto Rico—from compensation of citizens of the United States or residents of such possessions, except that withholding is not required from compensation of permanent residents of the Virgin Islands, whether or not citizens of the United States.

(iii) Within foreign countries, including the Trust Territory of the Pacific Islands—from compensation of citizens of the United States, and of citizens and residents of such countries as may be provided by treaty, convention, or executive agreement.

(2) *Federal employment taxes*. The FICA tax on wages, imposed by section 3101 of the Internal Revenue Code, will be deducted from the wages of civilian employees; and the excise tax on employers, imposed by section 3111, will be paid on such wages as follows:

(i) Within CONUS, Alaska, Hawaii, Puerto Rico, and the Virgin Islands—on wages of all civilian employees irrespective of their citizenship.

(ii) Within other areas—on wages of civilian employees who are citizens of the United States.

(iii) No deduction will be made from the wages of military personnel employed during off-duty hours.

(iv) The value of meals furnished by an employer to his employees is considered taxable wages for Federal employment tax purposes, notwithstanding the fact that such wages are excludable from the employees' gross income under section 119 of the Internal Revenue Code.

(3) *Federal occupational taxes*. Nonappropriated fund activities located in the continental United States, Alaska, and Hawaii are subject to the following occupational taxes imposed by the Internal Revenue Code:

(i) *The tax on a wholesale dealer in beer, imposed by section 5111(b)*. For the purpose of this tax, a military reservation constitutes a single premise so that only one tax is due irrespective of the number of locations that a nonappropriated fund activity operates on the reserve.

(ii) *The tax on a retail dealer in liquor imposed by section 5121(a)*. For the

purpose of this tax, a military reservation constitutes a single premise so that only one tax is due irrespective of the number of locations that a nonappropriated fund activity operates on the reservation.

(iii) *The tax on a retail dealer in beer, imposed by section 5121(b)*. For the purpose of this tax, a military reservation constitutes a single premise so that only one tax is due irrespective of the number of locations that a nonappropriated fund activity operates on a reservation.

(b) *State, territorial, and local taxes*. (1) As instrumentalities of the United States, nonappropriated fund activities of the Army are entitled to the same immunity from the taxes of States, the District of Columbia, territories and possessions of the United States, the Commonwealth of Puerto Rico, and political subdivisions thereof, as is the United States.

(2) Income taxes of States and territories will be withheld from the compensation of all civilian employees whose regular place of employment is within the State or territory, when an agreement exists between the Secretary of the Treasury and the State or Territory made pursuant to the Act of July 17, 1952 (66 Stat. 765, 5 U.S.C. 84b, 84c (1952 ed.)), and Executive Order No. 10407, November 7, 1952 (17 F.R. 10132). Upon the request by, and authorization of, a civilian employee not otherwise subject to withholding of pay under these agreements, voluntary withholding of income tax may be made in favor of the State of residence if that State has entered into such a withholding agreement.

(3) Taxes of a State, the District of Columbia, or a territory of the United States upon, or measured by sales, purchases, storage, or use of gasoline or other motor fuels will be collected and paid according to the provisions of 4 U.S.C. § 104.

(c) *Foreign taxes*. Nonappropriated fund activities located in foreign countries, including occupied areas and the Trust Territory of the Pacific Islands, will not pay to, nor collect for, any foreign country or political subdivision any tax unless the United States has consented to such levy collection by treaty, convention, or executive agreement.

(d) *Procedures*. Except as consistent with paragraphs (a) and (b) of this section, all matters involving the attempt to impose taxes upon, or require collection by nonappropriated fund activities by the Federal Government, a State, the District of Columbia, a territory or possession of the United States, the Commonwealth of Puerto Rico, a foreign nation, or any political subdivision thereof, will be reported in detail prior to payment or collection to The Judge Advocate General, Department of the Army, through appropriate channels. Negotiations with taxing authorities will not be conducted by any nonappropriated fund activity without the express authorization of The Judge Advocate General. The Judge Advocate General may designate any individual to negotiate with taxing authorities. For matters involving

imposition of taxes on Exchange service operations, also see AR 60-20.

§ 538.9 Sales of State tax-free beer, tobacco products, and soft drinks by nonappropriated fund activities.

(a) *Purpose and scope.* This section governs the sale of State tax-free beer, tobacco products, and soft drinks, in bulk and for consumption on the premises at Army installations. These provisions apply to all Army installations, organizations, activities, and personnel within the United States and its territories.

(b) *Explanation of terms—(1) Soft drinks.* The term "soft drinks" means any and all nonalcoholic beverages, whether carbonated or not, such as soda water; ginger ale; the various cola drinks; fruit juices when any plain or carbonated water, flavoring, or syrup is added; carbonated water; orangeade; lemonade; rootbeer; or any and all preparations commonly referred to as soft drinks.

(2) *Sale in bulk.* The term "sale in bulk," as applied to State tax-free beer, tobacco products, or soft drinks, means any sale of beer or soft drinks by the case or cigarettes by the carton, and also includes the sale of such articles in any lesser quantity if intended for consumption off the premises, or if in an amount which cannot be reasonably consumed on the premises by the individual purchaser.

(c) *Sales.* (1) The sale of State tax-free beer to authorized patrons in bulk or for consumption on premises is subject to the provisions of AR 210-65.

(2) The sale of State tax-free tobacco products and soft drinks in bulk or for consumption on premises is an authorized Army exchange function (see AR 60-10). Open messes are authorized to sell State tax-free tobacco products and soft drinks in less than carton and case quantities.

(3) The sale of State tax-free tobacco products through vending machines is prohibited.

PROTECTING, INSURING, AND INVESTING ASSETS; TORT AND CONTRACT CLAIMS

§§ 538.10-538.16 [Reserved]

NONAPPROPRIATED MILITARY WELFARE FUNDS

§ 538.17 General.

(a) *Purpose and scope.* This section prescribes the use of nonappropriated military welfare funds, exclusive of commandants' welfare funds, to supplement appropriated funds in contributing to the morale, welfare, and recreational programs for military personnel of the Army, and establishes procedures governing the administration of these funds. (AR 230-43 is applicable to commandants' welfare funds.) The basic policies relative to the organization of nonappropriated military welfare funds are contained in AR 230-5.

(b) *Application.* This section is directly applicable on a worldwide basis except where application outside the continental United States is specifically waived or modified. Army National Guard organizations having unit funds derived from Federal sources are subject

to this section and to National Guard regulations. Commanders of major commands and the Chief, National Guard Bureau may publish appropriate procedural regulations not in conflict with this section.

(c) *Explanation of terms—(1) Major command.* For the purpose of this section, the terms major command and major commanders mean the CONUS armies, the Military District of Washington, the U.S. Army Air Defense Command, Department of the Army Staff agencies and other commands directly under the Department of the Army having command jurisdiction over installations, and overseas commands directly under the Department of the Army; and the commanding generals, heads, chief, and commanders in chief thereof.

(2) *Installation.* Installations include arsenals, posts, camps, stations, hospitals, depots, airfields, ports, forts, laboratories, procurement organizations, and other such establishments at which military activities are conducted under the control of the Department of the Army.

(3) *Minor revenue-producing activities.* Authorized athletic, recreational and personal service activities from which income is incidentally derived, such as bowling centers, golf courses, crafts shops, swimming pools, and recreational area activities.

(4) *Reserve component units.* Organizations of the Army Reserve, the Army National Guard, and the Army Reserve Officers' Training Corps.

(d) *Establishment and financial support.* (1) Nonappropriated military welfare funds are established at departmental, major command, installation, and unit level for the purpose of administering nonappropriated military welfare moneys to supplement the costs of benefits and services provided from appropriated funds for morale, welfare, and recreation of military personnel and incidental benefit of their dependents. Moneys may be expended from central post and major command welfare funds for support of the following activities benefiting dependents of military personnel. These expenditures are subject to determination of installation and major commanders that the use of such funds for these purposes will not adversely affect the support of morale, welfare, and recreational activities operated primarily for the benefit of military personnel.

(i) Educational assistance program as authorized in AR 350-290.

(ii) Procurement of recreational type articles and services as authorized in AR 230-5.

(iii) Army community service program as authorized in AR 608-1.

(iv) Army guest house operations.

(v) Army dependent youth activities program as authorized in AR 28-17.

(2) Income of nonappropriated military welfare funds is derived as follows:

(i) The Army portion of profits from operation of the Army and Air Force Exchange Service and the Army and Air Force Motion Picture Service, distributed as dividends to all military welfare funds

of the Army. The amount and method of distribution are announced annually by the Department of the Army in appropriate directives.

(ii) Collection of nominal charges when authorized by the installation commander to assist in the support of welfare programs in accordance with AR 230-5. Such collections will be made only when the cost of conducting the program exceeds the availability of appropriated and nonappropriated fund support and only for those programs where regulations do not prohibit these collections.

(iii) Other authorized sources of income are as follows:

(a) Contributions and donations in accordance with AR 230-5.

(b) Grants from other welfare funds authorized to provide financial assistance.

(c) Income from investments in accordance with AR 230-8.

(d) Proceeds from sale of fund-owned property.

(iv) Within overseas areas, other sources of income may include net profit derived from authorized revenue producing funds, other than those cited in subparagraph (1) of this paragraph.

(e) *Council—(1) Appointment.* The commander responsible for the establishment of a welfare fund will appoint a council for the proper administration and supervision of the fund. Council membership should be limited, but will include at least three individuals. The council president will be designated by the appointing authority. Civilian personnel will not serve as voting members on the council but may serve as the recorder or as advisors to the council.

(i) *Command welfare funds.* Councils for command welfare funds will be composed of commissioned officers of the commander's staff who are concerned with personnel, logistics, and operations, and may be augmented by officers primarily concerned with troop morale, welfare, spiritual, and recreational programs.

(ii) *Central post funds.* Councils for central post funds will be composed of commissioned officers and/or warrant officers of the commander's staff and major troop elements at the installation who are concerned with morale, welfare, spiritual and recreational programs; and at the discretion of the installation commander, the council may include senior noncommissioned officers of major troop elements of the installation. The council should be limited to the minimum number of members consistent with representation of installation staff and major troop elements.

(iii) *Unit funds.* Councils for unit funds will be composed of at least one commissioned officer, and two noncommissioned officers and/or specialist E-4 and above. The commissioned officer will be the unit commander or one of his staff. The enlisted representatives will be members of the unit.

(iv) *Installation stockade funds.* Councils for installation stockade welfare funds will be composed of at least

two commissioned officers and one non-commissioned officer, or specialist E-4 or above.

(2) *Procedures.* (i) The council will meet at least once a quarter, or more frequently when necessary, at the call of the president. Reserve component units which have had no unit fund financial transactions during the quarter are exempt from this procedure.

(ii) Proceedings of the council meeting will be recorded and will—

(a) Show members present and absent.

(b) Show actions taken.

(c) Include copies of financial statements of the fund, signed by the custodian, not previously entered in the record.

(d) Be signed by the president and the recorder.

(e) Be forwarded for approval to the commander who appoints the council.

(iii) The duties of a council are to—

(a) Ascertain that the fund is being properly administered and safeguarded. For command welfare funds and central post funds the council will direct the installation of a system of internal controls as prescribed in paragraph 2-1, AR 230-20.

(b) Approve budgets required by AR 230-12. Development of these program budgets is the responsibility of the special services officer and other users of the fund in coordination with the fund custodian as to format and fiscal analysis. Approval of these budgets, which are based on projected income, does not constitute expenditure authorization. Councils of unit funds are not subject to this budgetary requirement; however, councils of unit funds which are administered as isolated units (receiving augmented dividends) should prepare an annual budget for more effective use of their increased income.

(c) Determine that all income has been received in full and recorded in the books of accounts and reflected in the financial statements.

(d) Approve the amounts and purposes of all expenditures of the fund. Such approvals, usually for expenditures for the following quarter, may be of a general nature (such as total expenditures authorized for running a contest, fund administration, or recurring type program expenses), or may be of a specific nature (such as expenditures for a particular procurement of supplies, equipment, or rewards).

(e) Review the fund financial statements and other fund records as required to insure that all expenditures are made in accordance with approved council actions and within the purpose for which the fund was established.

(f) Assure the accountability of all fund-owned property, the conduct of physical inventories of such property at least annually, and recommend disposition of property surplus to requirements.

(g) Assure that audits are scheduled and conducted as prescribed, and review reports of audits and inspections and take appropriate action thereon.

(3) *Recorder.* A member of the fund council will be appointed as recorder who will maintain and sign the minutes of

the meeting. The custodian of a unit fund may be the recorder for a unit fund council where only one commissioned officer is assigned to the unit. Where the recorder of a major command welfare fund or a central post fund is not the fund custodian his duties as recorder will not conflict with those of the fund custodian. The recorder is responsible for securing agenda items from the users of the fund and the custodian, preparation and distribution of the agenda prior to a scheduled meeting, and distribution of excerpts from the approved minutes to the users of the fund and the custodian.

(f) *Administration—(1) Custodian—(i) Appointment.* The commander of a major command or installation establishing a military welfare fund (major command welfare fund or central post fund) will designate a commissioned or warrant officer as custodian. Subject to prior approval of the appropriate major commander and where qualified military personnel are not available, a civilian employee compensated from appropriated funds may be designated as custodian. A unit commander, having established a unit fund, will appoint himself or other commissioned officer of his staff as custodian of the unit fund. Except for unit funds, the custodian will be a non-voting member of the council.

(ii) *Duties.* The custodian is responsible to the council for fund administration, establishing internal control procedures, and the performance of duty by assistants and employees, and will, as applicable:

(a) Receive, safeguard, disburse, and account for funds and property in accordance with this chapter and other applicable regulations, and the policies and procedures prescribed by the council.

(b) Be financially liable for losses of funds and property only when dishonesty, fraud, or culpable negligence on his part is established.

(c) Assure that the accounting system is in conformity with the applicable accounting regulation.

(d) Cause the financial statements and operating reports of the preceding accounting period to be prepared, and attest to their accuracy.

(e) Be responsible for all fund records, including all accounts and records of minor income-producing activities of the fund.

(f) Employ, discharge, and supervise personnel assisting fund administration.

(g) Be responsible for maintaining adequate insurance in conformity with this part and AR 230-8.

(h) Advise the special services officer and other users of the fund in the development and preparation of their non-appropriated military welfare fund program budgets in accordance with AR 230-12. Prepare for and present to the Council budgetary analysis, and comments concerning regulatory requirements and limitations as they affect programmed expenditures. Consolidate the budget for submission to the next higher headquarters.

(i) Serve, if designated, as the recorder for the fund council, without vote.

As the recorder, be responsible for securing agenda items, and preparation and distribution of the agenda prior to a scheduled meeting. In addition, maintain and sign the minutes of the meeting, and prepare and distribute excerpts from the approved minutes to the special services officer and other users of the fund as appropriate.

(j) Serve as the fund purchasing and contracting officer.

(iii) *Relief.* When a custodian is relieved and successor custodian designated, transfer of accountability of a military welfare fund will be accomplished as follows:

(a) The outgoing custodian will prepare and sign the following financial statements:

(1) Statement of assets and liabilities.

(2) Statement of operations or of receipts and disbursements since the end of the period covered by the last statement of operations and net worth.

(3) Statement of the bank balance as of the date of transfer and reconciliation with that balance indicating unrecorded deposits and outstanding checks.

(b) The successor custodian will receipt for the fund and property pertaining thereto after satisfying himself of the accuracy of the statements and property records. When extensive audit is required, acceptance may be conditioned upon audit and verification.

(2) *Assistant custodian.* Military personnel or civilian personnel in supervisory positions may be designated as assistant custodians of nonappropriated welfare funds by which they are employed or with which they are assigned duties. The duties and responsibilities of the assistant custodian will be those enumerated in subparagraph (1)(ii) of this paragraph during the temporary absence from duty of the custodian.

(3) *Acting custodian.* An acting custodian will be designated when a custodian is to be absent from duty for a period of 5 to 30 days unless an assistant custodian has been appointed under the provisions of subparagraph (2) of this paragraph. A new custodian will be designated when the custodian is absent from duty longer than 30 days. Responsibility for safe-guarding assets of the fund will be transferred by duplicate receipt showing assets stated in fund records, subject to confirmation within 30 days; the originals will be retained with the records of the fund.

(d) *Interim custodian.* An interim custodian will be designated when an organization goes into combat, or simulated combat, to preclude loss of assets. The interim custodian is not authorized to make disbursements.

§ 538.18 Funds authorized.

(a) *General.* Command level determines the types of nonappropriated military welfare funds authorized, specific sources of income, and purposes for which these funds may be disbursed.

(b) *Army Central Welfare Fund.* The Army Central Welfare Fund is established by the Secretary of the Army as a central depository of nonappropriated

funds from which redistributions are made to supplement appropriated funds in maintaining a well balanced welfare program for military personnel of the Army.

(1) There will be paid into the Army Central Welfare Fund—

(i) Exchange and Motion Picture Services dividends.

(ii) Residual assets including cash, securities, and proceeds from the sale of property remaining in a command welfare fund, central post fund, unit fund, book department fund, or commandant's welfare fund when the fund is dissolved except as otherwise provided for in AR 230-1.

(iii) Contributions or donations for the welfare of military personnel when a specific recipient is not designated by the donor.

(iv) Moneys or other liquid assets determined to be in excess of the needs of military welfare and revenue-producing funds.

(v) Moneys or other assets of non-membership sundry funds (see AR 230-60) upon dissolution or when such assets are determined to be excess to the needs of such funds, but only in cases where the disposition of such assets is not otherwise specifically provided for.

(vi) All cash, securities, and proceeds from the sale of property pertaining to the Army remaining in the central welfare fund of an overseas command upon inactivation of the command.

(vii) Moneys or other liquid assets to be held in trust for other nonappropriated funds.

(viii) Interest on securities and bank accounts.

(ix) Collections in connection with the administration of centralized programs, such as the nonappropriated fund employee group health and life insurance and retirement programs.

(x) Collections for services rendered other nonappropriated funds and activities.

(2) Disbursements other than payment of dividends may be made from the Army Central Welfare Fund for—

(i) Expenses incurred in the operation of the fund.

(ii) Grants and loans in support of Department of the Army sponsored programs and projects.

(iii) Book Department grants as authorized by AR 230-43.

(iv) Indebtedness of dissolved military welfare funds, and sundry funds for which the Army Central Welfare Fund is the successor fund (subparagraph (1) (v) of this paragraph).

(v) Grants to major command welfare funds only when an additional dividend is declared by the Board of Directors, Army, Air Force Exchange, and Motion Picture Services. Annual dividends are distributed on a per capita basis.

(vi) Premiums and other costs incurred in connection with the administration of centralized programs such as the nonappropriated fund employee group life and health insurance and retirement programs.

(c) *Command welfare funds.* Command welfare funds are established by major commanders to administer funds provided from sources cited in § 538.17

(d). Command welfare funds will be used to assist in financing equitable morale and welfare programs and related activities for the benefit of military personnel included in the strengths used to compute income to the command welfare fund concerned. Disbursements are authorized for—

(1) Cost of operation of the fund.

(2) Grants to installation or organizational military welfare funds within the command.

(3) Procurement of articles or services and payment of awards considered necessary for morale, welfare, and recreational programs, and related activities benefiting military personnel of the command when not available from appropriated fund sources. However, cash or property of equivalent value awarded as prizes or trophies from nonappropriated military welfare funds will be made in accordance with AR 230-5 and will not exceed a value of \$25 for individual awards and \$100 for team awards unless a greater value is specifically approved by the appropriate major commander.

(4) Official mission activities other than those related directly to morale, welfare, and recreation of personnel, provided—

(i) Expenditures do not exceed 1 percent of dividend income received from the Army Central Welfare Fund, within any two consecutive fiscal quarters (i.e., expenditures in a given quarter may exceed by 50 percent the 1 percent allowance for that quarter, or expenditures up to 50 percent of the allowance for a given quarter may be deferred to the next succeeding quarter, provided that total expenditures within any biquarterly period do not exceed 1 percent of dividend income in that period).

(ii) Appropriated funds are not available for support of such activities.

(iii) Expenditures are not made for the purpose of providing additional nonappropriated fund support to military personnel whose strength is reported by another command. The purpose for which these moneys may be expended, other than indicated above, shall be a matter for determination by the major commander exercising control over the command welfare fund concerned. Major commanders may suballocate to subordinate command or installation central post funds portions of the 1 percent command allowance for support of such official mission activities. Establishment of a separate fund to account for official mission activities expenditures is not authorized.

(d) *Central post funds.* Central post funds may be established by commanders of installations where two or more units are located for the purpose of providing welfare benefits for military personnel as a whole at that installation when the benefits are not available from appropriated fund sources. Welfare funds may be established at USARADCOM region,

brigade, or group headquarters for the purpose of providing financial support of welfare activities normally provided by a central post fund. Disbursements are authorized for expenses related to sports, recreational, educational, religious, and welfare programs and activities including—

(1) Operating costs of the fund.

(2) Cost of equipment, supplies, and services procured for such programs and activities, and costs incident to the maintenance and repair of property so procured.

(3) Salaries and employees' benefits of civilian personnel required for such programs and activities and at rates comparable to those paid appropriated fund employees performing similar duties. Such personnel may include but are not limited to service club directors, librarians, craft directors, entertainment directors, sports directors, and nonprofessional personnel required for special service programs, provided that manpower authorizations or budgetary considerations do not permit employment of such personnel compensated from appropriated funds. See AR 230-5.

(4) Cost of providing on an installation-wide scale, those facilities, supplies, and services for which expenditures from unit funds are authorized subject to the restriction imposed by paragraph (c) (3) of this section on monetary value of awards.

(5) Payments, when necessary, to supplement appropriated funds for the establishment and operation of schools for military personnel in the fundamentals of learning.

(6) Dividends to unit funds. Income received by the central post fund for the payment of dividends will not be expended for other purposes.

(7) Official mission activities, other than those related directly to morale, welfare, and recreation of personnel, provided that funds therefore are made available by the major commander as authorized by paragraph (c) (4) of this section.

(e) *Unit funds.* (1) Unit funds authorized by AR 230-5 may be administered as single entities or by one of the following methods:

(i) Unit funds of two or more units of a battalion or comparable organization may be combined into a single consolidated unit fund account, the custodian to be designated by the battalion commander. A separate fund council will not be formed to control consolidated unit fund operations. The consolidated unit fund custodian shall be responsible only for receipt, disbursement, and accountability of funds and property pertaining to the unit funds as directed by the respective unit fund councils. The equities and identities of the individual unit funds will be segregated within the consolidated unit fund account.

(ii) Where two or more units of company size are quartered or administered so as to utilize common recreational facilities supported by unit funds, consideration may be given to designating the

unit fund of a single unit to receive dividends based upon the average strength of all units involved and to support recreational needs thereof.

(iii) Reserve component unit funds will be established at levels of command where the most economical use of funds may be made to benefit all personnel.

(2) Disbursements are authorized for the following purposes, but only when equitable benefits accrue to the military personnel of the unit as a whole.

(i) Purchase of supplies, equipment, or services which contribute to the entertainment, recreation, comfort, or education of the personnel of the unit, garbment of the unit mess, except that purchase of alcoholic beverages with an alcoholic content in excess of 3.2 percent by weight is prohibited. See AR 210.65.

(ii) Purchase of supplies, materials, or services required for the maintenance of property for which the unit fund is accountable or responsible and for emergency maintenance of Government-owned welfare and recreational property issued to the organization.

(iii) Purchase of labor-saving devices and articles not available through military supply services.

(iv) Awards of property, cash, or the equivalent thereof, as individual prizes for proficiency in military pursuits, such as Soldier of the Month, and for recreational and educational contests conducted by a fund which all members of the organization to which the fund pertains are given equal opportunity to participate. The restriction imposed by paragraph (c) (3) of this section on monetary value of awards is applicable in this instance.

(v) Purchase of authorized distinctive insignia or uniform trimmings (battalion and school insignia, etc.) for use, without reimbursement, by all eligible personnel of the unit.

(vi) Purchase of unit histories and related materials for presentation to all members of the unit, and to new members at the time of joining the unit.

(vii) Payment of expenses necessary to safeguard assets of the fund.

(3) Transfer of assets of a unit fund is authorized to—

(i) Fund of new unit when unit is redesignated.

(ii) Fund of new unit when entire organization is transferred to that unit.

(iii) New units on a pro rata basis when entire organization is reconstituted into one or more units located at the same installation, or in the case of National Guard units located in the same State.

(f) *Stockade funds.* (1) Installation stockade welfare funds may be established by installation commanders for the purpose of providing recreational benefits for military prisoners confined in installation stockades and hospital prisoner wards and to assist in their rehabilitation.

(2) Income to the fund will include regular monthly dividends distributed by the installation central post fund at per capita rates announced annually by the department of the Army, and authorized contributions.

(3) Such funds will be administered in accordance with the principles prescribed for unit funds, and will not be commingled with prisoners' personal deposit funds.

(4) Disbursements are authorized for the same items and purposes as are authorized in this chapter from central post funds and unit funds, subject to such limitations as the installation commander may impose, and provided further that stockade funds are for the exclusive benefit of military prisoners.

(g) *Inmates' welfare funds.* (1) Inmates' welfare funds may be established by installation commanders at installations having a U.S. disciplinary barracks for the purpose of providing recreational benefits for military prisoners confined in U.S. disciplinary barracks and to assist in their rehabilitation.

(2) Income to the fund will include regular monthly dividends distributed by the installation central post fund at per capita rates announced annually by the Department of the Army and by authorized contributions.

(3) Such funds will be administered in accordance with the principles prescribed for unit funds.

(h) *Isolated units.* (1) The term "isolated unit" applies to an Army organization, except USAR ADCOM units, authorized to establish a unit fund when—

(i) It is the only such organization present at a separate military installation not authorized a central post fund; or

(ii) It is located on a military installation authorized to establish a central post fund, but the geographical location of the unit or the duties of the members of the unit are such as to preclude normal use of welfare and recreational facilities financially supported by the installation central post fund.

(2) Dividends will be paid directly to isolated unit funds by a central post fund designated by the appropriate major commander for that purpose. Such dividends shall include the regularly authorized unit fund dividend, plus that dividend which is normally paid to a central post fund based on the unit average monthly strength.

(3) United States Army Air Defense Command unit funds will not be considered "isolated" units as defined in subparagraph (1) of this paragraph, and will be paid only the prescribed unit fund dividend. Dividends normally paid to a central post fund based on unit average strength will be paid to, and retained for expenditure by, the USARADCOM region, brigade, or group welfare fund established in lieu of a central post fund.

(4) Isolated units may be provided grants from the command welfare fund of the major command which exercises jurisdiction over the installation responsible for distribution of unit fund dividends to the units. USARADCOM units other than tenant units defined in paragraph (i) of this section will be provided grants from the USARADCOM welfare fund.

(5) Where members of isolated units are able to participate in some recrea-

tion and welfare activities of a nearby installation, agreement may be made between isolated unit and installation commanders whereby isolated unit funds will reimburse the central post fund for such participation.

(i) *Tenant units.* (1) The term "tenant unit" applies to the following:

(i) A military organization physically located at an installation where the organization is of a different service.

(ii) An organization physically located at an installation of the same service when the organization is under the command jurisdiction of a major commander other than the one who exercises command jurisdiction over the installation.

(2) A tenant unit which is physically located at an installation so that facilities and services provided by the installation central post fund are not readily accessible to personnel of the unit will be administered as an "isolated unit" under provisions of paragraph (h) of this section.

(3) Installation commanders are responsible for provision of welfare benefits to tenant units of other services (AR 210-53). Major commanders are responsible for insuring that each tenant unit at installations under their jurisdiction is provided welfare benefits in the same manner and to the same extent as comparable organizations of their commands.

(j) *Reserve components.*—(1) *Ordered to annual active duty for training (ANACDUTRA).* Reserve component organizations or units ordered to annual active duty for training will be provided nonappropriated military welfare benefits. Dividend distributions to such Reserve component organizations are authorized to provide funds for off-duty recreational purposes during the period the organization is on annual active duty for training. Retroactive distribution of such dividends, which would have the effect of accumulating additional funds for use by the organization when not on active duty, is not authorized.

(2) *Ordered to active military service.* Reserve component organizations or units ordered to active military service will be provided nonappropriated military welfare benefits in accordance with procedures established for regular Army organizations and units. Disposition of assets and property upon inactivation of the organization or unit is provided for in AR 230-1.

(3) *Not on active duty.* (i) Unit funds may be established and administered at U.S. Army Reserve training centers, as prescribed for units of the Active Army in paragraph (e) of this section for the benefit of Army Reserve personnel assigned to TOE and Troop Program TD organizations not on active duty. Army Reserve unit funds will be subject to other provisions of Army regulations governing unit funds except as indicated in this subdivision and subdivision (ii) of this subparagraph.

(ii) Army Reserve unit funds authorized in subdivision (i) of this subparagraph may engage in the operation of

vending machines to dispense food, tobacco products, and nonalcoholic beverages in Reserve training centers not located on active class I and II Army installations as provided by AR 60-10, AR 230-5, and other portions of this chapter. All items sold through vending machines will be tax paid in accordance with the laws of the State or territory of the United States within which the Reserve training center is located. The vending machines may be owned and operated directly by Army Reserve unit funds or operated under agreements with concessionaires. Income derived from the operation of such vending machines will be paid to the Army Reserve unit funds and used for the benefit of members of the units to which the funds pertain.

(iii) Where two or more unit funds are established at a single Reserve training center, a consolidated unit fund custodian may be designated pursuant to paragraph (e)(1)(i) of this section of contracting with vending machine concessionaires and to distribute the income derived therefrom to unit funds of various participating units on a per capita basis. Concessionaire contracts entered into between fund custodians and concessionaires will be in a written form prescribed by the respective commanders and will be awarded competitively.

CONTRACT CLAUSES

§ 538.19 Appendix A—Equal Employment Opportunity.

1. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin. The contractor will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, color, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post, in conspicuous places available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

2. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, or national origin.

3. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the contracting officer, advising the labor union or workers' representative of the contractor's commitments under section 202 of Executive Order No. 11246 of September 24, 1965, as amended, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

4. The contractor will comply with all provisions of Executive Order No. 11246 of September 24, 1965, as amended, and of the rules, regulations, and relevant orders of the Secretary of Labor.

5. The contractor will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, as amended, and by the rules, regulations, and orders of

the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting officer and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

6. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, as amended, and other sanctions may be imposed and remedies involved as provided in Executive Order No. 11246 of September 24, 1965, as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

7. The contractor will include the provisions of paragraphs 1 through 8 in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order No. 11246 of September 24, 1965, as amended, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting officer may direct as a means of enforcing such provisions including sanctions for noncompliance: *Provided, however*, That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting officer, the contractor may request the contracting officer to assist in the enforcement of this clause.

§ 538.20 Appendix B—Service Contract Act of 1965.

(a) *General.* The Service Contract Act of 1965 (Public Law 89-286: 79 Stat. 1035), as amended, applies to contracts entered into by the United States including contracts of nonappropriated fund activities, the principal purpose of which is to furnish services in the United States through the use of service employees as defined in paragraph (b) of this section.

(b) *Explanation of terms.* (1) "Secretary" means Secretary of Labor.

(2) The term "service employee" means guards, watchmen, and any person engaged in a recognized trade or craft, or other skilled mechanical craft, or in unskilled, semiskilled, or skilled manual labor occupations; and any other employee including a foreman or supervisor in a position having trade, craft, or laboring experience as the paramount requirements; and shall include all such persons regardless of any contractual relationship that may be alleged to exist between a contractor or subcontractor and such persons.

(3) The term "United States" when used in a geographical sense shall include any State of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Outer Continental Shelf lands as defined in the Outer Continental Shelf Lands Acts, American Samoa, Guam, Wake Island, Eniwetok Atoll, Kwajalein Atoll, Johnston Island, but shall not include any other territory under the jurisdiction of the United States or any United States base or possession within a foreign country.

(c) *Contract clauses.* The following clauses shall be included in each invitation to bid, request for quotation, and any contract entered into with an Army nonappropriated fund activity, if such contract is in excess of \$2,500 and the contracting officer determines that it is a contract the principal pur-

pose of which is to obtain services in the United States through the use of service employees and that is not otherwise exempted by this part.

(1) Each service employee employed in the performance of this contract by the contractor or any subcontractor shall be paid the minimum monetary wage and shall be furnished fringe benefits in accordance with the wages and fringe benefits determined by the Secretary of Labor or his authorized representative, as specified in any attachment to this contract. If there is such an attachment, any class of service employee which is not listed therein but which is to be employed under this contract, shall be classified or reclassified and paid wages conformably to the Secretary's determination as specified in such attachment, by agreement between the interested parties, and contracting officer shall report the action to the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor. If the interested parties do not agree on a classification or reclassification which is, in fact, conformable, the contracting officer shall submit the question together with his recommendation, to the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor or his authorized representative for final determination. In addition, nonservice employees shall be paid not less than the minimum wage specified under section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended (\$1.60 per hour as of February 1, 1968).

(2) The contractor or subcontractor may discharge the obligation to furnish fringe benefits specified in the attachment by furnishing any equivalent combinations of fringe benefits, or by making equivalent or differential payments in cash, pursuant to applicable rules of the Administrator of the Wage and Hour and Public Contracts Divisions of the Department of Labor.

(3) In the absence of a minimum wage attachment for this contract, neither the contractor nor any subcontractor under this contract shall pay any of his employees performing work under the contract (regardless of whether they are service employees) less than the minimum wage specified by section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended (\$1.60 per hour as of February 1, 1968). Nothing in this provision shall relieve the contractor or any subcontractor of any other obligation under law or contract for the payment of a higher wage to any employee.

(4) The contractor shall notify each service employee commencing work on this contract of the minimum monetary wage and any fringe benefits required to be paid pursuant to this contract, or shall post a notice of such wages and benefits in a prominent and accessible place at the worksite, using such poster as may be provided by the Department of Labor.

(5) The contractor shall not permit any part of the services called for by this contract to be performed in buildings or surroundings or under working conditions provided by or under the control or supervision of the contractor which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish these services.

(6) Each contractor or subcontractor performing work subject to the Act shall make and maintain for 3 years from the completion of the work the records identified below for each service employee performing work under the contract, and shall make them available for inspection and transcription by authorized representatives of the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor.

(a) His name and address.
 (b) His work classification or classifications, rate or rates of monetary wages and fringe benefits provided, rate or rates of fringe benefit payments in lieu thereof, and total daily and weekly compensation.

The Contractor and any subcontractor hereunder shall pay all of their employees engaged in performing work on the contract not less than the minimum wage specified under section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended (\$1.60 per hour as of February 1, 1968), and are subject to the regulations of the Secretary of Labor thereunder (29 CFR Part 4).

(e) *Wage determinations and fringe benefits.* Minimum monetary wages and fringe benefits required under this Act will be determined by the Administrator of the Wage and Hour Public Contracts Divisions of the Department of Labor. As such determinations are issued, appropriate distribution to procurement offices will be made. Nonappropriated fund custodians should contact the installation purchasing and contracting officer for information concerning these issuances. In the absence of advice to the contrary, purchasing offices shall use the minimum wage indicated in the notice of intention submitted pursuant to paragraph (f) of this section. If no determination has been issued, the contractor is required by paragraph (c)(3) of this section of the contract clause to pay not less than the minimum wage of \$1.60 specified in section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended.

(c) His daily and weekly hours so worked.
 (d) Any deductions, rebates, or refunds from his total daily or weekly compensation.

(7) The contracting officer may withhold or cause to be withheld from the Government Prime Contractor under this or any other Government contract such sums as are necessary to pay underpaid employees. Additionally, any failure to comply with the requirements of these clauses relating to the Service Contract Act of 1965 may be grounds for termination of his right to proceed with the contract work. In such event, the Government may enter into other contracts or arrangements for completion of the work, charging the contractor with any additional cost.

(8) The contractor agrees to insert these clauses relating to the Service Contract Act of 1965 in all subcontracts. The term "contractor" as used in these clauses in any subcontract, shall be deemed to refer to the subcontractor, except in the term "Government Prime Contractor."

(9) As used in these clauses relating to the Service Contract Act of 1965, the term "service employee" means guards, watchmen, and any person engaged in a recognized trade or craft, or other skilled mechanical craft, or in unskilled, semiskilled, or skilled manual labor occupations; and any other employee including a foreman or supervisor in a position having trade, craft, or laboring experience as the paramount requirement; and shall include all such persons regardless of any contractual relationship that may be alleged to exist between a contractor or subcontractor and such persons.

(d) *Special clause.* The following clause shall be included in each invitation to bid, request for quotation, and any contract entered into with an Army nonappropriated fund activity, if such contract is for \$2,500 or less, and the contracting officer determines that it is a contract the principal purpose of which is to obtain services in the United States through the use of service employees and that it is not otherwise exempted by the provisions herein:

(f) *Notice of intention.* Prior to issuing invitation for bids or commencing negotiations for any contract containing the clause set forth in paragraph (c) of this section, the issuing office shall submit a "Notice of Intention to Make a Service Contract and Response Notice" (Standard Form 98) to the Administrator, Wage and Hour and Public Contracts Divisions of the Department of Labor. Such notice shall ordinarily be submitted 30 days or more prior to the issuance of the solicitation. Where circumstances prevent submission of the notice by that time, it shall be submitted as soon thereafter as practicable. Standard Form 98 may be obtained from the General Service Administration Regional Supply Depots. The back of the form contains instructions for its completion (notwithstanding the instructions on the form, only the original and three copies shall be forwarded). Whenever detailed information which is requested is not readily available, such pertinent general information as is available should be provided. For example, if meaningful estimates of the number of service employees in various classes to be used on the contract cannot be made estimates of the total number of employees or of the numbers falling within the categories enumerated in paragraph (b) of this section should be supplied if practical.

(g) *Exemptions.* These requirements shall not apply to—

(1) Any contract of the United States or District of Columbia for construction, alteration and/or repair, including painting and decorating of public buildings or public works;

(2) Any work required to be done in accordance with the provisions of the Walsh-Healey Public Contracts Act (49 Stat. 2036);

(3) Any contract for the carriage of freight or personnel by vessel, airplane, bus, truck, express, railway line, or oil, or gas pipeline where published tariff rates are in effect;

(4) Any contract for the furnishing of services by radio, telephone, telegraph, or cable companies subject to the Communications Act of 1934;

(5) Any contract for public utility services, including electric light and power, water, steam, and gas;

(6) Any employment contract providing for direct services to a Federal agency by an individual or individuals;

(7) Any contract with the Post Office Department, the principal purpose of which is the operation of postal contract stations; and

(8) Any contract exempted by the Secretary of Labor from the application of the Service Contract Act of 1965.

§ 538.21 Appendix C—Davis-Bacon Act.

(a) The Davis-Bacon Act (Act of March 3, 1931, as amended, 40 U.S.C. 276a) provides that certain contracts over \$2,000 entered into by any Department for the construction, alteration, or repair (including painting and decorating) of public buildings or public works within the United States shall contain a provision to the effect that no laborer or mechanic employed directly upon the site of the work contemplated by the contract shall receive less than the prevailing wage, including basic hourly rates and fringe benefits payments, as determined by the Secretary of Labor. The provisions of the Davis-Bacon Act are applicable to contracts covering construction, alteration, and repair financed in whole or in part by nonappropriated funds, except work financed entirely by voluntary contributions or donations made to nonappropriated funds specifically to accomplish such work.

(b) Every nonappropriated fund construction contract subject to the provisions of the Davis-Bacon Act shall include the following clauses:

(1) All mechanics and laborers employed or working directly upon the worksite shall be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are otherwise authorized), the full amounts due at time of payment computed at wage rates not less than the aggregate of the basic hourly rates and rates of payments, contributions, or costs for any fringe benefits contained in the wage determination decision of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and such laborers and mechanics. A copy of such wage determination decision shall be kept posted by the contractor at the site of the work in a prominent place where it can be easily seen by the workers.

(2) The contractor may discharge his obligation under this clause to workers in any classification for which the wage determination decision contains—

(i) Only a basic hourly rate of pay, by making payment at not less than such basic hourly rate, except as otherwise authorized.

(ii) Both a basic hourly rate of pay and fringe benefits payments, by making payment in cash, by irrevocably making contributions pursuant to a fund, plan, or program for, and/or by assuming an enforceable commitment to bear the cost of bona fide fringe benefits contemplated by the Davis-Bacon Act, or by any combination thereof. Contributions made, or costs assumed, on other than a weekly basis shall be considered as having been constructively made or assumed, during a weekly period to the extent that they apply to such period. Where a fringe benefit is expressed in a wage determination in any manner other than as an hourly rate and the contractor pays a cash equivalent or provides an alternative fringe benefit, he shall furnish information with his payrolls showing how he determined that the cost incurred to make the cash payment or to provide the alternative fringe benefit is equal to the cost of the wage determination fringe benefit. In any case where the contractor provides a fringe benefit different from any contained in the wage determination, he shall similarly show how he arrived at the hourly rate shown therefor. In the event of disagreement between or among the interested parties as to an equivalent of any fringe benefit, the custodian shall submit the question, together with his recommendation, to the Secretary of Labor for final determination.

(3) The assumption of an enforceable commitment to bear the cost of fringe benefits, or the provision of any fringe benefits not expressly listed in section 2b of the Davis-Bacon Act or in the wage determination decision forming a part of the contract, may be considered as payment of wages only with the approval of the Secretary of Labor pursuant to a written request by the contractor. The Secretary of Labor may require the contractor to set aside assets, in a separate account, to meet his obligations under any unfunded plan or program.

(4) The custodian shall require that any class of laborers or mechanics which is not listed in the wage determination decision and which is to be employed under the contract shall be classified or reclassified conformably to the wage determination decision, and shall report the action taken to the Secretary

of Labor. If the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers or mechanics to be used, the custodian shall submit the question, together with his recommendation, to the Secretary of Labor for final determination.

(5) In the event it is found by the custodian that any laborer or mechanic employed by the contractor or any subcontractor directly on the site of the work covered by this contract has been or is being paid at a rate of wages less than the rate of wages required by this clause, the custodian may (i) by written notice to the Government Prime Contractor terminate his right to proceed with the work, or such part of the work as to which there has been a failure to pay said required wages, and (ii) prosecute the work to completion by contract or otherwise, whereupon such contractor and his sureties shall be liable to the Government for any excess costs occasioned the Government thereby.

(6) Subparagraphs (1) through (5) of the clause shall apply to this contract to the extent that it is (i) a prime contract with the Government subject to the Davis-Bacon Act or (ii) a subcontract also subject to the Davis-Bacon Act under such prime contract.

(c) The provisions of this section are applicable to all contracts negotiated after December 5, 1968.

For the Adjutant General.

R. B. BELNAP,
Special Advisor to TAG.

[FR Doc.71-7208 Filed 5-24-71;8:45 am]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 354—OVERTIME SERVICES RELATING TO IMPORTS AND EXPORTS

Commuted Traveltimes Allowances

Pursuant to the authority conferred upon the Director of the Agricultural Quarantine Inspection Division by § 354.1 of the regulations concerning overtime services relating to imports and exports (7 CFR 354.1), effective May 1, 1971 (36 F.R. 8235), administrative instructions (7 CFR 354.2), effective May 19, 1970, as amended October 28, 1970, January 19, 1971, and April 7, 1971 (35 F.R. 7689, 16678, 36 F.R. 823, 6559), prescribing the commuted traveltimes that shall be included in each period of overtime or holiday duty, are hereby amended by adding to and deleting from the "lists" therein as follows:

§ 354.2 Administrative instructions prescribing commuted traveltimes.

WITHIN METROPOLITAN AREA

ONE HOUR

Add: Portland, Maine.
Add: Providence, R.I.
Add: Wilmington, Del.

OUTSIDE METROPOLITAN AREA

ONE HOUR

Delete: Olympia, Wash. (served from McChord AFB, Wash.).

TWO HOURS

Add: Mayaguez, P.R. (served from Ramey AFB, P.R.).

Add: Olympia, Wash. (served from McChord AFB, Wash.).

THREE HOURS

Delete: Mayaguez, P.R. (served from Ramey AFB, P.R.).

Delete: Any undesignated Washington port served from Astoria or Portland, Oreg., or from Seattle, Wash.

Add: Any undesignated Washington port served from Astoria or Portland, Oreg., or from McChord AFB, or Seattle, Wash.

FOUR HOURS

Add: Grays Harbor, Wash. (served from McChord AFB, Wash.).

Add: Willapa Bay, Wash. (served from McChord AFB, Wash.).

SIX HOURS

Delete: Port Angeles, Wash. (served from Seattle, Wash.).

Add: Port Angeles, Wash. (served from McChord AFB, or Seattle, Wash.).

These commuted traveltimes periods have been established as nearly as may be practicable to cover the time necessarily spent in reporting to and returning from the place at which the employee performs such overtime or holiday duty when such travel is performed solely on account of such overtime or holiday duty. Such establishment depends upon facts within the knowledge of the Agricultural Quarantine Inspection Division. It is to the benefit of the public that this amendment be made effective at the earliest practicable date. Accordingly, pursuant to the provisions of 5 U.S.C. 553, it is found upon good cause that notice and public procedure on this amendment are impracticable, unnecessary, and contrary to the public interest, and good cause is found for making this amendment effective less than 30 days after publication in the FEDERAL REGISTER.

(64 Stat. 561; 7 U.S.C. 2260)

This amendment shall become effective upon publication in the FEDERAL REGISTER (5-25-71).

Done at Hyattsville, Md., this 20th day of May 1971.

[SEAL] T. G. DARLING,
Acting Director, Agricultural
Quarantine Inspection Division.

[FR Doc.71-7267 Filed 5-24-71;8:50 am]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

PART 1488—FINANCING OF SALES OF AGRICULTURAL COMMODITIES

Subpart A—Financing of Export Sales of Agricultural Commodities From Private Stocks Under CCC Export Credit Sales Program (GSM-4), Revision II)

BEEF BREEDING CATTLE

The regulations contained in Subpart A, Part 1488, Title 7, Code of Federal Regulations, governing the CCC Export

Credit Sales Program, are amended to include a revised Supplement I which incorporates minor changes in specifications and certain other clarifying changes with respect to the export financing of beef breeding cattle, as follows:

SUPPLEMENT I—BEEF BREEDING CATTLE

Sec.

- A. Additional definitions.
- B. Submission of applications for financing.
- C. Additional documents required after delivery.
- D. Miscellaneous.
- E. Dual purpose breeds.
- Exhibit I—Females.
- Exhibit II—Bulls.

Appendix I—Performance Testing.

Appendix II—Specifications for Official U.S. Standards for Grades.

AUTHORITY: The provisions of this Supplement I issued under sec. 5(f), 62 Stat. 1072, 15 U.S.C. 714c; sec. 407, 63 Stat. 1055, as amended, 7 U.S.C. 1427; sec. 4, 80 Stat. 1538, 7 U.S.C. 1707a.

A. Additional definitions. 1. "Port value" means the net amount of the exporter's sales price for beef breeding cattle to be exported under the financing agreement, basis f.a.s. or f.o.b. export carrier at U.S. ports, at U.S. border points of exit, or at U.S. airports if shipped by air. The point of exportation for animals shall be designated by the Agricultural Research Service, U.S. Department of Agriculture. The port value shall not include the ocean freight for a c. & f. sale or ocean freight and marine and war risk insurance for a c.i.f. sale, and shall also not include any animal care or servicing cost incurred after such animals are loaded aboard the export carrier. The net amount of the exporter's sales price means the contract price for the animals less any payments made by the importer and less any discounts, credits, or allowances to the importer. Such net amount shall not exceed (a) for registered bulls, \$1,200 each or, with prior approval of the Assistant Sales Manager for Export Credit, \$2,500 if performance has been superior to the performance records specified in Exhibit II to this supplement; (b) for registered females, \$800 each or, with prior approval of the Assistant Sales Manager for Export Credit, \$1,000 if performance has been superior to the performance records specified in Exhibit I to this supplement; (c) for nonregistered females, an average, for the sale, of \$450 each or, with prior approval of the Assistant Sales Manager for Export Credit, \$650 if performance has been superior to the performance records specified in said Exhibit I. The difference, if any, between the maximum net amount specified in (a), (b), or (c) of this paragraph A.1 and the contract price for the individual animal, if registered, or the average contract price for the individual animal, if nonregistered, shall not be included as part of the port value.

2. "Producer" means the person holding legal title to the animal at time of birth and who has had continuous ownership of such animal until sold for export under an approved financing agreement.

3. "Bred female" means either a bred heifer or bred cow as set forth in Exhibit I, Option B, which has been certified to as pregnant at the time of inspection.

4. "Breeder" means the person holding legal title to the female animal at the time she was served to qualify such animal hereunder as a bred female.

5. "Eligible animal" means an animal which meets all the following requirements:

(a) The animal must be the progeny of a nationally recognized beef cattle breed (Exhibits I and II);

(b) The animal must have been owned by a person who had continuous title to such animal for a period of at least 90 days immediately before acquisition by the exporter, unless the exporter is the producer of the animal.

(c) The animal must, at the time of export, be individually identified by an ear tag, a legible ear tattoo symbol, or a firebrand and ranch holding brand symbol acceptable to USDA testing authority as an authentic identification symbol for such animal. The term "identification number(s)" as used herein shall also include ear tattoo symbol and firebrand and ranch holding brand symbol.

(d) The animal must qualify under the specifications of Exhibit I for females and Exhibit II for bulls.

6. "Registered animal" means an eligible animal which the appropriate national breed association has officially registered or otherwise classified as a purebred animal of that breed. Such animal must be marked with a legible tattoo or brand which corresponds with the number shown in the certificate of registration or other official document issued by the appropriate national breed association.

7. "Nonregistered animal" means an eligible animal, whether or not purebred, which is predominantly of the color characteristics and body conformation of the beef breed stated in the contract between the exporter and the importer. (See Exhibits I and II.)

B. *Submission of applications for financing.* 1. In addition to the information required by § 1488.3(c) (2) through (10), applications for financing export credit sales of beef breeding cattle shall include the following:

(a) A general description by breed of the animals to be exported, separately describing the animals under the following classes:

- (1) Registered bulls;
- (2) Registered bred females;
- (3) Registered unbred females;
- (4) Nonregistered bred females; and
- (5) Nonregistered unbred females.

(b) A statement that such animals will conform to the general specification requirements set forth in Exhibits I or II, as applicable to the class of animals to be exported.

2. In addition to the justifications specified in § 1488.3(d), a financing period in excess of 12 months but not in excess of 36 months for beef breeding cattle may be justified when it will result in the use by the importer, or by purchasers from the importer, of the animals in the destination country under conditions which will promote expanded demand for additional breeding animals or feed stuffs from the United States.

C. *Additional documents required after delivery.* In addition to the documents specified in § 1488.3(a) (1), (2), (3), (4), (6), and (7), the exporter shall submit the following documents to the Treasurer, Commodity Credit Corporation:

1. Separate animal identification lists for registered animals and for nonregistered animals, containing the following information:

(a) Identification number;

(b) For each registered animal, shown separately opposite the identification number, the sales price as specified in the sales invoice;

(c) For nonregistered animals, shown for each lot group by identification number, the average sales price per animal based on the sales invoice for such nonregistered animals.

2. Performance records for animals for which a higher maximum port value has been approved by the Assistant Sales Manager for Export Credit as provided in paragraph A.1.

3. A certification by the exporter that animals of the description in the exporter's sales contract have been delivered, and that the exporter knows of no defenses to the account receivable assigned to CCC.

4. A certification by the exporter that the documents specified in paragraph D of this supplement have been furnished to the importer.

D. *Miscellaneous.* The following documents or certifications, as applicable, shall be furnished to the importer by the exporter:

1. The certificates issued by an agent of the Consumer and Marketing Service, U.S. Department of Agriculture, as to official registration of the animal(s) and listing the identification number(s) and corresponding registration certificate number(s) for each registered animal showing that such numbers have been verified as legible and accurate for such animal, and that the person holding legal title to the animal at the time of export sale has appropriately executed such certificate for transfer to the party designated by the importer. (See Exhibit I or II.)

2. A certification by the breeder of females sold as "bred females" showing the identification numbers and stating that the service bull was a registered bull of the same beef cattle breed as the female to which bred. (See Exhibit I.)

3. The certificate issued or endorsed by the Animal Health Division, Agricultural Research Service, listing the identification number(s) and showing that such animal has been inspected for compliance with "Health" requirements. (See Exhibit I or II.)

4. The certificates issued by the Consumer and Marketing Service listing the identification number(s) for each animal showing for such animal compliance with breed, age, weight, and conformation grade, for the class, as shown in Exhibit I or II, as applicable.

5. Certificates issued by a veterinarian accredited by the Agricultural Research Service, showing that bred females, sold as such, were examined and found to be with calf at time of inspection.

6. A semen certification by a veterinarian accredited by the Agricultural Research Service, for bulls over 1 year of age, except that for Santa Gertrudis and Brahman cattle the certification shall be for bulls over 18 months of age.

E. *Dual purpose breeds.* When dual purpose breeds¹ are eligible for financing under the provisions of both Supplement I and Supplement II to GSM-4, as revised, the exporter has the option of qualifying such animals under the provisions of either supplement. Such option must be stated in the application filed pursuant to § 1488.3. In the event such dual purpose breeds are approved for export hereunder, the provisions of this supplement shall apply.

EXHIBIT I TO SUPPLEMENT I

USDA APPROVED BEEF BREEDING CATTLE EXPORT SPECIFICATIONS—FEMALES

Option A (to be specified by purchaser).

1. Registered.²

Breed

- a. Angus.
- b. Hereford.
- c. Polled Hereford.
- d. Charolais.
- e. Santa Gertrudis.
- f. Shorthorn.
- g. Polled Shorthorn.
- h. Brahman.

¹ Milking Shorthorn and Red Poll.

² Animals must be officially registered with the appropriate National Breed Association and be so certified by C&MS agent.

i. Milking Shorthorn.³

j. Red Poll.²

k. Other beef cattle breeds described in Farmers' Bulletin No. 228 entitled "Beef Cattle Breeds", issued January 1968.

2. Nonregistered.²

Predominant Breed

(Specify from breed above.)

Option B (to be specified by purchaser).

Age⁴

1. Calf—(7 to 12 months).
2. Yearly open—(12 to 18 months).
3. Heifer open—(18 to 24 months).
4. Bred heifer—(18 to 36 months).
5. Bred cow—(24 to 48 months).
6. Mature cow—(24 to 48 months).⁵

General requirements:

A. *Health.*⁶

1. Tested negative for tuberculosis within 30 days of loading aboard export carrier.

2. Tested negative for brucellosis within 30 days of loading aboard export carrier, or is an official vaccinee under 30 months of age.

3. Certified that the United States is a country where foot-and-mouth disease has not existed since 1929, contagious bovine pleuropneumonia has not existed since 1892, and rinderpest has never occurred.

4. Animals come from farms that have not been under State of Federal quarantine for any communicable disease during the past year.

5. Animals have been inspected, and found sound (including freedom from blindness, structural defects, etc.), free of evidence of communicable disease and exposure thereto, and free of mites, ticks and ringworm or freed from the same.

B. *Minimum Weight.*⁷

1. Calf—(7 to 12 months) 400 pounds.

2. Yearling Open—(12 to 18 months) 500 pounds.

3. Heifer open—(18 to 24 months) 600 pounds.

4. Bred heifer—(18 to 24 months) 700 pounds (24 to 36 months) 800 pounds.

5. Bred cow—(24 to 36 months) 800 pounds (36 to 48 months) 950 pounds.

6. Mature cow—(24 to 36 months) 800 pounds (36 to 48 months) 950 pounds.⁸

C. *Minimum Conformation.* Choice.⁹

All nonregistered females must be dehorned or naturally polled unless otherwise specified in the application. Horn stubs in excess of 1 inch will not be acceptable on dehorned cattle.

D. *Performance Records.*¹⁰ (Optional, unless specified.) (See attached Appendix I to Exhibits I and II.)

1. Minimum adjusted daily gain to weaning 1.6 pounds per day.

2. Minimum adjusted daily gain to weaning of offspring 1.6 pounds per day (if appropriate).

E. *Statement of Service or Other Requirement.*

1. Bred females must have been bred to a registered bull of the same breed and the

² Dual Purpose Breeds (see paragraph E, Supplement I or II).

³ Nonregistered animals will be certified for breed by the C&MS agent.

⁴ Certification by C&MS agent.

⁵ See E3 of the Exhibit I.

⁶ Certification or endorsement furnished by Animal Health Division, Agricultural Research Service, USDA.

⁷ Certification furnished by Livestock Division, C&MS, USDA. Conformation grade to be based on the muscling requirements of the official USDA Feeder Cattle Standards. (See Appendix II attached.)

⁸ Official State records or National Breed Association records, or Performance Registry International records.

calf from a registered female must be eligible for registration.⁹

2. Bred females must be at least 2 months but not more than 6 months pregnant at time of inspection when being shipped by vessel. If shipped by air, bred females must be at least 2 months pregnant but may be up to 8 months pregnant with veterinarian approval.¹⁰

3. Mature cows not qualifying as "bred cows", to be eligible for financing hereunder, must be lactating and have their offspring not in excess of approximately 5 months of age at side at time of inspection by C&MS. Such calves, though not eligible for financing, may be supplied along with the parent cow if facilities for their care and safe transportation to destination point are adequate.

EXHIBIT II TO SUPPLEMENT I

USDA APPROVED BEEF BREEDING CATTLE EXPORT SPECIFICATIONS—BULLS

Option A (to be specified by purchase).

Breed¹

1. Angus.
2. Hereford.
3. Polled Hereford.
4. Charolais.
5. Santa Gertrudis.
6. Shorthorn.
7. Polled Shorthorn.
8. Brahman.
9. Milking Shorthorn.²
10. Red Poll.²

11. Other beef cattle breeds described in Farmers' Bulletin No. 2228 entitled "Beef Cattle Breeds", issued January 1968.

Option B (to be specified by purchaser).

Age²

1. Bull calf—(7 to 12 months).
2. Yearling bull—(12 to 18 months).
3. Bull—(18 to 24 months).
4. Mature bull—(24 to 48 months).

General Requirements:

A. Health.³

1. Tested negative for tuberculosis within 30 days of loading aboard export carrier.

2. Tested negative for brucellosis within 30 days of loading aboard export carrier.

3. Certified that the United States is a country where foot-and-mouth disease has not existed since 1929, contagious bovine pleuropneumonia has not existed since 1892, and rinderpest has never occurred.

4. Animals come from farms that have not been under State or Federal quarantine for any communicable disease during the past year.

5. Animals have been inspected, and found sound (including freedom from blindness, structural defects, etc.), free of evidence of communicable disease and exposure thereto, and free of mites, ticks and ringworm or freed from the same.

B. Minimum Weight.⁴

1. 7 to 12 months, 470 pounds.

⁹ Must be certified to by the breeder of the female at time of sale to exporter.

¹⁰ Certification of pregnancy shall be issued by an accredited veterinarian.

¹ All animals for delivery under these specifications must be officially registered with the appropriate National Breed Association and be so certified by C&MS agent.

² Dual Purpose Breeds (see paragraph E, Supplement I or II).

³ Certification by C&MS agent.

⁴ Certification or endorsement furnished by Animal Health Division, Agriculture Research Service, USDA.

2. 12 to 18 months 790 pounds.

3. 18 to 24 months 1,100 pounds.

4. Over 24 months 1,350 pounds.

C. Minimum Conformation. Prime.⁵

D. Performance Records.⁶ (Optional, unless specified). (See attached Appendix I to Exhibits I and II.)

1. Minimum adjusted daily gain to weaning 1.9 pounds per day.

E. A semen check indicating at least 60 percent sperm motility must be supplied for bulls over 1 year of age,⁷ except that for Santa Gertrudis and Brahman cattle the certification shall be for bulls over 18 months of age.

APPENDIX I TO EXHIBITS I AND II

PERFORMANCE TESTING

Performance testing is known by several names in the United States, but practically all organizations evaluate similar characteristics in beef cattle. The principal factors used in evaluating performance are growth rate and conformation, but not necessarily both. Animals which are tested are weighed at birth and again at weaning. The weaning weight is adjusted to an equivalent of 205 days of age and is also adjusted depending on the age of the dam. This is done to make weights of calves from first-calf heifers comparable to weights of calves from older cows.

The adjusted daily gain from birth to weaning is indicative not only of inherited gaining ability but also of the milking ability of the dam.

APPENDIX II TO EXHIBITS I AND II

SPECIFICATIONS FOR OFFICIAL UNITED STATES STANDARDS FOR GRADES OF CATTLE (STEERS, HEIFERS, AND COWS)¹

Prime

Cattle which possess typical minimum qualifications for the Prime grade are very thickly muscled throughout. They are wide through the chest with well sprung ribs and are moderately wide and thick through the crops, back and loin. The rounds tend to be thick and the twist is moderately deep. They have large, rugged frames with moderately large but refined bone.

Choice

Cattle which possess typical minimum qualifications for the Choice grade are thickly muscled throughout. They are moderately wide through the chest with a moderate spring of ribs and are slightly wide and thick through the crops, back and loin. The rounds are slightly thick and the twist is slightly deep. They have moderately large, rugged frames, and the bone usually is moderately large, but may be slightly fine or slightly large and course.

Effective date. This Supplement I to Regulations GSM-4, as revised, shall be effective upon filing with the Office of the Federal Register.

⁵ Certification furnished by Livestock Division, C&MS, USDA, Conformation grade based on the muscling requirements of the official USDA Feeder Cattle Standards. (See Appendix II attached.)

⁶ Official State records or National Breed Association records, or Performance Registry International records.

⁷ Certification must be issued by an accredited veterinarian.

⁸ Adapted from Service and Regulatory Announcement C&MS 183, issued March 1965. A copy of this publication and charts picturing the grades of feeder cattle may be obtained upon request from the Livestock Division, C&MS, USDA, Washington, D.C. 20250.

Signed at Washington, D.C., on May 19, 1971.

CLIFFORD G. PULVERMACHER,
Vice President, Commodity Credit
Corporation, and General
Sales Manager, Export Mar-
keting Service.

[FR Doc.71-7164 Filed 5-19-71;2:08 pm]

PART 1488—FINANCING OF SALES OF AGRICULTURAL COMMODITIES

Subpart A—Financing of Export Sales of Agricultural Commodities From Private Stocks Under CCC Export Credit Sales Program (GSM-4), Revision II

DAIRY BREEDING CATTLE

The regulations contained in Subpart A, Part 1488, Title 7, Code of Federal Regulations, governing the CCC Export Credit Sales Program, are amended to include a revised Supplement II which incorporates minor changes in specifications and certain other clarifying changes with respect to the export financing of dairy breeding cattle, as follows:

SUPPLEMENT II—DAIRY BREEDING CATTLE

Sec.

- A. Additional definitions.
- B. Submission of applications for financing.
- C. Additional documents required after delivery.
- D. Miscellaneous.
- E. Dual purpose breeds.

Exhibit I—Females.

Appendix to Exhibit I.

Exhibit II—Bulls.

Appendix to Exhibit II.

AUTHORITY: The provisions of this Supplement II issued under sec. 5(f), 62 Stat. 1072, 15 U.S.C. 714c; sec. 407, 63 Stat. 1055, as amended, 7 U.S.C. 1427; sec. 4, 80 Stat. 1538, 7 U.S.C. 1707a.

A. Additional definitions. 1. "Port value" means the net amount of the exporter's sales price for dairy breeding cattle to be exported under the financing agreement, basis f.a.s. or f.o.b. export carrier at U.S. ports, at U.S. border points of exit, or at U.S. airports if shipped by air. The point of exportation for animals shall be designated by the Agricultural Research Service, U.S. Department of Agriculture. The port value shall not include the ocean freight for a c. & f. sale or ocean freight and marine and war risk insurance for a c.i.f. sale, and shall also not include any animal care or servicing cost incurred after such animals are loaded aboard the export carrier. The net amount of the exporter's sales price means the contract price for the animals less any payments made by the importer and less any discounts, credits, or allowances to the importer. Such net amount shall not exceed (a) \$1,320 each for registered bulls which have an Acceptable performance index as set out in paragraph D.1, Exhibit II to this supplement, or, with prior approval of the Assistant Sales Manager for Export Credit, \$2,750 if such animal has a Superior performance index as set out in paragraph D.2 of Exhibit II; (b) \$825 each for registered females which have an Acceptable performance index as set out in paragraph D.1, Exhibit I to this supplement, or with prior approval of the Assistant Sales Manager for Export Credit, \$1,320 if such animal has a Superior performance index as set out in paragraph D.2 of Exhibit I; (c) with prior approval of the Assistant Sales

Manager for Export Credit, \$1,320 each for registered mature cows which have a Superior performance index as set out in paragraph D.3, of Exhibit I; (d) with prior approval of the Assistant Sales Manager for Export Credit, \$825 each for nonregistered mature cows which have a Superior performance index as set out in paragraph D.3, of Exhibit I; or (e) \$660 average for the sale of nonregistered females, other than mature cows with a Superior performance index, if each such animal has an Acceptable performance index as set out in paragraph D.1 of Exhibit I. The difference, if any, between the maximum net amount specified in (a), (b), (c), (d), or (e) of this paragraph A.1 and the contract price for individual registered animals or nonregistered mature cows with a Superior performance index, or the average contract price for nonregistered females, other than mature cows with a Superior performance index, shall not be included as a part of the port value.

2. "Producer" means the person holding legal title to the animal at time of birth and who has had continuous ownership of such animal until sold for export under an approved financing agreement.

3. "Bred female" means either a bred heifer or bred cow as set forth in Exhibit I, Option B, which has been certified to as pregnant at the time of inspection.

4. "Breeder" means the person holding legal title to the female animal at the time she was served to qualify such animal hereunder as a bred female.

5. "Eligible animal" means an animal which meets all the following requirements: (a) The animal must be the progeny of a nationally recognized dairy cattle breed (Exhibits I and II);

(b) The animal must have been owned by a person who had continuous title to such animal for a period of at least 90 days immediately before acquisition by the exporter, unless the exporter is the producer of the animal;

(c) The animal must, at the time of export, be individually identified by an ear tag, a legible ear tattoo symbol, or a firebrand and ranch holding brand symbol acceptable to USDA testing authority as an authentic identification symbol for such animal. The term "identification number(s)" as used herein shall also include ear tattoo symbol and firebrand and ranch holding brand symbol.

(d) The animal must qualify under the specifications of Exhibit I for females and Exhibit II for bulls.

6. "Registered animal" means an eligible animal which the appropriate national breed association has officially registered or otherwise classified as a purebred animal of that breed. Such animal must be marked with a legible tattoo or brand which corresponds with the number shown in the certificate of registration or other official document issued by the appropriate national breed association.

7. "Nonregistered animal" means an eligible animal, whether or not purebred, which is predominantly of the color characteristics and body conformation of the dairy breed stated in the contract between the exporter and the importer. (See Exhibits I and II.)

B. Submission of applications for financing. 1. In addition to the information required by § 1488.3(c) (2) through (10), applications for financing export credit sales of dairy breeding cattle shall include the following:

(a) A general description by breed of the animals to be exported, separately describing the animals under the following classes:

- (1) Registered bulls;
- (2) Registered bred females;
- (3) Registered unbred females;
- (4) Nonregistered bred females; and

(5) Nonregistered unbred females.

(b) A statement that such animals will conform to the general specification requirements set forth in Exhibits I or II, as applicable to the class of animals to be exported.

2. In addition to the justifications specified in § 1488.3(d), a financing period in excess of 12 months but not in excess of 36 months for dairy breeding cattle may be justified when it will result in the use by the importer, or by purchasers from the importer, of the animals in the destination country under conditions which will promote expanded demand for additional breeding animals or feed stuffs from the United States.

C. Additional documents required after delivery. In addition to the documents specified in § 1488.9(a) (1), (2), (3), (4), (6), and (7), the exporter shall submit the following documents to the Treasurer, Commodity Credit Corporation:

1. Separate identification lists for each group of animals described in paragraphs A.1 (a), (b), (c), (d), and (e) of this supplement, containing the following information:

(a) Identification number;

(b) For each registered animal or nonregistered mature cow with a Superior performance index, shown separately opposite the identification number, the sales prices as specified in the sales invoice;

(c) For nonregistered females other than mature cows with a Superior performance index, shown for each lot group by identification list, the average sales price per animal based on the sales invoice for such nonregistered animals.

2. Production Performance Index records as follows:

(a) For registered bulls the applicable Acceptable or Superior performance index records of Sire and Dam as described in paragraph D.1 or D.2 of Exhibit II;

(b) For registered females if applicable the Superior performance index records of Sire and Dam as described in paragraph D.2 of Exhibit I;

(c) For registered or nonregistered mature cows if applicable, the Superior performance index records of Sire and Dam as described in paragraph D.3 of Exhibit I.

3. A certification by the exporter that animals of the description in the exporter's sales contract have been delivered, and that the exporter knows of no defenses to the account receivable assigned to CCC.

4. A certification by the exporter that the documents specified in paragraph D of this supplement have been furnished to the importer.

D. Miscellaneous. The following documents or certifications, as applicable, shall be furnished to the importer by the exporter.

1. The certificates issued by an agent of the Consumer and Marketing Service, U.S. Department of Agriculture, as to official registration of the animal(s) and listing the identification number(s) and corresponding registration certificate number(s) for each registered animal showing that such numbers have been verified as legible and accurate for such animal, and that the person holding legal title to the animal at the time of export sale has approximately executed such certificate for transfer to the party designated by the importer. (See Exhibit I or II.)

2. A certification by the breeder of females sold as "bred females" showing the identification numbers and stating that the service bull was a registered bull of the same dairy cattle breed as the female to which bred. (See Exhibit I.)

3. The certificates issued or endorsed by the Animal Health Division, Agricultural Research Service, listing the identification number(s) and showing that such animal

has been inspected for compliance with "Health" requirements. (See Exhibit I or II.)

4. The certificates issued by the Consumer and Marketing Service listing the identification number(s) for each animal showing for such animal compliance with breed, age, weight, and conformation specifications, for the class, as shown in Exhibit I or II, as applicable.

5. Certificates issued by a veterinarian accredited by the Agricultural Research Service, showing that bred females, sold as such, were examined and found to be with calf at time of inspection.

6. A semen certification by a veterinarian accredited by the Agricultural Research Service, for bulls over 1 year of age.

E. Dual purpose breeds. When dual purpose breeds are eligible for financing under the provisions of both Supplement I and Supplement II to GSM-4, as revised, the exporter has the option of qualifying such animals under the provisions of either supplement. Such option must be stated in the application filed pursuant to § 1488.3. In the event such dual purpose breeds are approved for export hereunder, the provisions of this supplement shall apply with the exception that the Assistant Sales Manager for Export Credit is authorized, at the request of the applicant, to establish a minimum weight schedule and DHIR Milk Production Breed Average.

EXHIBIT I TO SUPPLEMENT II

USDA APPROVED DAIRY CATTLE EXPORT SPECIFICATIONS—FEMALES

Option A (to be specified by purchaser).
1. Registered.¹

Breed

- a. Ayrshire.
- b. Brown Swiss.
- c. Guernsey.
- d. Holstein.
- e. Jersey.
- f. Milking Shorthorn.²
- g. Red Poll.³

2. Nonregistered.³

Predominant Breed

(Specify from breed above.)

Option B (to be specified by purchaser).

Age⁴

1. Calf—(6 to 12 months).
2. Yearling open—(12 to 18 months).
3. Heifer open—(18 to 30 months).
4. Bred heifer—(18 to 30 months).
5. Mature cow—(24 to 48 months).

General requirements:

A. Health.⁵

1. Tested negative for tuberculosis within 30 days of loading aboard export carrier.
2. Tested negative for brucellosis within 30 days of loading aboard export carrier, or is an official vaccinee under 30 months of age.
3. Certified that the United States is a country where foot-and-mouth disease has not existed since 1929, contagious bovine pleuropneumonia has not existed since 1892, and rinder-pest has never occurred.

⁶ Milking Shorthorn and Red Poll.

⁷ Animals must be officially registered with the appropriate National Breed Association and be so certified by C&MS agent.

⁸ Dual purpose breeds (see paragraph E, Supplement I or II).

⁹ Nonregistered animals will be certified for breed by C&MS agent.

¹⁰ Certification by C&MS agent.

¹¹ Certification or endorsement furnished by Animal Health Division, Agricultural Research Service.

4. Animals come from farms that have not been under State or Federal quarantine for any communicable disease during the past year.

5. Animals have been inspected and found sound (including freedom from blindness, structural defects, etc.), free of evidence of communicable disease and exposure thereto, and free of mites, ticks, and ringworm or freed from the same.

6. Mature cows must be physically examined at time of inspection for the presence of mastitis by manipulating and stripping the udder and found not to have evidence of such infection. The exporter, at his option, may require the person from whom he purchases a mature cow to supply additional evidence of non-mastitis infection as he sees fit.

B. Minimum Weight.¹

1. Registered Animals.

Age ¹	Holstein and Brown Swiss	Guernsey and Ayrshire	Jersey
a. 6 months.....	360	295	260
b. 8 months.....	470	385	340
c. 10 months.....	565	455	410
d. 12 months.....	640	525	470
e. 14 months.....	710	585	520
f. 16 months.....	775	635	555
g. 18 months.....	835	685	600
h. 20 months.....	900	745	645
i. 22 months.....	970	790	695
j. 24 months.....	1,015	845	735
k. 26 months.....	1,045	870	760
l. 28 months.....	1,070	895	780
m. 30 months.....	1,090	910	790
n. 36 months and over.....	1,180	990	865

¹ Minimum weights for ages between the ages shown shall be determined proportionately.

2. Nonregistered animals.

Class	Holstein and Brown Swiss	Guernsey and Ayrshire	Jersey
a. Calf.....	360	295	260
b. Yearling Open...	640	525	470
c. Heifer Open.....	835	685	600
d. Heifer Bred.....	835	685	600
e. Mature Cow.....	1,015	845	735

C. Minimum Conformation.²

All animals must meet the minimum body conformation specifications as described in Appendix to this Exhibit I.

D. Production Performance Index.³

1. *Acceptable.* An Acceptable performance index for *Registered* or *Nonregistered Females* will be considered to exist if such animals meet the minimum conformation of Item C above.

⁴ Certification or endorsement furnished by Livestock Division, C&MS, USDA. Conformation specifications to be based on standards as set out in Appendix to Exhibit I attached. Weights may be determined by weighing or by estimates using a girth measurement tape.

⁵ DHI or DHIR milk production records mature equivalent based on 305-day, two times day milking.

2. *Superior.* A Superior performance index for a *Registered Female* will be considered to exist if:

(a) *Sire* has a Plus (+) USDA Predicted Difference⁴ equal to 2 percent of DHIR breed average as shown in item E below, or in the event the Sire does not have a summary, his Sire has a predicted difference (+500 pounds)⁵ and

(b) *Dam* has a DHI or DHIR record⁶ equal to 10 percent above the DHI breed average as shown in item E below.

3. *Superior.* A Superior performance index for a *Registered* or *Nonregistered Mature Cow* will be considered to exist if such animal has a DHI production record⁶ 15 percent above the DHIR breed average as shown in item E below.

E. *DHIR Milk Production Breed Averages (Mature Equivalent).*

The following breed averages are applicable to these specifications:

Breed	Breed average	2 percent of breed average	10 percent of breed average	15 percent of breed average
		Pounds		
Ayrshire.....	11,112	222	1,111	1,666
Brown Swiss.....	12,203	244	1,220	1,830
Guernsey.....	9,632	192	963	1,444
Holstein.....	13,943	278	1,394	2,091
Jersey.....	8,853	177	885	1,328

F. Statement of Service.

1. Bred females must have been bred to a registered bull of the same breed.¹⁰

2. Bred females must be at least 2 months pregnant but no more than 6 months pregnant at time of inspection when being shipped by vessel. If shipped by air, bred females must be at least 2 months pregnant but may be up to 8 months pregnant with veterinarian approval.¹¹

APPENDIX TO EXHIBIT I

MINIMUM BODY CONFORMATION SPECIFICATION FOR FEMALES

In addition to meeting the minimum weight for the breed as specified in Exhibit I, the animal shall possess femininity, normal breed conformation, quality, and body capacity. She shall have the general appearance of thrift and vitality with eyes bright and ears alert. The feet and legs shall be well formed with the legs straight, strong, and well set. The mammary system, if sufficiently developed, shall be strongly attached, well balanced and of fine texture. The teats shall be of acceptable size. There shall be no evidence of lameness or other serious body defects. She shall possess normal dairy character by showing a lack of obvious excess fatty condition for the age class. Females officially classified by the respective breed association as "Good Plus" (or equivalent) or higher shall be acceptable if found at time of inspection not to have developed a physical defect in conflict with the above-stated conditions.

⁸ Source: USDA-DHI Sire Summary Records—Agricultural Research Service.

⁹ Source: Breed Association, or Dairy Records Processing Center serving the DHI Association where tested.

¹⁰ Must be certified to by the breeder of the female at time of sale to exporter.

¹¹ The certification of pregnancy shall be by an accredited veterinarian.

EXHIBIT II TO SUPPLEMENT II

USDA APPROVED DAIRY CATTLE EXPORT SPECIFICATIONS—BULLS

Option A (to be specified by purchaser).

Breed¹

- Ayrshire.
- Brown Swiss.
- Guernsey.
- Holstein.
- Jersey.
- Milking Shorthorn.²
- Red Poll.²

Option B (to be specified by purchaser).

Age³

- Calf—(6 to 12 months).
- Yearling—(12 to 18 months).
- Young bull—(18 to 24 months)
- Mature bull—(24 to 48 months).

General requirements:

A. Health.⁴

1. Tested negative for tuberculosis and brucellosis within 30 days of loading aboard export carrier.

2. Animals come from farms that have not been under quarantine for any communicable disease during the past year.

3. Certified that the United States is a country where foot-and-mouth disease has not existed since 1929, contagious bovine pleuropneumonia has not existed since 1892, and rinderpest has never occurred.

4. Animals have been inspected and found sound (including freedom from blindness, structural defects, etc.), free of evidence of communicable disease and exposure thereto and free of mites, ticks and ringworm or freed from the same.

B. Minimum Weight.⁵

Age ¹	Holstein and Brown Swiss	Guernsey and Ayrshire	Jersey
a. 6 months.....	450	370	315
b. 8 months.....	585	480	410
c. 10 months.....	710	555	490
d. 12 months.....	820	655	565
e. 14 months.....	930	755	645
f. 16 months.....	1,040	840	745
g. 18 months.....	1,155	920	815
h. 20 months.....	1,320	1,065	950
i. 24 months.....	1,455	1,210	1,050
j. 27 months.....	1,570	1,310	1,140
k. 30 months.....	1,670	1,395	1,215
l. 36 months and over.....	1,840	1,545	1,350

¹ Minimum weights for ages between the ages shown shall be determined proportionately.

C. Minimum Conformation.⁵

¹ All animals for delivery under these specifications must be officially registered with the appropriate National Breed Association and be so certified by C&MS agent.

² Dual purpose breeds (see paragraph E, Supplement I or II).

³ Certified by C&MS agent.

⁴ Certification or endorsement furnished by Animal Health Division, Agricultural Research Service, USDA.

⁵ Certification or endorsement furnished by Livestock Division, C&MS, USDA. Conformation specifications to be based on standards as set out in Appendix to Exhibit II attached. Weights may be determined by weighing or by estimates using a girth measurement tape.

All animals must meet the minimum body conformation as described in Appendix to Exhibit II.

D. Production Performance Index.*

1. *Acceptable.* An Acceptable performance index for a Registered Bull will be considered to exist if:

(a) Sire has a Plus (+) USDA Predicted Difference,⁷ and

(b) Dam has a DHI or DHIR record⁸ 10 percent above the DHIR breed average as shown in item E below.

2. *Superior.* A Superior performance index for a Registered Bull will be considered to exist if:

(a) Sire has a Plus (+) USDA Predicted Difference⁷ equal to 2 percent of DHIR breed average as shown in item E below, and

(b) Dam has a DHI or DHIR record⁸ 20 percent above the DHIR breed average as shown in item E below.

E. DHIR Milk Production Breed Averages (Mature Equivalent).

The following breed averages are applicable to these specifications:

Breed	Breed average	2 percent of breed average	10 percent of breed average	20 percent of breed average
		Pounds		
Ayrshire.....	12,556	251	1,255	2,511
Brown Swiss.....	13,187	264	1,318	2,637
Guernsey.....	10,483	210	1,048	2,096
Holstein.....	15,204	304	1,520	3,040
Jersey.....	9,405	189	946	1,893

F. A semen check indicating at least 60 percent sperm motility must be supplied for bulls over 1 year of age.⁹

APPENDIX TO EXHIBIT II

MINIMUM BODY CONFORMATION SPECIFICATIONS FOR BULLS

In addition to meeting the minimum weight for the breed as specified in Exhibit II, the animal shall possess masculinity, normal breed conformation, quality, and body capacity. He shall have the general appearance of thrift and vitality with eyes bright and ears alert. The feet and legs shall be well formed with legs straight, strong, and well set. There shall be no evidence of lameness or other serious body defects. He shall possess normal dairy character by showing a lack of obvious excess fatty condition for the age class. Bulls officially classified by the respective breed association as "Good Plus" (or equivalent) or higher shall be acceptable if found at time of inspection not to have developed a physical defect in conflict with the above-stated conditions.

Effective date. This Supplement II to Regulations GSM-4, as revised, shall be effective upon filing with the Office of the Federal Register.

Signed at Washington, D.C., on May 19, 1971.

CLIFFORD G. PULVERMACHER,
Vice President, Commodity
Credit Corporation, and General
Sales Manager, Export
Marketing Service.

[FR Doc.71-7163 Filed 5-19-71;2:08 pm]

* DHI or DHIR milk production records. Mature equivalent based on 305-day, two times day milking.

⁷ Source: USDA-DHI Sire Summary Records, Agricultural Research Service.

⁸ Source: Breed Association or Dairy Records Processing Center serving the DHI Association where tested.

⁹ Certification must be issued by an accredited veterinarian.

PART 1488—FINANCING OF SALES OF AGRICULTURAL COMMODITIES

Subpart A—Financing of Export Sales of Agricultural Commodities From Private Stocks Under CCC Export Credit Sales Program (GSM-4, Revision II)

BEEF AND DAIRY BREEDING CATTLE

The regulations governing the CCC Export Credit Sales Program, as revised and published in the FEDERAL REGISTER on April 22, 1971 (36 F.R. 7597-7602), and amended May 19, 1971, and published in the FEDERAL REGISTER on May 25, 1971 (36 F.R. 9437-9442), are further amended to provide that wherever "Assistant Sales Manager for Export Credit" and "Director, CCC Credit Sales Division, EMS" are used, there shall be substituted "Assistant Sales Manager for Commercial Credit and Barter."

(Sec. 5(f), 62 Stat. 1072; 15 U.S.C. 714c; sec. 407, 63 Stat. 1055, as amended, 7 U.S.C. 1427; sec. 4, 80 Stat. 1538, 7 U.S.C. 1707a)

Effective date. This amendment shall be effective upon filing with the Office of the Federal Register.

Signed at Washington, D.C., on May 20, 1971.

CLIFFORD G. PULVERMACHER,
Vice President, Commodity
Credit Corporation, and General
Sales Manager, Export
Marketing Service.

[FR Doc.71-7262 Filed 5-20-71;3:59 pm]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS

Subpart D—Designation of Modified Certified Brucellosis Areas, Public Stockyards, Specifically Approved Stockyards, and Slaughtering Establishments

MODIFIED CERTIFIED BRUCELLOSIS AREAS

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under sections 4, 5, and 13 of the Act of May 29, 1884, as amended; sections 1 and 2 of the Act of February 2, 1903, as amended; and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.13 of said regulations designating Modified Certified Brucellosis Areas is hereby amended to read as follows:

§ 78.13 Modified Certified Brucellosis Areas.

The following States, or specified portions thereof, are hereby designated as Modified Certified Brucellosis Areas:

Alabama. The entire State;
Alaska. The entire State;
Arizona. The entire State;
Arkansas. The entire State;
California. The entire State;
Colorado. The entire State;
Connecticut. The entire State;
Delaware. The entire State;
Florida. The entire State;
Georgia. The entire State;
Hawaii. The entire State;
Idaho. The entire State;
Illinois. The entire State;
Indiana. The entire State;
Iowa. The entire State;
Kansas. The entire State;
Kentucky. The entire State;
Louisiana. The entire State;
Maine. The entire State;
Maryland. The entire State;
Massachusetts. The entire State;
Michigan. The entire State;
Minnesota. The entire State;
Mississippi. The entire State;
Missouri. The entire State;
Montana. The entire State;
Nebraska. The entire State;
Nevada. The entire State;
New Hampshire. The entire State;
New Jersey. The entire State;
New Mexico. The entire State;
New York. The entire State;
North Carolina. The entire State;
North Dakota. The entire State;
Ohio. The entire State;
Oklahoma. The entire State;
Oregon. The entire State;
Pennsylvania. The entire State;
Rhode Island. The entire State;
South Carolina. The entire State;
South Dakota. Aurora, Beadle, Bennett, Bon Homme, Brookings, Brown, Brule, Buffalo, Butte, Campbell, Charles Mix, Clark, Clay, Codrington, Corson, Custer, Davison, Day, Deuel, Dewey, Douglas, Edmunds, Fall River, Faulk, Grant, Gregory, Haakon, Hamlin, Hand, Hanson, Harding, Hyde, Jackson, Jerauld, Jones, Kingsbury, Lake, Lawrence, Lincoln, Lyman, McCook, McPherson, Marshall, Meade, Mellette, Miner, Minnehaha, Moody, Pennington, Perkins, Potter, Roberts, Sanborn, Shannon, Spink, Stanley, Todd, Tripp, Turner, Union, Walworth, Washaugh, Yankton, and Ziebach Counties; and Crow Creek Indian Reservation;
Tennessee. The entire State;
Texas. Anderson, Andrews, Angelina, Aransas, Archer, Armstrong, Atascosa, Austin, Bailey, Bandera, Bastrop, Baylor, Bee, Bell, Bexar, Blanco, Borden, Bosque, Bowie, Brazos, Brewster, Briscoe, Brooks, Brown, Burleson, Burnet, Caldwell, Callahan, Callahan, Camp, Carson, Cass, Castro, Chambers, Cherokee, Childress, Clay, Cochran, Coke, Coleman, Collin, Collingsworth, Colorado, Comal, Comanche, Concho, Cooke, Coryell, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dallas, Dawson, Deaf Smith, Delta, Denton, De Witt, Dickens, Dimmit, Donley, Duval, Eastland, Ector, Edwards, Ellis, El Paso, Erath, Falls, Fannin, Fayette, Fisher, Floyd, Foard, Franklin, Freestone, Frio, Gaines, Galveston, Garza, Gillespie, Glasscock, Goliad, Gray, Grayson, Gregg, Grimes, Guadalupe, Hale, Hall, Hamilton, Hansford, Hardeman, Hardin, Harrison, Hartley, Haskell, Hays, Hemphill, Henderson, Hidalgo, Hill, Hockley, Hood, Hopkins, Houston, Howard, Hudspeth, Hunt, Hutchinson, Irion, Jack, Jackson, Jasper, Jeff Davis, Jefferson, Jim Hogg, Jim Wells, Johnson, Jones, Karnes, Kaufman, Kendall, Kent, Kerr, Kimble, King, Kinney, Knox, Lamar, Lamb, Lampasas, Lee, Leon, Liberty, Limestone, Lipscomb, Live Oak, Llano, Loving, Lubbock, Lynn, McCulloch, McLennan, McMullen, Madison, Marion, Martin, Mason, Maverick, Medina, Menard, Midland, Milam, Mills, Mitchell,

Montague, Montgomery, Moore, Morris, Motley, Nacogdoches, Navarro, Newton, Nolan, Ochiltree, Oldham, Orange, Palo Pinto, Panola, Parker, Parmer, Pecos, Polk, Potter, Presidio, Rains, Randall, Reagan, Real, Red River, Reeves, Rufugio, Roberts, Robertson, Rockwall, Runnels, Rusk, Sabine, San Augustine, San Jacinto, San Saba, Schleicher, Scurry, Shackelford, Shelby, Sherman, Smith, Somervell, Starr, Stephens, Sterling, Stone-wall, Sutton, Swisher, Tarrant, Taylor, Terrell, Terry, Throckmorton, Titus, Tom Green, Travis, Trinity, Tyler, Upshur, Upton, Uvalde, Val Verde, Van Zandt, Walker, Ward, Washington, Webb, Wheeler, Wichita, Williamson, Wilson, Winkler, Wise, Wood, Yoakum, Young, Zapata, and Zavala Counties;

Utah. The entire State;
Vermont. The entire State;
Virginia. The entire State;
Washington. The entire State;
West Virginia. The entire State;
Wisconsin. The entire State;
Wyoming. The entire State;
Puerto Rico. The entire area; and
Virgin Islands of the United States. The entire area.

(Secs. 4, 5, 23 Stat. 32, as amended; sec. 1, 2, 32 Stat. 791-792, as amended; sec. 3, 33 Stat. 1365, as amended; sec. 2, 65 Stat. 693; 21 U.S.C. 111-113, 114a-1, 120, 121, 125; 29 F.R. 16210, as amended, 9 CFR 78.16)

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER (5-25-71).

The amendment adds the following additional areas to the list of areas designated as Modified Certified Brucellosis Areas because it has been determined that such areas come within the definition of § 78.1(i): De Witt, Grimes, Hopkins, Liberty, and Titus Counties in Texas.

The amendment deletes the following area from the list of areas designated as Modified Certified Brucellosis Areas because it has been determined that such area no longer comes within the definition of § 78.1(i): Cameron County in Texas.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain restrictions presently imposed. It should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under the administrative procedures provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedures with respect to the amendment are impracticable, unnecessary, contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of May 1971.

R. E. OMOHUNDRO,
Acting Director, Animal Health
Division, Agricultural Re-
search Service.

[FR Doc.71-7265 Filed 5-24-71;8:50 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Airspace Docket No. 71-SO-16]

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

Alteration of Transition Area

On April 17, 1971, F.R. Doc. 71-5362 was published in the FEDERAL REGISTER (36 F.R. 7303), amending Part 71 of the Federal Aviation Regulations by designating the Baxley, Ga., transition area.

In the amendment, an extension is predicated on the Alma VORTAC 028° radial. Subsequent to publication of the rule, Flight Standards Service refined the final approach radial to 030°. It is necessary to amend the FEDERAL REGISTER document to reflect this change. Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, effective immediately, F.R. Doc. 71-5362 is amended as follows: In line 5 of the Baxley, Ga., transition area description " * * * 028° * * * " is deleted and " * * * 030° * * * " is substituted therefor.

(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 East Point, Ga., on May 11, 1971.

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

[FR Doc.71-7226 Filed 5-24-71;8:47 am]

[Airspace Docket No. 71-SO-31]

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

Designation of Transition Area

On April 3, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 6434), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Corinth, Miss., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

Subsequent to publication of the notice, it was determined that the Corinth RBN latitude was cited as 34°59'39" in lieu of 34°54'39". It is necessary to amend the description to correct this discrepancy.

Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 22, 1971, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the following transition area is added:

CORINTH, MISS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Roscoe Turner Airport (lat. 34°54'30" N., long. 88°36'00" W.); within 3 miles each side of the 185° and 346° bearings from Corinth RBN (lat. 34°54'39" N., long. 88°36'04" W.), extending from the 7-mile-radius area to 8.5 miles south and north of the RBN.

(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 East Point, Ga., on May 11, 1971.

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

[FR Doc.71-7227 Filed 5-24-71;8:47 am]

[Airspace Docket No. 71-SO-36]

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

Designation of Transition Area

On April 4, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 6761), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Sanford, Fla., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 22, 1971, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the following transition area is added:

SANFORD, FLA.

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Sanford Airport (lat. 28°46'30" N., long. 81°14'25" W.); within 3 miles each side of the 260° bearing from Sanford RBN (lat. 28°37'05" N., long. 81°14'36" W.); extending from the 6.5-mile-radius area to 8.5 miles west of the RBN.

(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 East Point, Ga., on May 12, 1971.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.71-7228 Filed 5-24-71;8:47 am]

[Airspace Docket No. 71-SO-38]

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

Alteration of Transition Area

On April 3, 1971, a notice of proposed rule making was published in the *FEDERAL REGISTER* (36 F.R. 6434), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Macon, Ga., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., July 22, 1971, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the Macon, Ga., transition area is amended as follows: " * * * extending from the 14-mile-radius area to 8.5 miles southwest of the LOM * * * " is deleted and " * * * extending from the 14-mile-radius area to 8.5 miles southwest of the LOM; within a 5.5-mile-radius of Perry-Fort Valley Airport (lat. 32°30'33" N., long. 83°45'50" W.); within 5 miles each side of Vienna VORTAC 323° radial, extending from the 5.5-mile-radius area to 16 miles northwest of the VORTAC * * * " is substituted therefor.

(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 East Point, Ga., on May 11, 1971.

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

[FR Doc.71-7229 Filed 5-24-71;8:47 am]

[Airspace Docket No. 71-SO-39]

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

Designation of Transition Area

On April 3, 1971, a notice of proposed rule making was published in the *FEDERAL REGISTER* (36 F.R. 6434), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Rockwood, Tenn., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations

is amended, effective 0901 G.m.t., July 22, 1971, as hereinafter set forth.

In § 71.181 (36 F.R. 2140), the following transition area is added:

ROCKWOOD, TENN.

That airspace extending upward from 700 feet above the surface within a 9.5-mile radius of Rockwood Municipal Airport (lat. 35°55'20" N., long. 84°41'23" W.); excluding the portion within Crossville, Tenn., transition area.

(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 East Point, Ga., on May 11, 1971.

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

[FR Doc.71-7230 Filed 5-24-71;8:47 am]

[Airspace Docket No. 71-SO-93]

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

Alteration of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Pensacola, Fla. (NAS Saufley Field), control zone.

The Pensacola (NAS Saufley Field) control zone is described in § 71.171 (36 F.R. 2055). In the description, reference is made to a proviso to exclude the portions within the Pensacola, Fla. (Municipal Airport and NAS Pensacola-Forrest Sherman Field), control zones. In an effort to standardize the named designations, the Pensacola, Fla. (Municipal Airport and NAS Pensacola-Forrest Sherman Field), control zones have been redesignated as Pensacola, Fla., and Pensacola NAS, Fla., control zones, respectively. It is necessary to alter the descriptions to reflect these changes. Since this amendment is editorial in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.171 (36 F.R. 2055), the Pensacola, Fla. (NAS Saufley Field), control zone is amended as follows: " * * * Pensacola, Fla. (Municipal Airport and NAS Pensacola-Forrest Sherman Field), control zones * * * " is deleted and " * * * Pensacola, Fla., and Pensacola NAS, Fla., control zones * * * " is substituted therefor.

(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 East Point, Ga., on May 12, 1971.

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

[FR Doc.71-7231 Filed 5-24-71;8:47 am]

[Airspace Docket No. 71-WE-24]

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

Alteration of Transition Area

On April 8, 1971, a notice of proposed rule making was published in the *FEDERAL REGISTER* (36 F.R. 6760) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the description of the Phoenix, Ariz., transition area.

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

Effective date. This amendment shall be effective 0901 G.m.t., July 22, 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 May 13, 1971.

ARVIN O. BASNIGHT,
Director, Western Region.

In § 71.181 (36 F.R. 2140) the description of the Phoenix, Ariz., transition area is amended by adding the following:

That airspace extending upward from 9,500 feet MSL bounded on the north by the south edge of V-12, on the east by the west edge of V-327, on the south and southeast by the north and northwest boundary of the 1,200-foot portion of the transition area, and on the southwest by a line extending from latitude 34°05'00" N., longitude 112°37'00" W., to point of intersection of longitude 113°10'00" W., and the south edge of V-12.

[FR Doc.71-7232 Filed 5-24-71;8:48 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 1—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT AND THE FAIR PACKAGING AND LABELING ACT

Labeling of Food; Misleading Representation Regarding Origin of Food or Ingredient

In the *FEDERAL REGISTER* of June 12, 1970 (35 F.R. 9214), the Commissioner of Food and Drugs proposed a regulation (§ 1.15(c)) concerning misleading representation in food labeling regarding origin of food or ingredient. The notice provided for comments to be filed within

30 days, and this was extended to September 10, 1970, by a notice published July 16, 1970 (35 F.R. 11407).

In response, numerous comments were received from manufacturers and trade associations, consumers, Congressmen, and State and foreign governments. About 90 percent of the comments supported the proposal (many of these suggested changes also) and about 10 percent opposed it.

Having considered the comments and other relevant information, the Commissioner concludes that the proposed amendment, with changes, should be adopted as set forth below.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 403(a), 701(a), 52 Stat. 1047, 1055; 21 U.S.C. 343(a), 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), a new paragraph is added to § 1.15, as follows:

§ 1.15 Food; labeling; misbranding.

(c) Among representations in the labeling of a food which render such food misbranded is any representation that expresses or implies a geographical origin of the food or any ingredient of the food except when such representation is either:

(1) A truthful representation of geographical origin.

(2) A trademark or trade name provided that as applied to the article in question its use is not deceptively misdescriptive. A trademark or trade name comprised in whole or in part of geographical words shall not be considered deceptively misdescriptive if it:

(i) Has been so long and exclusively used by a manufacturer or distributor that it is generally understood by the consumer to mean the product of a particular manufacturer or distributor; or

(ii) Is so arbitrary or fanciful that it is not generally understood by the consumer to suggest geographic origin.

(3) A part of the name required by applicable Federal law or regulation.

(4) A name whose market significance is generally understood by the consumer to connote a particular class, kind, type, or style of food rather than to indicate geographical origin.

Effective date. This order shall become effective 30 days after its date of FEDERAL REGISTER publication.

(Secs. 403(a), 701(a), 52 Stat. 1047, 1055; 21 U.S.C. 343(a), 371(a))

Dated: May 18, 1971.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc. 71-7252 Filed 5-24-71; 8:49 am]

SUBCHAPTER C—DRUGS

PART 135b—NEW ANIMAL DRUGS
FOR IMPLANTATION OR INJECTION

Gelatin Solution

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (6-281V) filed by Fort Dodge Laboratories proposing the safe and effective intravenous administration of a sterile solution of gelatin to animals for the purposes set forth below. The application is approved.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat., 347; 21 U.S.C. 360b(i)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 135b is amended by adding the following new section:

§ 135b.34 Gelatin solution.

(a) **Specifications.** It is sterile and each 100 cubic centimeters contains 8 grams

of gelatin in an 0.85 percent sodium chloride solution.

(b) **Sponsor.** Fort Dodge Laboratories, Fort Dodge, Iowa 50501.

(c) **Conditions of use.** (1) It is used to restore circulatory volume and maintain blood pressure in animals being treated for shock.

(2) The exact dosage to be administered must be determined after evaluating the animal's condition and will vary according to the size of the animal and the degree of shock. A suggested dosage range for small animals such as dogs is 4 to 8 cubic centimeters per pound body weight. The suggested dosage range for large animals such as sheep, calves, cows, or horses is 2 to 4 cubic centimeters per pound of body weight. It is administered intravenously at a rate of 10 cubic centimeters per minute in small animals and 20 to 30 cubic centimeters per minute in large animals. The solution is administered aseptically and must be between 50° to 70° F. when injected.

(3) A few animals will exhibit signs of allergic reaction. This solution can cause transient reversible nephrosis. This product is not intended to replace whole blood in cases of anemia and should not be used in the presence of renal dysfunction. Unused portions remaining in bottles should be discarded.

(4) For use only by or on the order of a licensed veterinarian.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (5-25-71).

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

Dated: May 6, 1971.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc. 71-7217 Filed 5-24-71; 8:46 am]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

GRAND TETON NATIONAL PARK, WYO.

Fishing, Stock Trailing, Camping, Mountain Climbing, Winter Touring and Elk Management; Snowmobile Operation

Notice is hereby given that pursuant to the authority contained in section 3 of the act of August 25, 1916 (39 Stat. 535, as amended; 16 U.S.C. 3), the act of September 14, 1950 (64 Stat. 849; 16 U.S.C. 406d-1), 245 DM1 (27 F.R. 6395), as amended, National Park Service Order No. 21 (27 F.R. 7903), it is proposed to amend § 7.22 of Title 36 of the Code of Federal Regulations as set forth below.

The purpose of these changes is to eliminate sections which are now covered in the General Regulations; to include Sawmill Ponds among the waters closed to fishing; to provide additional authority to regulate stock driving over Park lands; to prevent overuse of campsites through limiting the use thereof and requiring registration at Jenny Lake Campground; to revoke regulations that prohibit solo climbing and winter touring; and to apply sound controls to the operation of snowmobiles in the park.

It is the policy of the Department of Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections to the Superintendent, Grand Teton National Park, Box 67, Moose, WY 83012, within 30 days of publication of this notice in the FEDERAL REGISTER.

Section 7.22 is amended as follows:

§ 7.22 Grand Teton National Park.

(b) *Fishing*. (1) The following waters are closed to fishing: The Snake River for a distance of 150 feet below the downstream face of Jackson Lake Dam; Swan Lake; Sawmill Ponds; Hedrick's Pond; Christian Ponds; and Cottonwood Creek from the outlet of Jenny Lake downstream to the Saddle Horse Concession Bridge.

(2) During any period of emergency, or to prevent overuse by fishermen, or to protect the habitat or meeting areas of waterfowl, the Superintendent may close to fishing all or any open waters for such periods of time as may be necessary by the posting of appropriate signs.

(3) Fishing from any bridge or boat dock is prohibited.

(4) *Bait*: The use or possession of fish eggs or fish for bait is prohibited, except it shall be permissible to possess or use the following dead, nongame fish for bait on or along the shores of Jackson Lake: Redside shiner, speckled dace, longnose dace, piute sculpin, mottled sculpin, Utah chub, Utah sucker, bluehead sucker, and mountain sucker. Authorized marine bait dealers at Jackson Lake may retain live bait fish in containers: *Provided*, That such fish have been taken from Jackson Lake or waters draining into Jackson Lake: *And provided further*, That such bait fish are dead when sold.

(c) *Stock grazing*. * * *

(2) Where no reasonable ingress or egress is available to permittees or non-permittees who must cross Park lands to reach grazing allotments on non-Federal lands within the exterior boundary of the Park or adjacent thereto, the Superintendent will grant, upon request a temporary nonfee annual permit to herd stock on a designated driveway which shall specify the time to be consumed in each single drive. The breach of any of the terms or conditions of the permit shall be grounds for termination, suspension, or reduction of these privileges.

(d) *Camping*. (1) No person, party or organization shall be permitted to camp more than 30 days in a calendar year in designated sites within the Park.

(2) Except in group campsites and backcountry sites, camping is limited to six persons to a site.

(3) Registration is required for camping at the Jenny Lake Campground; camping in this campground shall not exceed 10 days in any calendar year.

(e) *Vessels*. (1) Motorboats are prohibited except on Jackson, Jenny, and Phelps Lakes. On Jenny Lake, motorboats are restricted to motors not in excess of 7½ horsepower. Additionally, on Jenny Lake, an authorized boating concessioner may operate motorboats under conditions specified by the Superintendent.

(2) Hand-propelled vessels may be used on Jackson, Jenny, Phelps, Emma Matilda, Two Ocean, Taggart, Bradley, Bearpaw, Leigh, and String Lakes, and on the Snake River, except within 1,000 feet of the downstream face of Jackson Lake Dam. All other waters are closed to boating.

(3) Sailboats may be used only on Jackson Lake.

(4) No person except an authorized concessioner shall moor or beach a vessel on the shore of a designated harbor area, except in an emergency.

(f) *Climbing and hiking*. Registration with the Superintendent is required prior to any climbing or hiking off designated trails in the Teton Range above the 7,000-

foot level. The registrant is required to sign in immediately upon return from the climb or hike. Designated trails are shown on a map in the Superintendent's office.

(g) *Winter travel*. The superintendent may, by posting or notice, establish on the basis of weather and snow conditions, a winter travel season. During this season, registration with the Superintendent is required prior to any winter travel by foot, skis, snowshoes, or sleds, away from plowed roads. The registrant is required to sign in immediately upon return from a trip.

(h) *Management of elk*. The laws and regulations of the State of Wyoming shall govern elk management as associated with formal reduction programs. Such Wyoming laws and regulations which are now or will hereafter be in effect are hereby incorporated by reference as a part of the regulations in this part.

(i) *Snowmobiles*. The operation of a snowmobile which makes excessive noise is prohibited. Snowplanes are excepted whose owner had operated and registered the vehicle in the Park for the 1970-71 season. Excessive noise is defined as a level of total snowmobile noise that exceeds 86 decibels measured on the "A" weighting scale in intensity of a sound level meter, measured at a distance of not less than 50 feet, when the snowmobile is being operated at or below full throttle.

EDWARD A. HUMMEL,
Assistant Director,
National Park Service.

[FR Doc.71-7203 Filed 5-24-71;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 147]

[DESI 90235]

ANTIBIOTIC SUSCEPTIBILITY DISCS

Extension of Time for Filing Comments

The notice published in the FEDERAL REGISTER of April 10, 1971 (36 F.R. 6899), proposing amendments to 21 CFR Part 147 regarding antibiotic susceptibility discs, provided for comments to be filed within 30 days of that date.

The Commissioner of Food and Drugs has received a request to extend such time and, good reason therefor appearing, the time for filing comments on said proposal is extended to June 9, 1971.

This action is taken pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 507, 52 Stat. 1050-51, as amended, 59 Stat. 463, as

amended; 21 U.S.C. 352, 357) and under authority delegated to the Commissioner (21 CFR 2.120).

Dated: May 10, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71-7253 Filed 5-24-71; 8:49 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGFR 71-31]

BARNEGAT BAY, N.J.

Drawbridge Operation

The Coast Guard is considering changing the regulations applicable to the Route 37 bridge across Barnegat Bay in Dover Township, N.J. to allow the draw to open only on the hour from 9 a.m. to 2 p.m. on weekends and holidays from May 1 to September 30. The draw is presently required to open on signal. The purpose of this proposal is to relieve the traffic congestion caused by the frequent openings of the draw during these periods.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander, Third Coast Guard District, Governor's Island, New York, N.Y. 10004. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Third Coast Guard District.

The Commander, Third Coast Guard District, will forward any comments received before June 21, 1971, with his recommendations to the Chief, Office of Operations, who will take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that § 117.215(j) be amended by adding subparagraph (4) to read as follows:

§ 117.215 Navigable streams flowing into Raritan Bay (except Raritan River and Arthur Kill), the Shrewsbury River and its tributaries, and all inlets on the Atlantic Ocean including their tributaries and canals between Sandy Hook and Bay Head, N.J. bridges.

(j) * * *

(4) Barnegat Bay, New Jersey Route 37 Highway bridge between Bay Shore and Seaside Heights. The draw shall open on signal except that from May 1 through September 30 on Saturdays, Sundays,

Memorial Day, July Fourth, and Labor Day from 9 a.m. to 2 p.m., the draw need open only on the hour.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g) (1), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g) (2); 49 CFR 1.46(c) (5) (35 F.R. 4959), 33 CFR 1.05-1(c) (4) (35 F.R. 15922))

Dated: May 12, 1971.

R. E. HAMMOND,
Rear Admiral, U.S. Coast Guard,
Chief, Office of Operations.

[FR Doc.71-7255 Filed 5-24-71; 8:49 am]

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 71-CE-24]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the control zone and transition area at Grand Island, Nebr.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, MO 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. 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 proposals contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, MO 64106.

Since designation of controlled airspace for the Grand Island, Nebr., County Airport, the instrument approach procedures have been altered and two new procedures have been developed. Accordingly, it is necessary to alter the Grand Island, Nebr., control zone and transition area to adequately protect aircraft executing the new and altered approach procedures.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

(1) In § 71.171 (36 F.R. 2055), the following control zone is amended to read:

GRAND ISLAND, NEBR.

Within a 5-mile radius of Grand Island County Airport (latitude 40°58'03" N., longitude 98°18'30" W.); within 3 miles each side of the Grand Island VORTAC 303° radial, extending from the 5-mile-radius zone to 8½ miles northwest of the VORTAC; and within 3 miles each side of the Grand Island VORTAC 360° radial, extending from the 5-mile-radius zone to 8½ miles north of the VORTAC.

(2) In § 71.181 (36 F.R. 2140), the following transition area is amended to read:

GRAND ISLAND, NEBR.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Grand Island County Airport (latitude 40°58'03" N., longitude 98°18'30" W.); within 4½ miles northeast and 9½ miles southwest of the Grand Island VORTAC 303° radial, extending from the 10-mile-radius area to 18½ miles northwest of the VORTAC; and within 4½ miles east and 9½ miles west of the Grand Island VORTAC 360° radial, extending from the 10-mile-radius area to 18½ miles north of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 17-mile radius of Grand Island VORTAC, extending from the Grand Island VORTAC 273° radial clockwise to the Grand Island VORTAC 084° radial; within a 27-mile radius of Grand Island VORTAC, extending from the Grand Island VORTAC 084° radial clockwise to the Grand Island VORTAC 273° radial and within 5 miles east and 8 miles west of the Grand Island VORTAC 360° radial, extending from the 17-mile-radius area to V-172, excluding the portion which overlies the Hastings, Nebr., transition area.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Kansas City, Mo., on May 4, 1971.

DANIEL E. BARROW,
Acting Director, Central Region.

[FR Doc.71-7233 Filed 5-24-71; 8:48 am]

[14 CFR Part 71]

[Airspace Docket No. 71-CE-32]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Seymour, Ind.

Interested persons may participate in proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, MO 64106. All communications received within 45 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements

for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, Federal Building, 601 East 12th Street, Kansas City, MO 64106.

A new public use instrument approach procedure has been developed for Freeman Field, Seymour, Ind. Accordingly, it is necessary to alter the Seymour, Ind., transition area to adequately protect the aircraft executing the new approach procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

In § 71.181 (36 F.R. 2140), the following transition area is amended to read:

SEYMOUR, IND.

That airspace extending from 700 feet above the surface within a 7-mile radius of Freeman Field (latitude 38°55'36" N., longitude 85°54'20" W.); within 3 miles each side of the 061° bearing from Freeman Field, extending from the 7-mile radius area to 7½ miles northeast of the airport; and within 3 miles each side of the 161° bearing from Freeman Field extending from the 7-mile-radius area to 7½ miles south of the airport.

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

Issued in Kansas City, Mo., on May 4, 1971.

DANIEL E. BARROW,
Acting Director, Central Region.

[FR Doc.71-7234 Filed 5-24-71; 8:48 am]

[14 CFR Part 71]

[Airspace Docket No. 71-SO-89]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the St. Petersburg, Fla., control zone and Tampa, Fla., 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 St. Petersburg control zone described in § 71.171 (36 F.R. 2055) would be redesignated as:

Within a 5-mile radius of St. Petersburg Clearwater International Airport (lat. 27°54'33" N., long. 82°41'19" W.); within 2.5 miles each side of St. Petersburg VORTAC 343° radial, extending from the 5-mile-radius zone to 6 miles northwest of the VORTAC.

The Tampa 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 Tampa International Airport (lat. 27°58'29" N., long. 82°31'38" W.); within an 8.5-mile radius of St. Petersburg Clearwater International Airport (lat. 27°54'33" N., long. 82°41'19" W.); within 3 miles each side of St. Petersburg VORTAC 343° radial, extending from the 8.5-mile-radius area to 8 miles north of the VORTAC; within an 8.5-mile radius of MacDill AFB (lat. 27°50'57" N., long. 82°31'18" W.); within 3 miles each side of MacDill AFB ILS localizer northeast course, extending from the 8.5-mile-radius area to 8.5 miles northeast of the OM; within a 5-mile radius of Peter O. Knight Airport (lat. 27°54'55" N., long. 82°27'05" W.) and Albert Whitted Airport (lat. 27°45'53" N., long. 82°37'39" W.).

The proposed alterations are required to provide controlled airspace protection for IFR operations in the Tampa terminal complex in conformance with 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 May 11, 1971.

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

[FR Doc.71-7235 Filed 5-24-71; 8:48 am]

[14 CFR Part 71]

[Airspace Docket No. 71-SO-97]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Auburn, 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, 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 Auburn 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 5-mile radius of Auburn-Opelika Airport (lat. 32°37'00" N., long. 85°26'00" W.); within 2 miles each side of the extended centerline of Runway 18/36, extending from the 5-mile-radius area to 6 miles north of the runway end; within 2.5 miles each side of Columbus, Ga., VOR 270° radial, extending from the 5-mile-radius area to 17.5 miles west of the VOR.

The proposed alteration is required to provide controlled airspace protection for an RNAV instrument approach procedure to Auburn-Opelika Airport, utilizing Tuskegee, Ala., VOR.

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

Issued in East Point, Ga., on May 13, 1971.

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

[FR Doc.71-7236 Filed 5-24-71; 8:48 am]

[14 CFR Part 103]

[Docket No. 10437; Notice 71-16]

TRANSPORTATION OF HAZARDOUS MATERIALS

Classification and Labeling of Hazardous Materials

On July 22, 1970, the Hazardous Materials Regulations Board published Docket No. HM-8; Notice No. 70-13 (35 F.R. 11742) relating to the classification and labeling of hazardous materials. One objective of the document was to incorporate certain shipper requirements

for transportation of hazardous materials aboard aircraft.

Comments received on this aspect of the proposal indicated that a more detailed incorporation of transportation-by-air requirements in Title 49 would be necessary to effectively accomplish the objective. The Board agrees with this comment on page 9449 of this issue of the FEDERAL REGISTER is publishing Supplemental Notice in Docket No. HM-8 to facilitate the regulatory transfer of shipper requirements for shipment by air from 14 CFR Part 103 to 49 CFR Parts 170-189 (Docket No. HM-8; Notice No. 71-13).

In conjunction with the proposed transfer, this document proposes to cancel those sections of 14 CFR Part 103 which would subsequently appear in 49 CFR Parts 170-189.

In consideration of the foregoing, it is proposed to amend 14 CFR Part 103 as follows:

(A) Section 103.7 would be amended to read as follows:

§ 103.7 Passenger-carrying aircraft.

(a) Except as authorized by 49 CFR Parts 171-173, no person may carry any dangerous article in a passenger-carrying aircraft.

(B) Section 103.9 would be amended to read as follows:

§ 103.9 Cargo-only aircraft.

(a) Except as authorized by 49 CFR Parts 171-173, no person may carry any dangerous article in a cargo-only aircraft.

(b) For the purposes of this part, a cargo-only aircraft is any aircraft that is not a passenger aircraft.

§§ 103.11, 103.13, 103.15, 103.17 [Canceled].

(C) Section 103.11 would be canceled.

(D) Section 103.13 would be canceled.

(E) Section 103.15 would be canceled.

(F) Section 103.17 would be canceled.

(G) In Section 103.19, paragraph (d) would be added to read as follows:

§ 103.19 Quantity limitations.

(d) No person may offer for shipment by air and no person may carry on an aircraft any hazardous material if the maximum quantity in one outside package is greater than that authorized in 49 CFR 172.5 or 49 CFR Part 173 for passenger-carrying and cargo-only aircraft.

(H) Section 103.29 would be amended to read as follows:

§ 103.29 Magnetized materials; packing, and marking requirements.

(a) No person may offer a magnetized material (which might cause an erroneous aircraft magnetic compass reading) for shipment by air unless it is packaged, marked, and labeled in accordance with 49 CFR Part 173.

Interested persons are invited to give their views on this proposal. Communica-

tions should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, DC 20590. Communications received on or before August 31, 1971, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

This proposal is made under the authority of title VI and section 902(h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430, 1472(h)).

Issued in Washington, D.C., on May 14, 1971.

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

[FR Doc. 71-6994 Filed 5-24-71; 8:45 am]

Hazardous Materials Regulations Board

[49 CFR Parts 171, 172, 173]

[Docket No. HM-8; Notice 71-13]

TRANSPORTATION OF HAZARDOUS MATERIALS

Classification and Labeling of Hazardous Materials

On July 22, 1970, the Hazardous Materials Regulations Board published Docket No. HM-8; Notice No. 70-13 (35 F.R. 11742) relating to the classification and labeling of hazardous materials. One objective of the document was to incorporate certain shipper requirements for transportation of hazardous materials aboard aircraft.

Comments received on this aspect of the proposal indicated that a more detailed incorporation of transportation-by-air requirements in Title 49 would be necessary to effectively accomplish the objective. The Board agrees with this comment and is publishing this supplemental notice in Docket No. HM-8 to facilitate the regulatory transfer of shipper requirements for shipment by air from 14 CFR Part 103 to 49 CFR Parts 170 to 189.

The quantity limitations specified throughout are intended generally to reflect limits already contained in 14 CFR 103.7, 103.9, and 103.19 of the Federal Aviation Regulations.

Several items have been changed from the flammable solid class to the spontaneously combustible material class. Also, some other small changes are being proposed in response to public comments related to the commodity list. This supplemental notice is not a response to all comments received on the commodity list. All comments received on the original notice and on this supplemental notice will be addressed in the preparation of the final rule.

To facilitate review, the symbol % has been placed before each entry in the

commodity list that has been changed from the way it appeared in Docket No. HM-8; Notice No. 70-13 (35 F.R. 11742).

In consideration of the foregoing, it is proposed to amend 49 CFR Parts 171, 172, 173 as follows:

I. Part 171—General Information and Regulations:

(A) In Part 171, Table of Contents, §§ 171.2, 171.3, 171.11 would be amended to read as follows:

Sec.	
171.2	Acts of Congress.
171.3	Changes in the regulations, shippers by rail, highway, air, and water, and carriers by rail and highway.
171.11	Transportation by carriers by air and water.

(B) The authority cited immediately following the table of contents, would be amended to read as follows:

AUTHORITY: The provisions of this Part 171 issued under 62 Stat. 738, 74 Stat. 808, and 72 Stat. 778; 18 U.S.C. 834 and 49 U.S.C. 1421-1430, unless otherwise noted.

(C) In § 171.1, paragraph (a) would be amended to read as follows:

§ 171.1 Plan of the regulations in Parts 170-189 of this chapter.

(a) Regulations in Parts 170-189 of this chapter cover preparation of hazardous materials for transportation by civil aircraft and by common carriers by rail freight, rail express, rail baggage, highway or water, construction of containers, packaging, weight, marking, labeling when required, billing, and shipper's certificate of compliance with these regulations; also cars, loading, storage, billing, placarding, and movement thereof by carriers by rail.

(D) In § 171.2, the heading would be amended; paragraph (b) would be added to read as follows:

§ 171.2 Acts of Congress.

(b) Section 1472(h) (1), title 49 of the United States Code, provides that "Any person who knowingly delivers or causes to be delivered to an air carrier or to the operator of any civil aircraft for transportation in air commerce, or who causes the transportation in air commerce of, any shipment, baggage, or property, the transportation of which would be prohibited by any rule, regulation, or requirement prescribed by the (Federal Aviation) Administrator under title VI of this Act, relating to the transportation, packing, marking, or description of explosives or other dangerous articles," shall be fined or imprisoned, as provided in the Act.

(E) In § 171.3, the heading and paragraph (b) would be amended to read as follows:

§ 171.3 Changes in the regulations, shippers by rail, highway, air, and water, and carriers by rail and highway.

(b) Section 1472(h) (2), title 49 of the United States Code, provides that "In

the exercise of his authority under title VI of this Act, the (Federal Aviation) Administrator may provide by regulation for the application in whole or in part of the rules or regulations of the Department of Transportation (including future amendments and additions thereto) relating to the transportation, packing, marking, or description of explosives or other dangerous articles for surface transportation, to the shipment and carriage by air of such articles." While so made applicable, any such rule or regulation, or part thereof, shall for the purposes of the Act be deemed to be a regulation of the Administrator prescribed under 49 U.S.C. 1421-1430.

(F) In § 171.8, paragraphs (g) and (m) would be amended to read as follows:

§ 171.8 Definitions.

(g) The term "portable tank" means any tank designed primarily to be temporarily attached to an aircraft, a motor vehicle, other vehicle, railroad car other than tank car, or vessel, and equipped with skids, mountings, or accessories to facilitate handling of the tank by mechanical means. The term "portable tank" shall not be construed to include any cargo tank, any tank car tank, or any tank of the DOT 106A or 110A (§§ 179.301, 179.302 of this chapter) type.

(m) "Hazardous materials" means "explosives and other dangerous articles" as used in title 18, United States Code, section 831-835, and title 49, United

States Code, section 1472(h).

(G) Section 171.11 would be amended to read as follows:

§ 171.11 Transportation by carriers by air and water.

When the transportation of a shipment involves movement by a carrier by air or water, the applicable provisions of Parts 170-189 of this chapter must be observed by the shipper.

II. Part 172:

In § 172.5 paragraph (a) *Commodity List*, proposed amendments marked "*" are changes from the proposed amendments as they appeared in Docket No. HM-8; Notice No. 70-13 (35 F.R. 11742), as follows:

§ 172.5 List of hazardous materials.

(a) * * *

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a) Rail express	(b) Passenger carrying aircraft	(c) Cargo only aircraft
%Accumulator, pressurized (pneumatic or hydraulic), containing nonflammable gas.	Nonf. G.	173.306(e)	Green	No limit	150 pounds	No limit.
Acetaldehyde (ethyl aldehyde)	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons
Acetone	F.L.	173.118, 173.119	do	do	do	Do.
Acetone cyanohydrin	Pois. B.	173.345, 173.346	Poison B.	55 gallons	do	55 gallons
*Acetone oils	F.L.	173.118, 173.119	Red	10 gallons	do	10 gallons
Acetonitrile	F.L.	173.118, 173.119	do	do	do	Do.
Acetyl benzoyl peroxide, solid, or solution containing more than 40-percent peroxide.	Oxy. M.	Forbidden				
Acetyl benzoyl peroxide, solution containing 40 percent or less peroxide.	Oxy. M.	No exemption, 173.222	Peroxide	1 quart	Not accepted	1 quart.
Acetyl chloride	Cor. L.	173.244, 173.247	Corrosive Liquid	1 gallon	1 quart	1 gallon.
Acetylene	F.G.	173.306, 173.303	Red Gas	300 pounds	Not accepted	300 pounds.
Acetyl peroxide, solid or solution containing more than 25-percent peroxide.	Oxy. M.	Forbidden				
Acetyl peroxide, solution containing 25 percent or less peroxide.	Oxy. M.	173.153(b), 173.222	Peroxide	1 quart	Not accepted	1 quart.
Acids, liquid, n.o.s.	Cor. L.	173.244, 173.245	Corrosive Liquid	5 pints	1 quart	5 pints.
*Acid, sludge	Cor. L.	No exemption, 173.248	do	1 quart	Not accepted	1 quart.
Acrolein, inhibited	F.L.	No exemption, 173.122	Red	do	do	Do.
Acrylonitrile	F.L.	173.118, 173.119	do	10 gallons	1 quart	10 gallons.
Actuating cartridges, explosive fire extinguisher or valve.	Expl. C.	173.114	Orange C.	150 pounds	50 pounds	150 pounds.
*Adhesives, n.o.s. See Cement, liquid, n.o.s.						
Aeroplane flares. See Fireworks, special.						
Aerosol products. See Compressed gases, n.o.s.						
Air, compressed	Nonf. G.	173.306, 173.302	Green	300 pounds	150 pounds	300 pounds.
Aircraft rocket engines (commercial)	F.S.	No exemption, 173.238	Red striped	550 pounds	Not accepted	550 pounds.
Aircraft rocket engine igniters (commercial)	F.S.	do	do	25 pounds	do	25 pounds.
*Alcohol, n.o.s.	F.L.	173.118, 173.125	Red	10 gallons	1 quart	10 gallons.
Aldrin	Pois. B.	173.364, 173.376	Poison B.	200 pounds	50 pounds	200 pounds.
Aldrin mixtures, dry, with more than 65 percent aldrin.	Pois. B.	173.364, 173.376	do	do	do	Do.
Aldrin mixtures, liquid, with more than 60 percent aldrin.	Pois. B.	173.345, 173.361	do	55 gallons	1 quart	55 gallons.
%Alkaline caustic liquids, n.o.s.	Cor. L.	173.244, 173.249	Corrosive liquid	10 gallons	do	10 gallons.
%Alkaline corrosive battery fluid	Cor. L.	173.244, 173.249, 173.257	do	do	do	Do.
Alkaline corrosive battery fluid with storage battery	Cor. L.	No exemption, 173.258	do	400 pounds	Not accepted	5 pints.
%Alkaline corrosive liquids, n.o.s.	Cor. L.	173.244, 173.249	do	10 gallons	1 quart	10 gallons.
Alkyl aluminum halides. See Spontaneously combustible liquids or solids.						
Allyl alcohol	Pois. B.	173.345, 173.346	Poison B.	55 gallons	do	55 gallons.
Allyl bromide	F.L.	173.118, 173.119	Red	10 gallons	do	10 gallons.
%Allyl chloroformate or chlorocarbonate	Cor. L.	No exemption, 173.288	Corrosive Liquid	5 pints	Not accepted	5 pints.
Allyl trichlorosilane	Cor. L.	No exemption, 173.280	do	10 gallons	do	10 gallons.
Aluminum alkyls. See Spontaneously combustible liquids, n.o.s.						
%Aluminum dross, wet or hot	SCM	173.173				
*Aluminum Liquid (or paint). See *Paint, enamel, lacquer, stain, shellac, varnish, etc.						
Aluminum nitrate	Oxy. M.	173.153, 173.182	Yellow	100 pounds	25 pounds	100 pounds.
Amatol. See High explosives.						
Ammonia, anhydrous	Nonf. G.	173.306, 173.304, 173.314, 173.315	Green	300 pounds	Not accepted	300 pounds.
Ammonium arsenate, solid	Pois. B.	173.364, 173.365	Poison B.	200 pounds	50 pounds	200 pounds.
Ammonium bichromate (ammonium dichromate)	F.S.	173.153, 173.154, 173.235	Red Striped	100 pounds	25 pounds	100 pounds.
Ammonium nitrate	Oxy. M.	173.153, 173.182	Yellow	do	do	Do.
Ammonium nitrate-carbonate mixtures	Oxy. M.	173.153, 173.182	do	do	do	Do.
Ammonium nitrate fertilizer, containing 90 percent or more ammonium nitrate with no organic coating.	Oxy. M.	173.153, 173.182	do	do	do	Do.
*Ammonium nitrate-fuel oil. See Nitro carbo nitrate.						
*Ammonium nitrate mixed fertilizer	Oxy. M.	173.153, 173.182	do	do	do	Do.
Ammonium nitrate (organic coating)	Oxy. M.	173.153, 173.182	do	do	do	Do.
*Ammonium nitrate-phosphate	Oxy. M.	173.153, 173.182	do	do	do	Do.
Ammonium perchlorate	Oxy. M.	173.153, 173.154, 173.239a	do	do	do	Do.
Ammonium permanganate	Oxy. M.	173.153, 173.154	do	do	Not accepted	Not accepted.
Ammonium picrate. See High explosives.						
%Ammonium picrate, wet (not to exceed 18 ounces)	F.S.	173.192	None	1 pound	1 pound	1 pound.

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a)	(b)	(c)
				Rail express	Passenger carrying aircraft	Cargo only aircraft
<i>Ammunition, chemical (containing class A poisons, liquids, or gases). See Chemical ammunition.</i>						
<i>Ammunition, chemical (containing class B poisons, liquids, or gases). See Chemical ammunition.</i>						
<i>Ammunition, chemical (containing class C poisons, liquids, or solids). See Chemical ammunition.</i>						
<i>Ammunition, chemical explosive (with fuses or bursting charges).</i>	Expl. A	173.59	Orange A	Not accepted.	Not accepted.	Not accepted.
<i>Ammunition, nonexplosive</i>		173.55				
<i>Ammunition for cannon with empty projectiles</i>	Expl. B	No exemption, 173.89	Orange B	Not accepted.	Not accepted.	Not accepted.
<i>Ammunition for cannon with explosive projectiles</i>	Expl. A	No exemption, 173.54	Orange A	do	do	Do.
<i>Ammunition for cannon with gas projectiles</i>	Expl. A	do	do	do	do	Do.
<i>Ammunition for cannon with illuminating projectiles</i>	Expl. A	do	do	do	do	Do.
<i>Ammunition for cannon with incendiary projectiles</i>	Expl. A	do	do	do	do	Do.
<i>Ammunition for cannon with inert loaded projectiles</i>	Expl. B	No exemption, 173.89	Orange B	do	do	Do.
<i>Ammunition for cannon with smoke projectiles</i>	Expl. A	No exemption, 173.54	Orange A	do	do	Do.
<i>Ammunition for cannon with solid projectiles</i>	Expl. B	No exemption, 173.89	Orange B	do	do	Do.
<i>Ammunition for cannon without projectiles</i>	Expl. B	do	do	do	do	Do.
<i>Ammunition, rocket. See Rocket ammunition.</i>						
<i>Ammunition, small-arms. See Small-arms ammunition.</i>						
<i>Ammunition for small-arms with explosive projectiles</i>	Expl. A	No exemption, 173.58	Orange A	do	do	Do.
<i>Ammunition for small-arms with incendiary projectiles</i>	Expl. A	do	do	do	do	Do.
<i>% Amyl acetate</i>	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
<i>Amyl chloride</i>	F.L.	173.118, 173.119	do	do	do	Do.
<i>Amyl mercaptan</i>	F.L.	No exemption, 173.141	do	do	Not accepted.	Do.
<i>Amyl nitrite</i>	F.L.	173.118, 173.119	do	do	1 quart	Do.
<i>Amyl trichlorosilane</i>	Cor. L	No exemption, 173.280	Corrosive Liquid	do	Not accepted.	Do.
<i>Anhydrous ammonia. See Ammonia, anhydrous.</i>						
<i>Anhydrous hydrazine. See Hydrazine, anhydrous.</i>						
<i>Anhydrous hydrofluoric acid. See Hydrogen fluoride.</i>						
<i>Aniline oil, liquid</i>	Pois. B	No exemption, 173.347	Poison B	55 gallons	do	55 gallons.
<i>Anisoyl chloride</i>	Cor. L	173.244, 173.279	Corrosive Liquid	1 quart	1 quart	1 quart.
<i>% Antifreeze compounds, liquid</i>	F.L.	173.118, 173.119	Red	10 gallons	do	10 gallons.
<i>% Antifreeze preparations proprietary, liquid</i>	F.L.	173.118, 173.119	do	do	do	Do.
<i>Antimony pentachloride</i>	Cor. L	173.244, 173.247	Corrosive Liquid	1 quart	do	1 quart.
<i>Antimony pentachloride, solution</i>	Cor. L	173.244, 173.245	do	5 pints	do	5 pints.
<i>Antimony pentafluoride</i>	Cor. L	No exemption, 173.246	do	25 pounds	Not accepted	25 pounds.
<i>*Aqua ammonia solution containing anhydrous ammonia.</i>	Nonf. G	173.306, 173.304, 173.314, 173.315	Green	300 pounds	do	300 pounds.
<i>Argon</i>	Nonf. G	173.306, 173.302, 173.314	do	do	150 pounds	Do.
<i>Argon, liquefied</i>	Nonf. G	No exemption, 173.304	do	do	Not accepted	Do.
<i>Arsenic acid, liquid</i>	Pois. B	173.345, 173.348	Poison B	55 gallons	1 quart	55 gallons.
<i>Arsenic acid, solid</i>	Pois. B	173.364, 173.366	do	200 pounds	50 pounds	200 pounds.
<i>Arsenic bromide, solid</i>	Pois. B	173.364, 173.365	do	do	do	Do.
<i>Arsenic chloride (arsenous) liquid</i>	Pois. B	173.345, 173.346	do	55 gallons	1 quart	55 gallons.
<i>Arsenic iodide, solid</i>	Pois. B	173.364, 173.365	do	200 pounds	50 pounds	200 pounds.
<i>Arsenic pentoxide, solid</i>	Pois. B	173.364, 173.365	do	do	do	Do.
<i>Arsenic solid</i>	Pois. B	173.364, 173.366	do	do	do	Do.
<i>Arsenic sulfide, solid</i>	Pois. B	173.364, 173.365	do	do	do	Do.
<i>Arsenic trichloride, liquid</i>	Pois. B	173.345, 173.346	do	55 gallons	1 quart	55 gallons.
<i>Arsenic trioxide, solid (arsenic, white, solid, arsenous acid, solid)</i>	Pois. B	173.364, 173.366, 173.368	do	200 pounds	50 pounds	200 pounds.
<i>Arsenic, white solid</i>	Pois. B	173.364, 173.366	do	do	do	Do.
<i>Arsenical compounds or mixtures, n.o.s., liquid</i>	Pois. B	173.345, 173.346	do	55 gallons	1 quart	55 gallons.
<i>Arsenical compounds or mixtures, n.o.s., solid</i>	Pois. B	173.364, 173.367	do	200 pounds	50 pounds	200 pounds.
<i>Arsenical dip, liquid (sheep dip)</i>	Pois. B	173.345, 173.346	do	55 gallons	1 quart	55 gallons.
<i>Arsenical dust</i>	Pois. B	173.364, 173.368	do	200 pounds	50 pounds	200 pounds.
<i>Arsenical fine dust</i>	Pois. B	173.364, 173.368	do	do	do	Do.
<i>Arsenous acid, solid</i>	Pois. B	173.364, 173.365	do	do	do	Do.
<i>Arsenous and mercuric iodide solution, liquid</i>	Pois. B	173.345, 173.346	do	55 gallons	1 quart	55 gallons.
<i>*Asphalt, cut-back</i>	F.L.	173.118, 173.131	Red	10 gallons	do	10 gallons.
<i>Automobiles, motorcycles, tractors, or other self-propelled vehicles.</i>		See 173.120, 173.306				
<i>Automobiles, motorcycles, tractors, or other self-propelled vehicles, engines or other mechanical apparatus, with charged electric storage batteries, wet.</i>		See 173.250				
<i>1-Azididynyl phosphine oxide (tris). See Tris-(1-azididynyl) phosphine oxide.</i>						
<i>Bags, sodium nitrate, empty and unwashed</i>	F.S.	No exemption, 173.155(a)	Red Striped	25 pounds	Not accepted	25 pounds.
<i>Barium azide—50 percent or more water, wet</i>	F.S.	No exemption, 173.239	do	1 pound	do	1 pound.
<i>Barium chlorate</i>	Oxy. M	173.153, 173.163	Yellow	100 pounds	25 pounds	100 pounds.
<i>Barium chlorate, wet</i>	Oxy. M	173.153, 173.163(a) (6)	do	200 pounds	do	200 pounds.
<i>Barium cyanide, solid</i>	Pois. B	173.370	Poison B	do	do	Do.
<i>Barium nitrate</i>	Oxy. M	173.153, 173.182	Yellow	100 pounds	do	100 pounds.
<i>Barium perchlorate</i>	Oxy. M	173.153, 173.154	do	do	do	Do.
<i>Barium permanganate</i>	Oxy. M	173.153, 173.154	do	do	do	Do.
<i>Barium peroxide (binoxide, dioxide)</i>	Oxy. M	173.153, 173.156	do	do	do	Do.
<i>Batteries, dry</i>		Not regulated.				
<i>Batteries, electric storage, wet</i>	Cor. L	173.258, 173.260	Corrosive Liquid	600 pounds	Not accepted	No limit.
<i>% Batteries, electric storage, wet, with automobiles, auto parts, engines or other mechanical apparatus.</i>	Cor. L	173.250, 173.260	do	No limit	50 pounds	Do.
<i>Battery charger with electrolyte (acid or alkaline battery fluid).</i>	Cor. L	173.259	do	5 gallons	Not accepted	5 pints.
<i>Battery fluid. See Electrolyte (acid) or Alkaline corrosive battery fluid.</i>						
<i>Benzene (benzol)</i>	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
<i>% Benzene phosphorus dichloride</i>	Cor. L	173.244, 173.250a	Corrosive Liquid	5 pints	do	5 pints.
<i>% Benzene phosphorus trichloride</i>	Cor. L	173.244, 173.250a	do	do	do	Do.
<i>Benzene</i>	F.L.	173.118, 173.119	Red	10 gallons	do	10 gallons.
<i>Benzoyl chloride</i>	Cor. L	173.244, 173.247	Corrosive Liquid	1 quart	do	1 quart.
<i>Benzoyl peroxide</i>	Oxy. M	No exemption, 173.157, 173.158	Peroxide	25 pounds	Not accepted	25 pounds.
<i>Benzyl bromide (bromotoluene, alpha)</i>	Cor. L	No exemption, 173.281	Corrosive Liquid	5 pints	do	5 pints.
<i>Benzyl chloride</i>	Cor. L	173.244, 173.295	do	1 quart	1 quart	1 quart.
<i>Benzyl chloroformate (Chlorocarbonate)</i>	Cor. L	No exemption, 173.288	do	5 pints	Not accepted	5 pints.
<i>*Beryllium compounds, n.o.s.</i>	Pois. B	173.364, 173.365	Poison B	200 pounds	50 pounds	200 pounds.
<i>Black powder</i>	Expl. A	No exemption, 173.60	Orange A	Not accepted	Not accepted	Not accepted.

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a) Rail express	(b) Passenger carrying aircraft	(c) Cargo only aircraft
Black powder igniters with empty cartridge bags	Expl. C	No exemption, 173.106	Orange C	150 pounds	50 pounds	150 pounds.
Blasting caps—1,000 or less	Expl. C	No exemption, 173.103	do	See 173.86	Not accepted	Not accepted.
Blasting caps—more than 1,000	Expl. A	No exemption, 173.66	Orange A	Not accepted	do	Do.
Blasting caps—electric, 1,000 or less	Expl. C	No exemption, 173.103	Orange C	See 173.86	do	Do.
Blasting caps—electric, more than 1,000	Expl. A	No exemption, 173.66	Orange A	Not accepted	do	Do.
Blasting caps with metal clad mild detonating fuse—1,000 or less	Expl. C	No exemption, 173.103	Orange C	do	do	Do.
Blasting caps with metal clad mild detonating fuse—more than 1,000	Expl. A	No exemption, 173.66(c), 173.67	Orange A	do	do	Do.
Blasting caps with safety fuse—1,000 or less	Expl. C	No exemption, 173.103	Orange C	See 173.86	do	Do.
Blasting caps with safety fuse—more than 1,000	Expl. A	No exemption, 173.66(c), 173.67	Orange A	Not accepted	do	Do.
<i>Blasting gelatin. See High explosives.</i>						
<i>Blasting powder. See Black powder.</i>						
Bomber compound, liquid	Cor. L	173.244, 173.246	Corrosive liquid	10 gallons	1 quart	10 gallons.
<i>Bombs, explosive. See Explosive bomb.</i>						
<i>Bombs, explosive, with gas, smoke, or incendiary material. See Explosive bomb.</i>						
<i>Bombs, fireworks. See Fireworks, special.</i>						
<i>Bombs, gas, smoke or incendiary, nonexplosive. See Chemical ammunition.</i>						
<i>Bombs, incendiary, or smoke without bursting charges. See Fireworks, special.</i>						
<i>Bombs, practice, with electric primers or electric squibs (nonexplosive).</i>		See 173.55				
<i>Bombs, sand-loaded or empty (nonexplosive).</i>		do				
Boosters (explosive)	Expl. A	No exemption, 173.69	Orange A	Not accepted	Not accepted	Not accepted.
Bordeaux arsenites, liquid	Pois. B	173.345, 173.346	Poison B	55 gallons	1 quart	55 gallons.
Bordeaux arsenites, solid	Pois. B	173.364, 173.365	do	200 pounds	50 pounds	200 pounds.
Boron trichloride	Cor. L	No exemption, 173.251	Corrosive Liquid	1 quart	Not accepted	1 quart.
Boron trifluoride	Nonf. G	173.306, 173.302	Green	300 pounds	do	300 pounds.
% *Box toe gum	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Bromine	Cor. L	No exemption, 173.252	Corrosive Liquid	1 quart	Not accepted	1 quart.
Bromine pentafluoride	Cor. L	No exemption, 173.284	do	100 pounds	do	100 pounds.
Bromine trifluoride	Cor. L	No exemption, 173.283	do	do	do	Do.
Bromoacetone, liquid	Pois. A	No exemption, 173.329(a)	Poison A	Not accepted	do	Not accepted.
Bromobenzyl cyanide, liquid	Irr.	No exemption, 173.382	Irritant	20 pounds	do	20 pounds.
Bromotoluene, alpha. See Benzyl bromide.						
Brucine, solid (dimethoxy strychnine)	Pois. B	173.364, 173.365	Poison B	200 pounds	50 pounds	200 pounds.
% Burnt cotton (not repicked)	SCM	No exemption, 173.159	Red Bottom	Not accepted	Not accepted	Not accepted.
% Burnt fiber	SCM	No exemption, 173.169	do	do	do	Do.
Bursters (explosive)	Expl. A	No exemption, 173.69	Orange A	do	do	Do.
Butadiene, inhibited	F.G.	173.306, 173.304, 173.314, 173.315	Red Gas	300 pounds	do	300 pounds.
% Butane. See Liquefied petroleum gas.						
*Butyl acetate	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
*Butyl alcohol. See Alcohol, n.o.s.						
Butyl mercaptan	F.L.	No exemption, 173.141	do	do	Not accepted	Do.
Butyl trichlorosilane	Cor. L	No exemption, 173.280	Corrosive Liquid	do	do	Do.
Butyraldehyde	F.L.	173.118, 173.119	Red	do	1 quart	Do.
Cacodylic acid, solid (dimethyl-arsenic)	Pois. B	173.364, 173.365	Poison B	200 pounds	25 pounds	200 pounds.
Calcium arsenate, solid	Pois. B	173.364, 173.367, 173.368	do	do	do	Do.
Calcium arsenite, solid	Pois. B	173.364, 173.365	do	do	do	Do.
Calcium chlorate	Oxy. M	173.153, 173.163	Yellow	100 pounds	25 pounds	100 pounds.
Calcium chlorite	Oxy. M	No exemption, 173.160	do	do	Not accepted	Do.
% Calcium cyanide (or calcium cyanide mixture, solid)	Pois. B	173.370 (c) and (d)	Poison B	200 pounds	25 pounds	200 pounds.
% Calcium hypochlorite mixtures (dry, containing more than 39% available chlorine)	Oxy. M	173.153, 173.217	Yellow	100 pounds	50 pounds	100 pounds.
Calcium, metallic	WRM	173.153, 173.154	Blue	do	25 pounds	Do.
Calcium, metallic, crystalline	WRM	No exemption, 173.231	do	25 pounds	Not accepted	25 pounds.
Calcium nitrite	Oxy. M	173.153, 173.182	Yellow	100 pounds	25 pounds	100 pounds.
Calcium permanganate	Oxy. M	173.153, 173.154	do	do	do	Do.
Calcium peroxide	Oxy. M	173.153, 173.156	do	do	do	Do.
Calcium phosphide	WRM	No exemption, 173.161	Blue	25 pounds	Not accepted	25 pounds.
% Calcium resinate	SCM	No exemption, 173.166	Red Bottom	125 pounds	do	125 pounds.
% Calcium resinate, fused	SCM	do	do	do	do	Do.
Cannon primers	Expl. C	No exemption, 173.107	Orange C	150 pounds	50 pounds	150 pounds.
<i>Caps, blasting. See Blasting caps.</i>						
<i>Caps, toy. See Toy caps.</i>						
Caprylyl peroxide solution	Oxy. M	173.153(b) 173.221	Peroxide	1 quart	1 quart	1 quart.
Carbolic acid, (phenol), liquid, (liquid tar acid containing over 50 percent benzo-phenol)	Pois. B	173.345, 173.349	Poison B	55 gallons	do	55 gallons.
Carbolic acid (phenol) solid	Pois. B	173.369	do	250 pounds	50 pounds	250 pounds.
Carbon bisulfide (disulfide)	F.L.	No exemption, 173.121	Red	Not accepted	Not accepted	Not accepted.
Carbon dioxide gas, liquefied ("mining device")	Nonf. G	173.304(a) (2) Table Note 4	Green	6 pounds	do	6 pounds.
Carbon dioxide, liquefied	Nonf. G	173.306, 173.304, 173.314, 173.315	do	300 pounds	150 pounds	300 pounds.
Carbon dioxide, nitrous oxide mixture	Nonf. G	173.306, 173.304	do	do	do	Do.
Carbon dioxide-oxygen mixture	Nonf. G	173.306, 173.304	do	do	do	Do.
Carbon monoxide	F.G.	173.306, 173.304	Red gas	150 pounds	Not accepted	150 pounds.
*Carbon remover, liquid	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
<i>Carbonyl chloride. See Phosgene.</i>						
Cartridge bags, empty, with black powder igniters	Expl. C	No exemption, 173.106	Orange C	150 pounds	50 pounds	150 pounds.
Cartridge cases, empty, primed	Expl. C	No exemption, 173.107	do	do	do	Do.
Cartridges, practice ammunition	Expl. C	No exemption, 173.101a	do	do	do	Do.
<i>Case oil. See Gasoline or *Naphtha.</i>						
<i>Casinghead gasoline. See Gasoline.</i>						
Caustic potash, liquid. See Potassium hydroxide solutions.						
Caustic soda, liquid. See Sodium hydroxide solutions.						
*Cement, adhesive, n.o.s. See Cement, liquid, n.o.s.						
*Cement, leather	F.L.	173.118, 173.119	Red	12 gallons	1 quart	12 gallons.
*Cement, container, linoleum, tile or wallboard, liquid	F.L.	173.118, 173.132	do	15 gallons	do	15 gallons.
*Cement, liquid, n.o.s.	F.L.	173.118, 173.132	do	do	do	Do.
*Cement, pyroxylin	F.L.	173.118, 173.132	do	do	do	Do.
*Cement, roofing, liquid	F.L.	173.118, 173.119	do	12 gallons	do	12 gallons.
*Cement, rubber	F.L.	173.118, 173.132	do	do	do	15 gallons.
*Charcoal, activated	F.S.	173.162	Red Striped	200 pounds	25 pounds	200 pounds.
Charcoal briquettes	F.S.	173.162	do	do	60 pounds	Do.
Charcoal, shell	F.S.	173.162	do	do	25 pounds	Do.
Charcoal, wood, ground, crushed, granulated or pulverized.	F.S.	173.162	do	do	do	Do.

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a) Rail express	(b) Passenger carrying aircraft	(c) Cargo only aircraft
Charcoal, wood, lump.....	F.S.	173.162	do	100 pounds	50 pounds	50 pounds.
Charcoal screenings, made from "pinon" wood.....	F.S.	173.162	do	200 pounds	25 pounds	200 pounds.
Charcoal wood screenings other than "pinon" wood screenings.....	F.S.	No exemption, 173.162	do	Not accepted.	Not accepted.	Not accepted.
Charcoal screenings, wet.....	SCM	Forbidden				
Charcoal, wet.....	SCM	do				
Charged oil well jet perforating guns (total explosive contents in guns exceeding 20 pounds per motor vehicle).....	Expl. A	No exemption, 173.53(u), 173.80.	Orange A	Not accepted.	Not accepted.	Not accepted.
Charged oil well jet perforating guns (total explosive contents in guns not exceeding 20 pounds per motor vehicle).....	Expl. C	No exemption, 173.53(u), 173.110.	Orange C	do	do	Do.
*Chemicals, n.o.s. See *Drugs, chemicals, medicines or cosmetics, n.o.s.						
Chemical ammunition (containing class A poisons, gases, or liquids).....	Pois. A	No exemption, 173.330	Poison Gas or Poison A.	do	do	Do.
Chemical ammunition (containing class B poisons, liquids or solids).....	Pois. B	173.345, 173.350	Poison B.	55 gallons	do	55 gallons.
Chemical ammunition (containing class C poisons, liquids or solids).....	Irr.	No exemption, 173.353	Irritant	20 pounds	do	20 pounds.
Chemical ammunition, explosive.....	Expl. A	173.59	Orange A	Not accepted.	do	Not accepted.
%Chemical kits.....	Cor. L	173.286	Corrosive Liquid	1 quart	1 quart	1 quart.
*Chlorate and borate mixtures.....	Oxy. M	173.153, 173.229	Yellow	100 pounds	25 pounds	100 pounds.
*Chlorate and magnesium chloride mixtures.....	Oxy. M	173.153, 173.229	do	do	do	Do.
Chlorates, n.o.s.....	Oxy. M	173.153, 173.163	do	do	do	Do.
Chlorates, n.o.s., wet.....	Oxy. M	173.153, 173.163(a) (6)	do	do	do	Do.
Chlorate explosives, dry. See High explosives.						
Chlorate of potash. See Potassium chlorate.						
Chlorate of soda. See Sodium chlorate.						
Chlorate powders. See High explosives.						
Chloride of phosphorus. See Phosphorus trichloride.						
Chloride of sulfur. See Sulfur chloride.						
*Chlorine.....	Nonf. G	173.306, 173.304, 173.314, 173.345.	Green	150 pounds	Not accepted	150 pounds.
Chlorine dioxide hydrate, frozen.....	Oxy. M	No exemption, 173.237	Yellow	Not accepted	do	Not accepted.
Chlorine trifluoride.....	Cor. L	No exemption, 173.285	Corrosive Liquid	100 pounds	do	100 pounds.
Chloroacetylenes, gas, liquid or solid.....	Irr.	No exemption, 173.382	Irritant	75 pounds	do	75 pounds.
Chloroacetyl chloride.....	Cor. L	No exemption, 173.253	Corrosive Liquid	1 quart	do	1 quart.
Chlorobenzoyl peroxide (para).....	Oxy. M	No exemption, 173.157, 173.158.	Peroxide	25 pounds	do	25 pounds.
Chlorodinitrobenzoyl. See Dinitrochlorobenzol, solid.						
Chloroform and methyl chloride mixtures.....	Pois. A	No exemption, 173.329(b)	Poison Gas	Not accepted	do	Not accepted.
Chloroform, liquid.....	Pois. B	No exemption, 173.357	Poison B	24 pounds	do	Do.
Chloroform, absorbed.....	Pois. B	do	do	75 pounds	do	Do.
Chloroform mixtures (containing no compressed gas or poisonous liquid, class A).....	Pois. B	do	do	do	do	Do.
Chloroform and nonflammable, nonliquefied compressed gas mixtures.....	Pois. A	No exemption, 173.329(c)	Poison Gas	Not accepted	do	Do.
Chlorosulfonic acid.....	Cor. L	173.244, 173.254	Corrosive Liquid	1 quart	1 quart	1 quart.
Chlorosulfonic acid-sulfur trioxide mixtures.....	Cor. L	173.244, 173.254	do	do	do	Do.
%4-Chloro-o-toluidine hydrochloride.....	Pois. B	No exemption, 173.362	Poison B	do	Not accepted	Do.
Chromic acid mixtures, dry.....	Oxy. M	173.153, 173.164	Yellow	100 pounds	25 pounds	100 pounds.
Chromic acid, solid.....	Oxy. M	173.153, 173.164	do	do	do	Do.
Chromic acid, solution.....	Cor. L	173.244, 173.245, 173.287	Corrosive Liquid	1 gallon	1 quart	1 gallon.
Chromic anhydride. See Chromic acid, solid.						
Chromium trioxide. See Chromic acid, solid.						
Chromyl chloride.....	Cor. L	No exemption, 173.247	do	do	Not accepted	Do.
Cigar and cigarette lighter fluid. See Lighter fluid.						
%Cigarette lighters charged with fuel.....	F.S.	173.21(d)	Red Striped	173.21(d)	do	173.21(d).
%Cigarette loads.....	Expl. C	No exemption, 173.111	Orange C	150 pounds	50 pounds	150 pounds.
*Cleaning fluid or liquid.....	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Cloud gas cylinders. See Chemical ammunition.						
Coal briquettes, hot.....	SCM	Forbidden				
Coal gas. See Hydrocarbon gas, nonliquefied.						
%Coal, ground bituminous, sea coal, coal facings, etc.	SCM	173.165	Red Bottom	Not accepted.	Not accepted.	Not accepted.
*Coal tar distillate.....	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
*Coal tar light oil.....	F.L.	173.118, 173.119	do	do	do	Do.
*Coal tar naphtha.....	F.L.	173.118, 173.119	do	do	do	Do.
*Coal tar oil.....	F.L.	173.118, 173.119	do	do	do	Do.
*Coating solution.....	F.L.	173.118, 173.132	do	15 gallons	do	15 gallons.
%Cobalt resin, precipitated.....	SCM	No exemption, 173.166	Red Bottom	125 pounds	Not accepted.	125 pounds.
Cocculus, solid (fish berry).....	Pois. B	173.364, 173.365	Poison B	200 pounds	50 pounds	200 pounds.
Coke, hot.....	SCM	Forbidden				
Collodion.....	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Collodion cotton, wet. See Nitrocellulose, wet.						
Cologne spirits (alcohol).....	F.L.	173.118, 173.119	do	do	do	Do.
Columbian spirits (wood alcohol).....	Expl. C	No exemption, 173.105	Orange C	150 pounds	50 pounds	150 pounds.
Combination fuzes.....	Expl. C	No exemption, 173.107	do	do	do	Do.
Combination primers.....		See 173.65(h)				
Commercial shaped charges. See High explosives.						
Common fireworks. See Fireworks, common.						
*Compounds, cleaning, liquid.....	Cor. L	173.244, 173.245	Corrosive Liquid	1 quart	1 quart	1 quart.
*Compounds, cleaning, liquid.....	F.L.	173.118, 173.119	Red	10 gallons	do	10 gallons.
%Compounds, cleaning, liquid (containing hydrochloric (muriatic) acid).....	Cor. L	173.244, 173.263	Corrosive Liquid	10 pints	do	10 pints.
%Compounds, cleaning, liquid (containing hydrofluoric acid).....	Cor. L	173.244, 173.256	do	do	do	Do.
Compounds, enamel.....	F.L.	173.118, 173.128	Red	55 gallons	do	55 gallons.
*Compounds, iron or steel rust preventing or removing.....	Cor. L	173.244, 173.245	Corrosive Liquid	1 gallon	do	1 gallon.
*Compounds, lacquer, paint or varnish, etc., removing, reducing or thinning, liquid.....	F.L.	173.118, 173.128	Red	55 gallons	do	55 gallons.
*Compounds, lacquer, paint or varnish removing liquid.....	Cor. L	173.244, 173.245	Corrosive Liquid	1 gallon	do	1 gallon.
*Compounds, polishing, liquid.....	F.L.	173.118, 173.129	Red	55 gallons	do	55 gallons.
*Compounds, tree or weed killing, liquid.....	F.L.	173.118, 173.119	do	10 gallons	do	10 gallons.
*Compounds, tree or weed killing, liquid.....	Pois. B	173.345, 173.346	Poison B	55 gallons	do	55 gallons.
*Compounds, tree or weed killing, solid.....	Oxy. M	173.153, 173.154, 173.229	Yellow	100 pounds	25 pounds	100 pounds.
*Compounds, type-cleaning, liquid.....	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
*Compounds, vulcanizing, liquid.....	Cor. L	173.244, 173.245	Corrosive Liquid	1 quart	do	1 quart.
*Compounds, vulcanizing, liquid.....	F.L.	173.118, 173.119	Red	10 gallons	do	10 gallons.
Compressed gases, flammable, n.o.s.....	F.G	173.306, 173.305, 173.304, 173.302.	Red Gas	300 pounds	Not accepted.	300 pounds.
Compressed gases, nonflammable, n.o.s.....	Nonf. G	173.306, 173.305, 173.304, 173.302.	Green	do	150 pounds	Do.

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a)	(b)	(c)
				Rail express	Passenger carrying aircraft	Cargo only aircraft
Containers, reused or empty.		See 173.28 or 173.29.				
Copper acetoarsenite, solid (emerald green, imperial green, Kings green, moss green, meadow green, mitis green, parrot green, Vienna green).	Pois. B.	173.364, 173.367.	Poison B.	200 pounds.	50 pounds.	200 pounds.
Copper arsenite, solid (Scheele's green, cupric green, copper orthoarsenite, Swedish green).	Pois. B.	173.364, 173.365.	do.	do.	do.	Do.
Copper cyanide.	Pois. B.	173.370.	Poison B.	No limit.	25 pounds.	No limit.
Cordeau detonant fuse.	Expl. C.	No exemption, 173.104.	Orange C.	300 pounds.	50 pounds.	300 pounds.
Corrosive battery fluid. See Electrolyte (acid), or Alkaline corrosive battery fluid.						
Corrosive liquid, n.o.s.	Cor. L.	173.244, 173.245.	Corrosive liquid.	5 pints.	1 quart.	1 quart.
Cotton, burnt. See Burnt cotton.						
% Cotton, waste, oily with more than 5 percent of animal or vegetable oil.	SCM.	No exemption, 173.167.	Red Bottom.	Not accepted.	Not accepted.	Not accepted.
Crotonaldehyde.	F.L.	173.118, 173.119.	Red.	10 gallons.	1 quart.	10 gallons.
*Crude nitrogen fertilizer solution.	Nonf. G.	173.306, 173.304, 173.314.	Green.	300 pounds.	150 pounds.	300 pounds.
*Crude oil, petroleum.	F.L.	173.118, 173.119.	Red.	10 gallons.	1 quart.	10 gallons.
% Cumene hydroperoxide (not exceeding 96 percent in nonvolatile solvent).	Oxy. M.	173.153(b), 173.224.	Peroxide.	1 quart.	1 pint.	1 quart.
Cupric cyanide. See Copper cyanide.						
Cupriethylene-diamine solution.	Cor. L.	173.244, 173.249.	Corrosive liquid.	1 gallon.	1 quart.	1 gallon.
Cyanides or cyanide mixtures, dry.	Pois. B.	173.364, 173.370.	Poison B.	200 pounds.	25 pounds.	200 pounds.
Cyanogen bromide.	Pois. B.	No exemption, 173.379.	do.	25 pounds.	Not accepted.	25 pounds.
Cyanogen chloride containing less than 0.9 percent water.	Pois. A.	No exemption, 173.328.	Poison Gas.	Not accepted.	do.	Not accepted.
Cyanogen gas.	Pois. A.	do.	do.	do.	do.	Do.
Cyclohexane.	F.L.	173.118, 173.119.	Red.	10 gallons.	1 quart.	10 gallons.
Cyclohexanone peroxide, over 50 percent concentration but not exceeding 85 percent concentration.	Oxy. M.	No exemption, 173.157, 173.158.	Peroxide.	25 pounds.	Not accepted.	25 pounds.
% Cyclohexanone peroxide, not over 50 percent concentration.	Oxy. M.	173.153, 173.154.	do.	do.	1 pound.	Do.
Cyclohexenyl trichlorosilane.	Cor. L.	No exemption, 173.280.	Corrosive Liquid.	10 gallons.	Not accepted.	10 gallons.
Cyclohexyl trichlorosilane.	Cor. L.	do.	do.	do.	do.	Do.
Cyclopentane.	F.L.	173.118, 173.119.	Red.	do.	1 quart.	Do.
Cyclopentane, methyl.	F.L.	173.118, 173.119.	do.	do.	do.	Do.
Cyclopropane.	F.G.	173.306, 173.304.	Red Gas.	300 pounds.	Not accepted.	300 pounds.
Cyclotrimethylenetrinitramine, desensitized. See High explosives.						
Cyclotrimethylenetrinitramine, wet with not less than 10 percent of water. See High explosives.						
Decaborane.	F.S. and WRM.	No exemption, 173.236.	Red Striped and Blue.	25 pounds.	do.	25 pounds.
Delay electric igniters.	Expl. C.	No exemption, 173.106.	Orange C.	150 pounds.	50 pounds.	150 pounds.
Denatured alcohol. See Alcohol, n.o.s.						
Depth bombs. See Explosive bomb. Detonating fuzes, class A explosives, with or without radioactive components.	Expl. A.	No exemption, 173.60.	Orange A.	Not accepted.	Not accepted.	Not accepted.
Detonating fuzes, class C explosives.	Expl. C.	No exemption, 173.113.	Orange C.	150 pounds.	50 pounds.	150 pounds.
Detonating primers.	Expl. A.	No exemption, 173.68.	Orange A.	Not accepted.	Not accepted.	Not accepted.
Diazodinitrophenol. See Initiating explosive.						
Dichlorodifluoromethane.	Nonf. G.	173.306, 173.304, 173.314, 173.315.	Green.	300 pounds.	150 pounds.	300 pounds.
φDichlorodifluoromethane-dichlorotetrafluoroethane mixture.	Nonf. G.	173.306, 173.304, 173.314, 173.315.	do.	do.	do.	Do.
φDichlorodifluoromethane-monochlorodifluoromethane mixture.	Nonf. G.	173.306, 173.304, 173.314, 173.315.	do.	do.	do.	Do.
φDichlorodifluoromethane-trichloromonofluoromethane-monochlorodifluoromethane mixture.	Nonf. G.	173.306, 173.304, 173.314, 173.315.	do.	do.	do.	Do.
φDichlorodifluoromethane-trichlorotrifluoromethane mixture.	Nonf. G.	173.306, 173.304, 173.314, 173.315.	do.	do.	do.	Do.
%Dichlorodifluoromethane-monofluorotrichloroethane mixture.	Nonf. G.	173.306, 173.314, 173.315.	do.	do.	do.	Do.
Dichlorodifluoromethane and difluoroethane mixture (constant boiling mixture).	Nonf. G.	173.306, 173.304, 173.314, 173.315.	do.	do.	do.	Do.
Dichloroethylene.	F.L.	173.118, 173.119.	Red.	10 gallons.	1 quart.	10 gallons.
Dichloroisocyanuric acid, dry (containing more than 59 percent available chlorine).	Oxy. M.	173.153, 173.217.	Yellow.	100 pounds.	50 pounds.	100 pounds.
%Dicumyl peroxide, solid.	Oxy. M.	173.153, 173.154.	Peroxide.	25 pounds.	1 pound.	25 pounds.
%Dicumyl peroxide, not exceeding 50 percent solution.	Oxy. M.	173.153(b), 173.224.	do.	1 quart.	1 pint.	1 quart.
%Diethylamine.	F.L.	173.118, 173.119.	Red.	10 gallons.	1 quart.	10 gallons.
Diethyl dichlorosilane.	Cor. L.	No exemption, 173.280.	Corrosive Liquid.	do.	Not accepted.	Do.
Diethylene glycol dinitrate.	Expl. A.	173.51(d).	Orange A.	Not accepted.	do.	Not accepted.
Difluoroethane.	F.G.	173.306, 173.304, 173.314, 173.315.	Red Gas.	300 pounds.	do.	300 pounds.
Difluoromonochloroethane.	F.G.	173.306, 173.304, 173.314, 173.315.	do.	do.	do.	Do.
Difluorophosphoric acid, anhydrous.	Cor. L.	No exemption, 173.275.	Corrosive Liquid.	1 gallon.	do.	1 gallon.
*Di iso octyl acid phosphate.	Cor. L.	173.244, 173.296.	do.	1 quart.	1 quart.	1 quart.
%Diisopropylbenzene hydroperoxide, not exceeding 60 percent solution.	Oxy. M.	173.153(b), 173.224.	Peroxide.	do.	1 pint.	Do.
Dimethylamine, anhydrous.	F.G.	173.306, 173.304, 173.314, 173.315.	Red Gas.	300 pounds.	Not accepted.	300 pounds.
Dimethylamine, aqueous solution.	F.L.	173.118, 173.119.	Red.	10 gallons.	1 quart.	10 gallons.
Dimethyldichlorosilane.	F.L.	No exemption, 173.135.	Red.	do.	Not accepted.	Do.
Dimethylhexane dihydroperoxide, dry.	Oxy. M.	Forbidden.				
Dimethylhexane dihydroperoxide, wet.	Oxy. M.	No exemption, 173.157.	Peroxide.	25 pounds.	Not accepted.	25 pounds.
Dimethylhydrazine, unsymmetrical (UDMH).	F.L.	No exemption, 173.145.	Red.	5 pints.	do.	5 pints.
% Dimethyl ether.	F.G.	173.306, 173.304, 173.314, 173.315.	Red Gas.	300 pounds.	do.	300 pounds.
Dimethyl sulfate.	Cor. L.	No exemption, 173.255.	Corrosive Liquid.	1 quart.	do.	1 quart.
Dimethyl sulfide.	F.L.	173.118, 173.119.	Red.	10 gallons.	1 quart.	10 gallons.
Dinitrobenzene, solid (dinitrobenzol).	Pois. B.	173.364, 173.371.	Poison B.	200 pounds.	50 pounds.	200 pounds.
Dinitrobenzene, solution.	Pois. B.	173.345, 173.346.	do.	55 gallons.	1 quart.	55 gallons.
Dinitrochlorobenzene, solid (dinitrochlorobenzol, chloro-dinitrobenzol).	Pois. B.	173.364, 173.365.	do.	200 pounds.	50 pounds.	200 pounds.
Dinitrophenol solutions.	Pois. B.	173.345, 173.362a.	do.	65 pounds.	1 quart.	65 pounds.
Diphenylaminechloroarsine.	Irr.	No exemption, 173.382.	Irritant.	75 pounds.	Not accepted.	75 pounds.
Diphenylchloroarsine, solid.	Irr.	do.	do.	20 pounds.	do.	20 pounds.
Diphenyldichlorosilane.	Cor. L.	No exemption, 173.280.	Corrosive Liquid.	10 gallons.	do.	10 gallons.
Diphosgene. See Phosgene.						
Dispersant gas.		See 173.314(c) Table Note 13, 173.315(a) Table Note 9.				

(1) Article	(2) Classed as	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a) Rail express	(b) Passenger carrying aircraft	(c) Cargo only aircraft
*Distillate	F.L.	173.118, 173.119	Red	10 gallons	1 quart	Do.
Dodecyltrichlorosilane	Cor. L.	No exemption, 173.280	Corrosive Liquid	do	Not accepted	Do.
*Dressing, leather	F.L.	173.118, 173.119	Red	do	1 quart	Do.
*Driers. See *Paint driers, liquid.						
Drill cartridges		See 173.55				
*Drugs, chemicals, medicines or cosmetics, n.o.s.	F.L.	173.118, 173.119	Red	10 gallons	1 quart	Do.
*Drugs, chemicals, medicines or cosmetics, n.o.s.	F.S.	173.153, 173.154	Red striped	100 pounds	25 pounds	100 pounds.
*Drugs, chemicals, medicines or cosmetics, n.o.s.	Oxy. M.	173.153, 173.154	Yellow	do	do	Do.
*Drugs, chemicals, medicines or cosmetics, n.o.s.	Cor. L.	173.244, 173.245	Corrosive Liquid	1 quart	1 quart	1 quart.
*Drugs, chemicals, medicines or cosmetics, n.o.s.	SCM	173.118, 173.119, 173.153, 173.154	Red Bottom	1 quart or 5 pounds	Not accepted	Not accepted.
*Drugs, chemicals, medicines or cosmetics, n.o.s.	WRM	173.118, 173.119, 173.153, 173.154	Blue	100 pounds	25 pounds	100 pounds.
*Drugs, chemicals, medicines or cosmetics, n.o.s.	Oxy. M.	173.153, 173.154	Peroxide	10 pounds	Not accepted	Not accepted.
%*Drugs, chemicals, medicines or cosmetics, n.o.s., liquid.	Pois. B.	173.345, 173.346	Poison B.	55 gallons	1 quart	55 gallons.
%*Drugs, chemicals, medicines or cosmetics, n.o.s., solid. Dusts, by-product, poisonous. See arsenical dust.	Pois. B.	173.364, 173.365	do	200 pounds	50 pounds	200 pounds.
Dynamite. See High explosives.						
Electric blasting caps. See Blasting caps, electric.						
Electric squibs	Expl. C.	No exemption, 173.106	Orange C.	150 pounds	do	150 pounds.
Electric storage batteries, wet. See Batteries, electric stor- age, wet.						
Electrolyte (acid), battery fluid	Cor. L.	173.244, 173.257	Corrosive Liquid	5 gallons	1 quart	5 gallons.
%Electrolyte (acid), or alkaline corrosive battery fluid packed with storage batteries	Cor. L.	No exemption, 173.258	do	2 gallons	Not accepted	2 gallons.
Electrolyte (acid) or alkaline corrosive battery fluid packed with battery charger, radio current supply device, or electronic equipment and actuating devices	Cor. L.	No exemption, 173.259	do	6 quarts	do	6 quarts.
Empty cartridge bags with black powder igniters	Expl. C.	No exemption, 173.106	Orange C.	150 pounds	50 pounds	150 pounds.
Empty cartridge cases, primed	Expl. C.	No exemption, 173.107	do	do	do	Do.
*Enamel. See *Paint, enamel, lacquer, stain, shellac, varnish, etc.						
Engine starting fluid	F.G.	No exemption, 173.304	Red Gas	60 pounds	Not accepted	60 pounds.
%Engines, internal combustion		See 173.120				
*Eradicators, paint or grease, liquid	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Etching acid liquid, n.o.s.	Cor. L.	No exemption, 173.299	Corrosive Liquid	10 pounds	Not accepted	10 pounds.
Ethane	F.G.	173.306, 173.304	Red Gas	300 pounds	do	300 pounds.
Ether	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Ethyl acetate	F.L.	173.118, 173.119	do	do	do	Do.
Ethyl alcohol. See Alcohol, n.e.s.						
Ethyl aldehyde. See Acetaldehyde.						
Ethyl chloride	F.L.	No exemption, 173.123	do	300 pounds in cylinders 15 pounds in other containers.	Not accepted	300 pounds.
Ethyl chloroformate (chlorocarbonate)	Cor. L.	No exemption, 173.288	Corrosive Liquid	5 pints	do	5 pints.
Ethylidichloroarsine	Pois. A.	No exemption, 173.328	Poison A.	Not accepted	do	Not accepted.
Ethylidichlorosilane	F.L.	No exemption, 173.135	Red	10 gallons	do	10 gallons.
Ethylene	F.G.	173.306, 173.304	Red Gas	300 pounds	do	300 pounds.
Ethylene dichloride	F.L.	173.118, 173.119	do	10 gallons	1 quart	10 gallons.
Ethyleneimine, inhibited	F.L.	No exemption, 173.139	do	5 pints	Not accepted	5 pints.
Ethylene oxide	F.L.	No exemption, 173.124	do	300 pounds in cylinders, 15 pounds in other con- tainers.	do	300 pounds.
Ethyl ether. See Ether.						
Ethyl formate	F.L.	173.118, 173.119	do	10 gallons	1 quart	10 gallons.
Ethyl mercaptan	F.L.	No exemption, 173.141	do	do	Not accepted	Do.
Ethyl methyl ether	F.L.	173.118, 173.119	do	do	1 quart	Do.
Ethyl methyl ketone	F.L.	173.118, 173.119	do	do	do	Do.
Ethyl nitrate (nitric ether)	F.L.	173.118, 173.119	do	do	do	Do.
Ethyl nitrite (nitrous ether)	F.L.	173.118, 173.119	do	do	do	Do.
Ethyl phenyl dichlorosilane	Cor. L.	No exemption, 173.280	Corrosive Liquid	do	Not accepted	Do.
Ethyl trichlorosilane	F.L.	No exemption, 173.135	Red	do	do	Do.
Etiologic agents, n.o.s.	Etiol.	No exemption, 173.381	Etiologic	1 gallon	do	1 gallon.
Explosive auto alarms	Expl. C.	No exemption, 173.111	Orange C.	150 pounds	50 pounds	150 pounds.
Explosive bomb	Expl. A.	No exemption, 173.56	Orange A.	Not accepted	Not accepted	Not accepted.
Explosive cable cutters	Expl. C.	No exemption, 173.102	Orange C.	150 pounds	50 pounds	150 pounds.
Explosives, class A	Expl. A.	See 173.53	Orange A.			
Explosives, class B	Expl. B.	See 173.88	Orange B.			
Explosives, class C	Expl. C.	See 173.100	Orange C.			
Explosive mine	Expl. A.	No exemption, 173.56	Orange A.	Not accepted	Not accepted	Not accepted.
Explosive power device, class B	Expl. B.	No exemption, 173.94	Orange B.	150 pounds	do	150 pounds.
Explosive power device, class C	Expl. C.	No exemption, 173.102	Orange C.	do	50 pounds	Do.
Explosive projectile	Expl. A.	No exemption, 173.56	Orange A.	Not accepted	Not accepted	Not accepted.
Explosive release device	Expl. C.	No exemption, 173.102	Orange C.	150 pounds	50 pounds	150 pounds.
Explosive rivets	Expl. C.	No exemption, 173.100(q)	do	do	do	Do.
% Explosives, samples for laboratory examination		See 173.86			Not accepted	Not accepted.
Explosive torpedo	Expl. A.	No exemption, 173.56	Orange A.	Not accepted	do	Do.
*Extracts, liquid, flavoring	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Fabrics with animal or vegetable oil. See Fibers of fabrics with animal or vegetable oil.						
Felt waste, wet. See Waste wool, wet.						
Ferrie arsenate, solid	Pois. B.	173.364, 173.365	Poison B.	200 pounds	50 pounds	200 pounds.
Ferrie arsenite, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Ferrous arsenate (iron arsenate), solid	Pois. B.	173.364, 173.365	do	do	do	Do.
*Fertilizer ammoniating solution containing free ammonia	Nonf. G.	173.306, 173.304, 173.314	Green	300 pounds	Not accepted	300 pounds.
Fertilizer, tankage. See Garbage, tankage.						
% Fiber, burnt	SCM	No exemption, 173.160	Red Bottom	Not accepted	do	Not accepted.
% Fibers or fabrics, with animal or vegetable oil	SCM	No exemption, 173.170	do	do	do	Do.
*Film (nitrocellulose)	F.S.	No exemption, 173.177, 173.178, 173.180	Red Striped	200 pounds	50 pounds	200 pounds.
% Film (slow-burning)	F.S.	173.181(a)(1)	do	No limit	do	No limit.
Film scrap (nitrocellulose), samples	F.S.	No exemption, 173.196	do	25 pounds	do	do
Film scrap (nitrocellulose), other than samples	F.S.	No exemption, 173.195	do	Not accepted	Not accepted	Not accepted.
% Film scrap (slow-burning)	F.S.	173.181(a)(2)	do	No limit	50 pounds	No limit.
% Film, toy (nitrocellulose)	F.S.	No exemption, 173.179	do	200 pounds	do	200 pounds.
% Film, toy (slow-burning)	F.S.	173.181(a)(1)	do	No limit	do	No limit.

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a) Rail express	(b) Passenger carrying aircraft	(c) Cargo only aircraft
φ Film, toy pieces (nitrocellulose).....	F.S.	173.181(a)(3)	do.	Not accepted	Not accepted	Not accepted
Firecrackers. See Fireworks, common or special.						
Firecracker salutes. See Common fireworks or Special fireworks.						
Fire extinguisher charges.....	Cor. L	173.261	Corrosive Liquid	1 gallon	1 quart	1 gallon
% Fire extinguisher charges containing not more than 50 grains of propellant explosives per unit.	Expl. B	173.88(f), Note 1	None	No limit	50 pounds	No limit
Fire extinguishers.....	Nonf. G	173.306	Green	300 pounds	150 pounds	300 pounds
% Fireworks, common.....	Expl. C	No exemption, 173.100(r), 173.108	Orange C	200 pounds	Not accepted	200 pounds
Fireworks, exhibition display pieces. See Fireworks, special.						
Fireworks, special.....	Expl. B	No exemption, 173.88(d), 173.91	Orange B	do	do	Do.
Fish meal or fish scrap containing less than 6 percent or more than 12 percent moisture.	SCM	No exemption, 173.171	Red Bottom	Not accepted	do	Not accepted
% Fissile radioactive materials See Radioactive materials, fissile.						
* Flame retardant compound, liquid.....	Cor. L	173.244, 173.291	Corrosive Liquid	10 gallons	1 quart	10 gallons
Flammable liquids, n.o.s.....	F.L.	173.118, 173.119	Red	do	do	Do.
Flammable solids, n.o.s.....	F.S.	173.153, 173.154	Red Striped	25 pounds	25 pounds	25 pounds
Flares. See Fireworks, common.						
Flares, aeroplane. See Fireworks, special.						
Flash cartridges. See Fireworks, special or low explosives.						
Flash crackers. See Fireworks, common or special.						
Flash powder. See Fireworks, special or low explosives.						
Flash sheets. See Fireworks, special or low explosives.						
% Flexible linear shaped charges, metal clad.	Expl. C	No exemption, 173.104	Orange C	300 pounds	50 pounds	300 pounds
Fine dust, poisonous.....	Polis. B	173.364, 173.368	Poison B	200 pounds	do	200 pounds
Fluorine.....	F.G.	173.306, 173.302	Red Gas	6 pounds	Not accepted	Not accepted
Fluosulfonic acid.....	Cor. L	No exemption, 173.274	Corrosive Liquid	10 pints	do	10 pints
Formic acid.....	Cor. L	173.244, 173.245, 173.289	do	5 gallons	1 quart	5 gallons
Formic acid, solution.....	Cor. L	173.244, 173.245, 173.289	do	do	do	Do.
Fulminate of mercury, dry.	Expl. A	Forbidden				
Fulminate of mercury, wet. See Initiating explosive.						
* Fumigants.....		See 173.152(a), Note 1				
Fuse igniters.....	Expl. C	No exemption, 173.106	Orange C	150 pounds	50 pounds	150 pounds
% Fuse, instantaneous.....	Expl. C	173.100(m)	do	do	do	Do.
Fuse lighters.....	Expl. C	No exemption, 173.106	do	do	do	Do.
Fuse, mild detonating, metal clad.	Expl. C	No exemption, 173.104	do	300 pounds	do	300 pounds
% Fuse, safety.....	Expl. C	173.100(o)	do	do	do	Do.
% Fuses (railway and highway).....	Expl. C	No exemption, 173.108	do	200 pounds	do	200 pounds
Fuzes, combination.....	Expl. C	No exemption, 173.105	do	150 pounds	do	150 pounds
Fuzes, detonating, class A explosives.....	Expl. A	No exemption, 173.69	Orange A	Not accepted	Not accepted	Not accepted
Fuzes, detonating, class A explosives, radioactive.....	Expl. A	do	do	do	do	Do.
Fuzes, detonating, class C explosives.....	Expl. C	No exemption, 173.113	Orange C	150 pounds	50 pounds	150 pounds
Fuzes, percussion, nondetonating.....	Expl. C	No exemption, 173.105	do	do	do	Do.
Fuzes, time, nondetonating.....	Expl. C	do	do	do	do	Do.
Fuzes, tracer, nondetonating.....	Expl. C	do	do	do	do	Do.
Garbage tankage containing less than 8 percent of moisture.	SCM	No exemption, 173.209	Red Bottom	Not accepted	Not accepted	Not accepted
Gas cylinders, empty.....		See 173.29				
* Gas drips, hydrocarbon.....	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons
Gas identification sets.....	Polis. A or Irr	No exemption, 173.331	Poison A or Irritant	See 173.331		
Gas mine. See Explosive mine.						
% Gasoline (including casing head and natural).	F.L.	173.118, 173.119	Red	10 gallons	1 quart	Do.
Gelatin dynamite. See High explosives.						
Grenades, empty, primed.....	Expl. C	No exemption, 173.107	Orange C	150 pounds	50 pounds	150 pounds
Grenades, hand or rifle, explosive (with or without gas, smoke or incendiary material).	Expl. A	No exemption, 173.56	Orange A	Not accepted	Not accepted	Not accepted
Grenades, without bursting charges:						
With incendiary material.....	Expl. B	See 173.91	Orange B	50 pounds	do	50 pounds
With smoke charges.....	Expl. C	See 173.108	Orange C	200 pounds	50 pounds	200 pounds
With poison gas charges.....	Polis. A	See 173.330	Poison Gas	Not accepted	Not accepted	Not accepted
With toxic gas charges.....	Polis. B	See 173.350	Poison B	do	do	Do.
Grenades, police.....	Polis. A	No exemption, 173.335	Poison Gas	Not accepted	do	Do.
Grenades, tear gas.....	Irr.	No exemption, 173.385	Irritant	75 pounds	do	75 pounds
Guanidine nitrate.....	Oxy. M	173.153, 173.182	Yellow	100 pounds	25 pounds	100 pounds
Guanyl nitrosamino guanylidene hydrazine. See Initiating explosive.						
Guanyl nitrosamino guanyl tetrazine. See Initiating explosive.						
Guided missiles, with warheads. See Rocket ammunition with explosive, illuminating, gas, incendiary, or smoke projectile.						
Guided missiles without warheads. See Rocket motors, class A explosives or rocket motors, class B explosives.						
Guncotton. See High explosives.						
Hafnium metal, dry, mechanically produced, finer than 20 mesh particle size.	F.S.	No exemption, 173.214	Red Striped	75 pounds	Not accepted	75 pounds
Hafnium metal, dry, chemically produced, finer than 20 mesh particle size.	SCM	do	Red Bottom	do	do	Do.
Hafnium metal, wet, mechanically produced, finer than 20 mesh particle size.	F.S.	do	Red Striped	150 pounds	do	150 pounds
Hafnium metal, wet, chemically produced, finer than 20 mesh particle size.	F.S.	do	do	do	do	Do.
Hair, wet.....	SCM	No exemption, 173.172	Red Bottom	Not accepted	do	Not accepted
Hand signal devices.....	Expl. C	No exemption, 173.108	Orange C	200 pounds	50 pounds	200 pounds
% Heaters for refrigerator cars, liquid fuel type.	F.L.	173.146	Red	No limit	do	No limit
Helium.....	Nonf. G	173.306, 173.302, 173.314	Green	300 pounds	150 pounds	300 pounds
Helium-oxygen mixture.....	Nonf. G	173.306, 173.302	do	do	do	Do.
Heptane.....	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons
Hexadecyltrichlorosilane.....	Cor. L	No exemption, 173.280	Corrosive Liquid	do	Not accepted	Do.
Hexaethyl tetraphosphate and compressed gas mixture.	Polis. A	No exemption, 173.334	Poison Gas	Not accepted	do	Not accepted
Hexaethyl tetraphosphate, liquid.....	Polis. B	No exemption, 173.335	Poison B	1 quart	do	1 quart
% Hexaethyl tetraphosphate mixture, dry, (containing more than 2 percent hexaethyl tetraphosphate).	Polis. B	173.337	do	200 pounds	do	200 pounds
% Hexaethyl tetraphosphate mixture, dry, (containing not more than 2 percent hexaethyl tetraphosphate).	Polis. B	173.377(f)	do	do	50 pounds	Do.

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a)	(b)	(c)
				Rail express	Passenger carrying aircraft	Cargo only aircraft
% Hexaethyl tetraphosphate mixture, liquid, (containing more than 25 percent hexaethyl tetraphosphate).	Pois. B.	173.359	do	1 quart.	Not accepted.	1 quart.
% Hexaethyl tetraphosphate mixture, liquid, (containing not more than 25 percent hexaethyl tetraphosphate).	Pois. B.	173.359(c)	do	do	½ pint.	Do.
Hexafluorophosphoric acid.	Cor. L.	No exemption 173.275.	Corrosive Liquid.	1 gallon.	Not accepted.	1 gallon.
Hexafluoropropylene.	Nonf. G.	173.306, 173.304, 173.314, 173.315.	Green.	300 pounds.	150 pounds.	300 pounds.
Hexamethylene diamine solution.	Cor. L.	173.244, 173.249, 173.292.	Corrosive Liquid.	10 gallons.	1 quart.	10 gallons.
Hexane.	F.L.	173.118, 173.119.	Red.	do	do	Do.
Hexyl trichlorosilane.	Cor. L.	No exemption 173.280.	Corrosive Liquid.	do	Not accepted.	Do.
High explosives.	Expl. A.	No exemption 173.61 to 173.87 inclusive.	Orange A.	See 173.86.	do	Not accepted.
High explosives, liquid.	Expl. A.	No exemption 173.62.	do	Not accepted.	do	Do.
Highway fuses. See Fuses.						
High wines. See Alcohol, n.o.s.						
Hydraulic accumulators. See Accumulator, pressurized.						
Hydrazine, anhydrous.	Cor. L.	No exemption 173.276.	Corrosive Liquid.	5 pints.	do	5 pints.
% Hydrazine solution (containing 50 percent or less of water).	Cor. L.	do	do	do	do	Do.
Hydriodic acid.	Cor. L.	173.244, 173.245.	do	1 gallon.	1 quart.	1 gallon.
Hydrobromic acid, solution.	Cor. L.	173.244, 173.262.	do	do	do	Do.
Hydrobromic acid, anhydrous. See Hydrogen bromide.						
Hydrocarbon gas, liquefied.	F.G.	173.306, 173.304, 173.314.	Red Gas.	300 pounds.	Not accepted.	300 pounds.
Hydrocarbon gas, nonliquefied.	F.G.	173.306, 173.302.	do	do	do	Do.
Hydrochloric (muriatic) acid.	Cor. L.	173.244, 173.263.	Corrosive Liquid.	10 pints.	1 quart.	10 pints.
Hydrochloric acid, anhydrous. See Hydrogen chloride.						
Hydrochloric acid mixtures.	Cor. L.	173.244, 173.263.	do	do	do	Do.
Hydrochloric acid solution, inhibited.	Cor. L.	173.244, 173.263.	do	do	do	Do.
Hydrocyanic acid, liquefied.	Pois. A and F.L.	No exemption, 173.332.	Poison A and Red.	Not accepted.	Not accepted.	Not accepted.
Hydrocyanic acid (prussic), liquid.	Pois. A and F.L.	do	do	do	do	Do.
Hydrocyanic acid (prussic), unstabilized.	Pois. A.	Forbidden.				
Hydrocyanic acid solution not more than 5 percent.	Pois. B.	No exemption, 173.351.	Poison B.	25 pounds.	Not accepted.	25 pounds.
Hydrofluoric acid solution.	Cor. L.	173.244, 173.264(a).	Corrosive Liquid.	10 pints.	1 quart.	10 pints.
Hydrofluoric acid, anhydrous. See Hydrogen fluoride.						
Hydrofluoric acid and sulfuric acids, mixtures.	Cor. L.	No exemption, 173.290.	do	do	Not accepted.	Do.
Hydrofluosilicic acid.	Cor. L.	173.244, 173.265.	do	do	1 quart.	Do.
Hydrogen.	F.G.	173.306, 173.302, 173.314.	Red Gas.	300 pounds.	Not accepted.	300 pounds.
Hydrogen bromide.	Nonf. G.	173.306, 173.304.	Green.	do	do	Do.
Hydrogen chloride.	Nonf. G.	173.306, 173.304.	do	do	do	Do.
Hydrogen fluoride.	Cor. L.	No exemption, 173.264(b).	Corrosive Liquid.	110 pounds.	do	110 pounds.
Hydrogen, liquefied.	F.G.	No exemption, 173.316.	Red Gas.	Not accepted.	do	Not accepted.
Hydrogen peroxide (hydrogen dioxide) solution in water containing over 8 percent hydrogen peroxide by weight.	Cor. L.	173.244, 173.266.	Corrosive Liquid.	1 gallon.	1 quart.	1 gallon.
Hydrogen sulfide.	F.G.	173.306, 173.304, 173.314.	Red Gas.	300 pounds.	Not accepted.	300 pounds.
Hypochlorite solutions containing more than 7 percent available chlorine by weight.	Cor. L.	173.277.	Corrosive Liquid.	4 gallons.	1 quart.	4 gallons.
Igniter cord.	Expl. C.	No exemption, 173.100(s).	Orange C.	150 pounds.	50 pounds.	150 pounds.
Igniter fuse—metal clad.	Expl. C.	No exemption, 173.106.	do	do	do	Do.
Igniters.	Expl. C.	do	do	do	do	Do.
Igniters, jet thrust (jato), class A explosives.	Expl. A.	No exemption, 173.70.	Orange A.	Not accepted.	Not accepted.	Not accepted.
Igniters, jet thrust (jato), class B explosives.	Expl. B.	No exemption, 173.92.	Orange B.	550 pounds.	do	550 pounds.
Igniters, rocket motor, class A explosives.	Expl. A.	No exemption, 173.79.	Orange A.	do	do	Not accepted.
Igniters, rocket motor, class B explosives.	Expl. B.	No exemption, 173.92.	Orange B.	do	do	550 pounds.
Illuminating projectiles. See Fireworks, special.						
Initiating explosive.	Expl. A.	No exemption, 173.70 to 173.78 inclusive.	Orange A.	Not accepted.	do	Not accepted.
Diazodinitrophenol.		No exemption, 173.70.				
Fulminate of mercury.		No exemption, 173.71.				
Guanyl nitrosamino guanylidene hydrazine.		No exemption, 173.72.				
Lead azide, dextrinated type only.		No exemption, 173.73.				
Lead mononitrosorsorcinate.		No exemption, 173.70.				
Lead styphnate (lead trinitrosorsorcinate).		No exemption, 173.74.				
Nitro mannite.		No exemption, 173.75.				
Nitrosoguanidine.		No exemption, 173.76.				
Pentacrythrite tetranitrate.		No exemption, 173.77.				
Tetrazene (guanyl nitrosamino guanyl tetrazene).		No exemption, 173.78.				
*Ink.	F.L.	173.118, 173.144.	Red.	10 gallons.	1 quart.	10 gallons.
*Insecticide, dry n.o.s.	Pois. B.	173.364, 173.365.	Poison B.	200 pounds.	50 pounds.	200 pounds.
*Insecticide, liquid, n.o.s.	Pois. B.	173.345, 173.346.	do	55 gallons.	1 quart.	55 gallons.
Insecticide, liquefied gas, containing no poison (class A or B) material.	Nonf. G.	173.306, 173.304.	Green.	300 pounds.	150 pounds.	300 pounds.
Insecticide, liquefied gas, containing poison (class A or B) material.	Pois. A.	173.329, 173.334.	Poison Gas.	Not accepted.	Not accepted.	Not accepted.
*Insecticide, liquid (vermin exterminator).	F.L.	173.118, 173.119.	Red.	10 gallons.	1 quart.	10 gallons.
Iodine monochloride.	Cor. L.	No exemption, 173.293.	Corrosive Liquid.	1 quart.	Not accepted.	1 quart.
Iron mass or sponge, spent.	SCM.	No exemption, 173.174.	Red Bottom.	Not accepted.	do	Not accepted.
Iron mass or sponge, not properly oxidized.	SCM.	No exemption, 173.174.	do	do	do	Do.
% Irritating agents, n.o.s.	Irr.	No exemption, 173.382.	Irritant.	75 pounds.	do	75 pounds.
Isobutane. See Liquefied petroleum gas.						
Isobutylene. See Liquefied petroleum gas.						
Isocetane.	F.L.	173.118, 173.119.	Red.	10 gallons.	1 quart.	10 gallons.
Isocetene.	F.L.	173.118, 173.119.	do	do	do	Do.
Isopentane.	F.L.	173.118, 173.119.	do	do	do	Do.
Isoprene.	F.L.	173.118, 173.119.	do	do	do	Do.
*Isopropanol.	F.L.	173.118, 173.119.	do	do	do	Do.
Isopropyl acetate.	F.L.	173.118, 173.119.	do	do	do	Do.
Isopropyl mercaptan.	Cor. L.	No exemption, 173.141.	do	do	Not accepted.	Do.
Isopropyl percarbonate, stabilized.	Cor. L.	No exemption, 173.282.	Corrosive Liquid.	Not accepted.	do	Not accepted.
Isopropyl percarbonate, unstabilized.	F.S.	No exemption, 173.218.	Red Striped.	do	do	Do.
Jet thrust igniters. See Igniters, jet thrust.						
Jet thrust unit (jato), class A explosives.	Expl. A.	No exemption, 173.79.	Orange A.	do	do	Do.
Jet thrust unit (jato), class B explosives.	Expl. B.	No exemption, 173.92.	Orange B.	550 pounds.	do	550 pounds.
*Lacquer. See *Paint, enamel, lacquer, stain, shellac, varnish, etc.						
*Lacquer base, liquid. See *Paint, enamel, lacquer, stain, shellac, varnish, etc.						

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a) Rail express	(b) Passenger carrying aircraft	(c) Cargo only aircraft
*Lacquer base or lacquer chips, dry	F.S.	173.153, 173.175	Red Striped	100 pounds	25 pounds	100 pounds
*Lacquer base or lacquer chips, plastic (<i>wet with alcohol or solvent</i>)	F.L.	173.118, 173.127	Red	25 pounds	1 quart	25 pounds
*Lacquer removing, reducing and thinning compounds. See *Compounds, lacquer, paint, or varnish removing, reducing, or thinning liquids.						
%Lauroyl peroxide	Oxy. M.	173.153(b), 173.157, 173.158	Peroxide	do	1 pound	Do.
Lead arsenate, solid	Pois. B.	173.364, 173.367	Poison B	200 pounds	50 pounds	200 pounds
Lead arsenite, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Lead azide. See Initiating explosive.						
%Lead cyanide	Pois. B.	173.370	do	No limit	25 pounds	No limit
Lead mononitrososuccinate. See Initiating explosive.						
Lead nitrate	Oxy. M.	173.153, 173.182	Yellow	100 pounds	do	100 pounds
Lead stannate (lead trinitrosuccinate). See Initiating explosive.						
*Leather bleach	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons
*Leather dressing	F.L.	173.118, 173.119	do	do	do	Do.
Lewisite	Pois. A	No exemption, 173.328	Poison A	Not accepted	Not accepted	Not accepted
Lighter fluid	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons
Liquefied hydrocarbon gas	F.G.	173.306, 173.304, 173.314	Red Gas	300 pounds	Not accepted	300 pounds
% Liquefied nonflammable gases charged with nitrogen, carbon dioxide or air.	Nonf. G.	173.306, 173.304	Green	do	30 pounds	Do.
φLiquefied petroleum gas	F.G.	173.306, 173.304, 173.314, 173.315	Red Gas	do	Not accepted	Do.
Liquids other than those classified as flammable, corrosive, or poisonous charged with nitrogen, carbon dioxide or air. See Compressed gases, n.o.s.						
Lithium aluminum hydride	WRM.	No exemption, 173.206	Blue	25 pounds	do	25 pounds
Lithium aluminum hydride, ethereal	F.L.	No exemption, 173.137	Red	1 quart	do	1 quart
Lithium amide, powdered	WRM.	173.153, 173.168	Blue	100 pounds	25 pounds	100 pounds
Lithium ferro silicon	WRM.	No exemption, 173.206	do	25 pounds	Not accepted	25 pounds
Lithium hydride	WRM.	do	do	do	do	Do.
Lithium hydride in solid forms	WRM.	do	do	100 pounds	do	100 pounds
Lithium hypochlorite compounds, dry (containing more than 59 percent available chlorine).	Oxy. M.	173.153, 173.217	Yellow	do	50 pounds	Do.
Lithium metal	WRM.	No exemption, 173.206	Blue	25 pounds	Not accepted	25 pounds
Lithium metal, in cartridges	WRM.	See 173.206	do	do	1 pound	Do.
Lithium peroxide	Oxy. M.	173.153(a), 173.154	Yellow	100 pounds	25 pounds	100 pounds
Lithium silicon	WRM.	No exemption, 173.206	Blue	25 pounds	Not accepted	25 pounds
London purple, solid	Pois. B.	173.364, 173.365	Poison B	200 pounds	50 pounds	200 pounds
Low explosives	Expl. A	No exemption, 173.60	Orange A	Not accepted	Not accepted	Not accepted
Low blasting explosives. See Low explosives.						
Magnesium arsenate, solid	Pois. B.	173.364, 173.367	Poison B	200 pounds	50 pounds	200 pounds
Magnesium dross, wet or hot	SCM	Forbidden, 173.173				
*Magnesium, metallic (powdered, pellets, turnings or ribbon).	WRM.	173.153, 173.220	Blue	100 pounds	25 pounds	100 pounds
Magnesium nitrate	Oxy. M.	173.153, 173.182	Yellow	do	do	Do.
Magnesium perchlorate	Oxy. M.	173.153, 173.154	do	do	do	Do.
Magnesium peroxide, solid	Oxy. M.	173.153, 173.154	do	do	do	Do.
Magnesium scrap (borings, clippings, shavings, sheets, turnings or scalplings).	WRM.	173.153, 173.220	Blue	do	Not accepted	Not accepted
% Magnetized materials		See: § 173.6(d)				
Matches, block. See Matches, strike anywhere.						
Matches, Book, card, or strike-on-box	F.S.	173.176(g)	Red Striped	No limit	50 pounds	50 pounds
Matches, strike anywhere	F.S.	No exemption 173.176	do	60 pounds	Not accepted	Not accepted
*Medicines, n.o.s. See *Drugs, chemicals, medicines, or cosmetics, n.o.s.						
Mentetrahydro phthalic anhydride	Cor. L.	No exemption, 173.298	Corrosive Liquid	1 quart	do	1 quart
*Mercaptan mixtures, aliphatic	F.L.	No exemption, 173.141	Red	10 gallons	do	10 gallons
*Mercurial liquid, n.o.s.	Pois. B.	173.345, 173.346	Poison B	55 gallons	1 quart	55 gallons
Mercuric acetate	Pois. B.	173.364, 173.365	do	200 pounds	50 pounds	200 pounds
Mercuric ammonium chloride, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercuric benzoate, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercuric bromide, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercuric chloride	Pois. B.	173.364, 173.372	do	do	do	Do.
Mercuric cyanide, solid	Pois. B.	173.370	do	do	do	Do.
Mercuric iodide, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercuric iodide, solution	Pois. B.	173.345, 173.346	do	55 gallons	1 quart	55 gallons
Mercuric oleate, solid	Pois. B.	173.364, 173.365	do	200 pounds	50 pounds	200 pounds
Mercuric oxide, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercuric oxycyanide, solid	Pois. B.	173.364, 173.365	do	do	25 pounds	Do.
Mercuric-potassium cyanide, solid	Pois. B.	173.364, 173.365, 173.370	do	do	do	Do.
Mercuric-potassium iodide, solid	Pois. B.	173.364, 173.365	do	do	50 pounds	Do.
Mercuric salicylate, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercuric subsulfate, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercuric sulfate, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercuric sulfo cyanate, solid (mercuric thiocyanate)	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercuriol (mercury nucleate), solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercurous acetate, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercurous bromide, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercurous gluconate, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercurous iodide, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercurous nitrate, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercurous oxide, black, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercurous sulfate, solid	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercury compounds, n.o.s. (solid)	Pois. B.	173.364, 173.365	do	do	do	Do.
Mercury fulminate. See Initiating explosive.						
Methanol. See Methyl alcohol.						
Methane	F.G.	173.306, 173.304	Red Gas	200 pounds	Not accepted	300 pounds
Methyl acetate	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons
Methyl acetone	F.L.	173.118, 173.119	do	do	do	Do.
Methylacetylene—15 percent to 20 percent propadiene, mixture	F.G.	173.306, 173.304, 173.314	Red Gas	300 pounds	Not accepted	300 pounds
Methyl alcohol (methanol)	F.L.	173.118, 173.125	Red	10 gallons	1 quart	10 gallons
Methyl bromide and chloropierin mixture, liquid	Pois. B.	No exemption, 173.353	Poison B	55 gallons	Not accepted	55 gallons
Methyl bromide and ethylene dibromide mixture, liquid	Pois. B.	do	do	do	do	Do.
Methyl bromide and nonflammable, nonliquefied com- pressed gas mixtures, liquid	Pois. B.	do	do	300 pounds	do	300 pounds
Methyl bromide, liquid (bromomethane)	Pois. B.	do	do	55 gallons	do	55 gallons

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Methyl chloride	F.G.	173.306, 173.304, 173.314, 173.315.	Red Gas	300 pounds	do.	300 pounds.
Methyl chloride-methylene chloride mixture	F.G.	173.306, 173.304, 173.314	do	do	do	Do.
Methyl chloroformate	Cor. L.	No exemption, 173.288	Corrosive Liquid	5 pints	do	5 pints.
Methylchloromethyl ether, anhydrous	F.L.	No exemption, 173.143	Red	Not accepted	do	Not accepted.
Methyldichloroarsine	Pois. A	No exemption, 173.328	Poison A	do	do	Do.
Methyl dichlorosilane	F.L.	No exemption, 173.136	Red	10 gallons	do	10 gallons.
Methyl ethyl ketone	F.L.	173.118, 173.119	do	do	1 quart	Do.
Methyl formate	F.L.	173.118, 173.119	do	do	do	Do.
Methyl hydrate. See Alcohol, n.o.s.						
Methylhydrazine	F.L.	No exemption, 173.145	do	5 pints	Not accepted	5 pints.
Methyl iso-propenyl ketone, inhibited	F.L.	173.118, 173.119	do	10 gallons	1 quart	10 gallons.
Methyl magnesium bromide in ethyl ether in concentrations not over 40 percent	F.L.	No exemption, 173.149	do	6 quarts	Not accepted	2 ounces.
Methyl mercaptan	F.G.	173.306, 173.304, 173.314, 173.315.	Red Gas	300 pounds	do	300 pounds.
Methyl methacrylate monomer	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Methyl parathion, liquid	Pois. B	No exemption, 173.358	Poison B	1 quart	Not accepted	Not accepted.
%Methyl parathion mixture, dry (containing more than 2 percent methyl parathion)	Pois. B	173.377	do	200 pounds	do	200 pounds.
%Methyl parathion mixture, dry (containing not more than 2 percent methyl parathion)	Pois. B	173.377(f)	do	do	50 pounds	Do.
%Methyl parathion mixture, liquid (containing more than 25 percent methyl parathion)	Pois. B	173.359	do	1 quart	Not accepted	1 quart.
%Methyl parathion mixture, liquid (containing not more than 25 percent methyl parathion)	Pois. B	173.359(c)	do	do	1/2 pint	Do.
Methyl pentane	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
%Methyltrichlorosilane	F.L.	No exemption, 173.135	do	do	Not accepted	Do.
Methyl vinyl ketone, inhibited	F.L.	173.147	do	do	4 ounces	Do.
Mild detonating fuse, metal clad. See Fuse.						
Mine rescue equipment	Nonf. G	173.306(a)(2), 176.703(d)	Green	300 pounds	150 pounds	300 pounds.
Mines, empty		See 173.55				
Mines, explosive, with gas material. See Explosive mine.						
Mixed acid. See Nitrating (mixed) acid.						
Mixtures of hydrofluoric and sulfuric acid. See Hydrofluoric and sulfuric acids, mixtures.						
Monobromotrifluoromethane	Nonf. G	173.306, 173.304, 173.314	Green	300 pounds	150 pounds	300 pounds.
Monochloroacetic acid, solution	Cor. L.	173.244, 173.294	Corrosive Liquid	1 quart	1 quart	1 quart.
Monochloroacetone, stabilized	Irr.	No exemption, 173.384	Irritant	5 gallons	Not accepted	5 gallons.
Monochloroacetone, unstabilized	Irr.	Not accepted	do	Not accepted	do	Not accepted.
Monochlorodifluoromethane	Nonf. G	173.306, 173.304, 173.314, 173.315.	Green	300 pounds	150 pounds	300 pounds.
Monochloroethylene. See Vinyl chloride.						
Monochloropentafluoroethane	Nonf. G	173.306, 173.304	do	do	do	Do.
Monochlorotetrafluoroethane	Nonf. G	173.306, 173.304, 173.314	do	do	do	Do.
Monochlorotrifluoroethane	Nonf. G	173.306, 173.304	do	do	do	Do.
Monomethylamine	F.L.	173.118, 173.148	Red	10 gallons	1 quart	10 gallons.
Monofluorophosphoric acid, anhydrous	Cor. L.	No exemption, 173.275	Corrosive Liquid	1 gallon	Not accepted	1 gallon.
Monomethylamine, anhydrous	F.G.	173.306, 173.304, 173.314, 173.315.	Red Gas	300 pounds	do	300 pounds.
Monomethylamine, aqueous solution	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
*Mortar stain, liquid	F.L.	173.118, 173.128	do	55 gallons	do	55 gallons.
Motion picture film. See Film.						
Motorcycles		173.120				
Motor fuel antiknock compound	Pois. B	No exemption, 173.354	Poison B	55 gallons	Not accepted	Do.
*Motor fuel, n.o.s.	F.L.	173.118, 173.119, 173.120	Red	10 gallons	1 quart	10 gallons.
Motors, internal combustion.						
Muriatic acid. See Hydrochloric acid.						
Mustard gas (dichlorodithiyl sulfide)	Pois. A	No exemption, 173.328	Poison A	Not accepted	Not accepted	Not accepted.
*Naphtha	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
*Naphtha, distillate	F.L.	173.118, 173.119	do	do	do	Do.
*Naphtha, petroleum. See *Petroleum naphtha.						
*Naphtha, solvent	F.L.	173.118, 173.119	do	do	do	Do.
Natural gasoline. See Gasoline.						
Neohexane	F.L.	173.118, 173.119	do	do	do	Do.
%Neon	Nonf. G	173.306, 173.302	Green	300 pounds	150 pounds	300 pounds.
New explosives or explosive devices		See 173.51(q), 173.56				
Nickel carbonyl	F.L.	No exemption, 173.126	Red	Not accepted	Not accepted	Not accepted.
%Nickel catalyst, finely divided, activated or spent	SCM	No exemption, 173.233	Red Bottom	100 pounds	do	100 pounds.
Nickel cyanide, solid	Pois. B	173.370	Poison B	200 pounds	25 pounds	200 pounds.
Nicotine hydrochloride	Pois. B	173.345, 173.346	do	55 gallons	1 quart	55 gallons.
Nicotine, liquid	Pois. B	173.345, 173.346	do	do	do	Do.
Nicotine salicylate	Pois. B	173.364, 173.365	do	200 pounds	50 pounds	200 pounds.
Nicotine sulfate, liquid	Pois. B	173.365, 173.366	do	55 gallons	1 quart	55 gallons.
Nicotine sulfate, solid	Pois. B	173.364, 173.365	do	200 pounds	50 pounds	200 pounds.
Nicotine tartrate	Pois. B	173.364, 173.365	do	do	do	Do.
Nitrate of ammonia explosive. See High explosives.						
Nitrates, n.o.s.	Oxy. M	173.153, 173.182	Yellow	100 pounds	25 pounds	100 pounds.
Nitrating (mixed) acid	Cor. L.	No exemption, 173.267	Corrosive Liquid	2 1/2 pints	Not accepted	1 quart.
Nitrating (mixed) acid, spent	Cor. L.	No exemption, 173.248	do	1 quart	do	Do.
Nitric acid	Cor. L.	No exemption, 173.268	do	5 pints	do	5 pints.
Nitric ether. See Ethyl nitrate.						
Nitric oxide	Pois. A	No exemption, 173.337	Poison Gas	Not accepted	do	Not accepted.
% Nitrobenzol, liquid (oil of mirbane, nitrobenzene)	Pois. B	173.345, 173.346	Poison B	55 gallons	1 quart	55 gallons.
Nitro carbo nitrate	Oxy. M	173.153, 173.182	Yellow	100 pounds	25 pounds	100 pounds.
% Nitrocellulose, colloided, granular or flake, wet with not less than 20 percent alcohol or solvent, or block—wet with not less than 25 percent alcohol.	F.L.	173.118, 173.127	Red	25 pounds	1 quart	25 pounds.
Nitrocellulose, colloided, granular or flake, wet with not less than 20 percent water.	F.S.	173.153, 173.184	Red Striped	100 pounds	25 pounds	100 pounds.
Nitrocellulose, dry. See High explosives.						
Nitrocellulose, wet with not less than 20 percent water	F.S.	173.153, 173.184	do	do	do	Do.
Nitrocellulose, wet with not less than 30 percent alcohol or solvent.	F.L.	173.118, 173.127	Red	25 pounds	1 quart	25 pounds.
Nitrocellulose flakes, wet with not less than 20 percent alcohol or solvent.	F.L.	173.118, 173.127	do	do	do	Do.
Nitrochlorobenzene, ortho, liquid	Pois. B	173.345, 173.346	Poison B	55 gallons	do	55 gallons.
Nitrochlorobenzene, meta or para solid	Pois. B	173.304, 173.374	do	200 pounds	50 pounds	200 pounds.
Nitrogen	Nonf. G	173.306, 173.302, 173.314	Green	300 pounds	150 pounds	300 pounds.

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a) Rail express	(b) Passenger carrying aircraft	(c) Cargo only aircraft
Nitrogen dioxide, liquid	Pois. A and Oxy. M.	No exemption, 173.336	Poison A and Yellow.	Not accepted	Not accepted	Not accepted.
% Nitrogen fertilizer solution	Nonf. G.	173.306, 173.304, 173.314	Green	300 pounds	150 pounds	300 pounds.
% Nitrogen, liquefied	Nonf. G.	No exemption, 173.304	do	do	Not accepted	Do.
Nitrogen peroxide, liquid	Pois. A and Oxy. M.	No exemption, 173.336	Poison A and Yellow.	Not accepted	do	Not accepted.
Nitrogen tetroxide, liquid	Pois. A and Oxy. M.	do	do	do	do	Do.
Nitrogen tetroxide-nitric oxide mixtures containing up to 33.2 percent weight nitric oxide	Pois. A and Oxy. M.	No exemption, 173.338	do	do	do	Do.
% Nitroglycerin, liquid, undensitized	Expl. A	173.51(d)	do	do	do	Do.
Nitroglycerin liquid, desensitized. See High explosive, liquid.						
Nitroglycerin, spirits of. See Spirits of nitroglycerin.						
Nitrohydrochloric acid	Cor. L	No exemption, 173.278	Corrosive Liquid	5 pints	do	5 pints.
Nitrohydrochloric acid, diluted	Cor. L	do	do	do	do	Do.
Nitro mannite. See Initiating explosive.						
Nitroguanidine, dry. See High explosives.						
Nitroguanidine, wet with not less than 20 percent water	F.S.	173.153, 173.184	Red Striped	100 pounds	25 pounds	100 pounds.
Nitroguanidine. See Initiating explosive.						
Nitrostarch, dry. See High explosives.						
Nitrostarch, wet with not less than 30 percent alcohol or solvent	F.L.	173.118, 173.127	Red	25 pounds	1 quart	25 pounds.
Nitrostarch, wet with not less than 20 percent water	F.S.	173.153, 173.184	Red Striped	100 pounds	25 pounds	100 pounds.
Nitrosyl chloride	Nonf. G.	173.306, 173.304, 173.314	Green	300 pounds	No accepted	300 pounds.
Nitrourea. See High explosives.						
*Nitrous oxide	Nonf. G.	173.306, 173.304, 173.315	do	do	150 pounds	Do.
Nitroxylol	Pois. B	173.345, 173.346	Poison B	55 gallons	1 quart	55 gallons.
Nonliquefied gases. See Compressed gases, n.o.s.						
Nonliquefied hydrocarbon gas	F.G.	173.306, 173.302	Red Gas	300 pounds	Not accepted	300 pounds.
Nonyl trichlorosilane	Cor. L	No exemption, 173.280	Corrosive Liquid	10 gallons	do	10 gallons.
Octadecyltrichlorosilane	Cor. L	do	do	do	do	Do.
Octyl trichlorosilane	Cor. L	do	do	do	do	Do.
*Oil, described as oil, oil, n.o.s., petroleum oil, or petroleum oil, n.o.s.	F.L.	173.118, 173.119	Red	do	1 quart	Do.
Oil of mirbane. See Nitrobenzol, liquid.						
Oil of vitriol. See Sulfuric acid.						
Oil well cartridges	Expl. C	No exemption, 173.112	Orange C	150 pounds	50 pounds	150 pounds.
Oleum (sulfuric acid, fuming)	Cor. L	173.244, 173.272	Corrosive Liquid	10 pints	Not accepted	5 pints.
% Organic phosphate compound, liquid, n.o.s.	Pois. B	No exemption, 173.358	Poison B	1 quart	do	1 quart.
% Organic phosphate compound mixture, dry, n.o.s. (containing more than 2 percent organic phosphate).	Pois. B	173.377	do	200 pounds	do	200 pounds.
% Organic phosphate compound mixture, dry, n.o.s. (containing not more than 2 percent organic phosphate).	Pois. B	173.377(f)	do	do	50 pounds	Do.
% Organic phosphate compound mixture, liquid, n.o.s. (containing more than 25 percent organic phosphate).	Pois. B	173.359	do	1 quart	Not accepted	1 quart.
% Organic phosphate compound mixture liquid, n.o.s. (containing not more than 25 percent organic phosphate).	Pois. B	173.359(c)	do	do	1/2 pint	Do.
*Organic phosphates, n.o.s. mixed with compressed gas.	Pois. A	No exemption, 173.334	Poison Gas	Not accepted	Not accepted	Not accepted.
Ortho-nitroaniline	Pois. B	173.364, 173.373	Poison B	200 pounds	50 pounds	200 pounds.
Oxide, spent	SCM	No exemption, 173.174	Red Bottom	Not accepted	Not accepted	Not accepted.
Oxidizing material, n.o.s.	Oxy. M	173.153, 173.154	Yellow	25 pounds	25 pounds	25 pounds.
Oxidizing materials with other articles—fumigants						
Oxygen	Nonf. G.	173.306, 173.302, 173.314	Green	300 pounds	150 pounds	300 pounds.
% Oxygen, liquefied	Nonf. G.	No exemption, 173.304	do	do	Not accepted	Not accepted.
*Paint driers, liquid	F.L.	173.118, 173.128	Red	55 gallons	1 quart	55 gallons.
*Paint, enamel, lacquer, stain, shellac, varnish, aluminum, bronze, gold, wood, filler, liquid, and lacquer base liquid	F.L.	173.118, 173.128	do	do	do	Do.
*Paint, reducing or thinning compounds. See *Compounds, lacquer paint or varnish, reducing or thinning liquid, etc.						
Paper caps. See Toy caps.						
Paper stock, wet	SCM	No exemption, 173.185	Red Bottom	Not accepted	Not accepted	Not accepted.
Paper waste, wet. See Waste paper, wet.						
Para chlorobenzoyl peroxide. See Chlorobenzoyl peroxide (para).						
% Paramethane hydroperoxide	Oxy. M.	173.153(b), 173.224	Peroxide	1 quart	1 pint	1 quart.
Paranitraniline (paranitroaniline) solid	Pois. B	173.364, 173.373	Poison B	200 pounds	50 pounds	200 pounds.
Parathion and compressed gas mixture	Pois. A	No exemption, 173.334	Poison Gas	Not accepted	Not accepted	Not accepted.
Parathion, liquid	Pois. B	No exemption, 173.358	Poison B	1 quart	do	1 quart.
Parathion mixture, dry, containing more than 2 percent parathion	Pois. B	173.377	do	200 pounds	do	200 pounds.
% Parathion mixture, dry containing not more than 2 percent parathion	Pois. B	173.377(f)	do	do	50 pounds	Do.
% Parathion mixture, liquid, containing more than 25 percent parathion	Pois. B	173.359	do	1 quart	Not accepted	1 quart.
% Parathion mixture, liquid, containing not more than 25 percent parathion	Pois. B	173.359(c)	do	do	1/2 pint	Do.
Paris green, solid	Pois. B	173.364, 173.367	do	200 pounds	50 pounds	200 pounds.
Pentaborane	SCM	No exemption, 173.138	Red Bottom	Not accepted	Not accepted	Not accepted.
Pentane	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Pentaerythritol tetranitrate. See Initiating explosive.						
Pentolite, dry. See High explosive.						
% Peracetic acid	Oxy. M.	173.223	Peroxide	5 pints	1 pint	5 pints.
Perchlorates, n.o.s.	Oxy. M.	173.153, 173.154	Yellow	100 pounds	25 pounds	100 pounds.
Perchloric acid, in excess of 72 percent	Oxy. M.	Forbidden				
Perchloric acid, not in excess of 72 percent	Cor. L	173.244, 173.269	Corrosive Liquid	5 pints	Not accepted	5 pints.
Perchloro-methyl-mercaptan	Pois. B	173.345, 173.360	Poison B	10 pounds	do	10 pounds.
Percussion caps	Expl. C	No exemption, 173.107	Orange C	150 pounds	50 pounds	150 pounds.
Percussion fuzes	Expl. C	No exemption, 173.105	do	do	do	Do.
Permanganate of potash. See Potassium permanganate.						
Permanganates, n.o.s.	Oxy. M	173.153, 173.154	Yellow	100 pounds	25 pounds	100 pounds.
% Peroxide, organic, liquid or solution, n.o.s.	Oxy. M.	No exemption, 173.119(m), 173.221	Peroxide	1 quart	Not accepted	1 quart.
% Peroxide, organic, solid, n.o.s. (including mixtures)	Oxy. M	173.153, 173.154, 173.158	do	25 pounds	1 pound	25 pounds.
Petroleum, crude. See Crude oil.						
*Petroleum distillate	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Petroleum ether	F.L.	173.118, 173.119	do	do	do	Do.
Petroleum gas, liquefied. See Liquefied petroleum gas.						
*Petroleum naphtha	F.L.	173.118, 173.119	do	do	do	Do.

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a)	(b)	(c)
				Rail express	Passenger carrying aircraft	Cargo only aircraft
<i>Phenol. See Carbolic acid.</i>						
Phenylcarbamylamine chloride	Polis. A	No exemption, 173.328	Poison A	Not accepted	Not accepted	Not accepted.
Phenyldichloroarsine, liquid	Polis. B	No exemption, 173.355	Poison B	30 gallons	do	30 gallons.
Phenyl trichlorosilane	Cor. L	No exemption, 173.280	Corrosive Liquid	10 gallons	do	10 gallons.
Phosgene (<i>diphosgene</i>)	Polis. A	No exemption, 173.333	Poison gas	Not accepted	do	Not accepted.
Phosphoric anhydride (<i>phosphorus pentoxide</i>)	WRM	No exemption, 173.188	Blue	100 pounds	do	100 pounds.
Phosphorus, amorphous, red	F.S.	No exemption, 173.189	Red Striped	11 pounds	do	11 pounds.
Phosphorus oxybromide	Cor. L	No exemption, 173.271	Corrosive Liquid	1 quart	do	1 quart.
Phosphorus oxychloride	Cor. L	do	do	do	do	Do.
Phosphorus pentachloride	WRM	No exemption, 173.191	Blue	5 pounds	do	5 pounds.
Phosphorus sesquisulfide	F.S.	No exemption, 173.225	Red Striped	11 pounds	do	11 pounds.
Phosphorus tribromide	Cor. L	No exemption, 173.270	Corrosive Liquid	1 quart	do	1 quart.
% Phosphorus trichloride	Cor. L	No exemption, 173.271	do	do	do	Do.
Phosphorus, white or yellow, dry	SCM	No exemption, 173.190	Red Bottom	Not accepted	do	Not accepted.
Phosphorus, white or yellow, in water	SCM	No exemption, 173.190, 173.232.	do	25 pounds	do	25 pounds.
<i>Photographic film. See Film.</i>						
<i>Photographic flash powder. See Fireworks, special or Low explosives.</i>						
<i>Pierates, dry. See High explosives.</i>						
<i>Pierate of ammonia. See High explosives.</i>						
<i>Pieric acid, dry. See High explosives.</i>						
<i>Pieric acid, wet, not exceeding 16 ounces.</i>		See 173.192				
<i>Pieric acid, wet, with not less than 10 percent water, over 25 pounds. See High explosives.</i>						
<i>Pieric acid, wet, with not less than 10 percent water, in excess of 16 ounces but not exceeding 25 pounds.</i>	F.S.	No exemption, 173.193	Red Striped	25 pounds	1 pound	Do.
<i>Pineheils. See Fireworks, common.</i>						
*Plastic solvent, n.o.s.	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Poison gas, n.o.s.	Polis. A	No exemption, 173.328	Poison Gas	Not accepted	Not accepted	Not accepted.
Poison gas, flammable, n.o.s.	Polis. A and F.G.	do	Poison Gas and Red Gas.	do	do	Do.
Poisonous liquids, n.o.s.	Polis. A	do	Poison A	do	do	Do.
Poisonous liquids, n.o.s.	Polis. B	173.345, 173.346	Poison B	55 gallons	1 quart	55 gallons.
Poisonous solids, n.o.s.	Polis. B	173.364, 173.365	do	200 pounds	50 pounds	200 pounds.
<i>Poison, class C. See Irritating agents, n.o.s.</i>						
*Polishes, metal stove, furniture and wood, liquid	F.L.	173.118, 173.120	Red	55 gallons	1 quart	55 gallons.
*Polymerizable materials.		See 173.21(b)				
Potassium arsenate, solid	Polis. B	173.364, 173.365	Poison B	200 pounds	50 pounds	200 pounds.
Potassium arsenite, solid	Polis. B	173.364, 173.365	do	do	do	Do.
Potassium bromate	Oxy. M	173.153, 173.154	Yellow	100 pounds	25 pounds	100 pounds.
Potassium chlorate (<i>potash chlorate</i>)	Oxy. M	173.153, 173.153	do	do	do	Do.
Potassium cyanide, solid	Polis. B	173.370	Poison B	200 pounds	do	200 pounds.
Potassium cyanide, solutions	Polis. B	173.345, 173.352	do	55 gallons	1 quart	55 gallons.
Potassium dichloroisocyanurate, dry (containing more than 59 percent available chlorine).	Oxy. M	173.153, 173.217	Yellow	100 pounds	50 pounds	100 pounds.
Potassium hydroxide solution	Cor. L	173.244, 173.249	Corrosive liquid	10 gallons	1 quart	5 gallons.
Potassium, metallic	WRM	No exemption, 173.206	Blue	25 pounds	Not accepted	25 pounds.
Potassium, metallic liquid alloy	WRM	No exemption, 173.202	do	1 pound	do	1 pound.
Potassium nitrate	Oxy. M	173.153, 173.182	Yellow	100 pounds	25 pounds	100 pounds.
Potassium nitrate mixed (fused) with sodium nitrite	Oxy. M	173.153, 173.183	do	do	do	Do.
Potassium nitrite	Oxy. M	173.153, 173.154	do	do	do	Do.
Potassium perchlorate	Oxy. M	173.153, 173.219	do	do	do	Do.
Potassium permanganate	Oxy. M	173.153, 173.154, 173.194	do	do	do	Do.
Potassium peroxide	Oxy. M	No exemption, 173.154	do	do	Not accepted	Do.
Potassium sulfide	F.S.	173.153, 173.207	Red Striped	300 pounds	25 pounds	300 pounds.
<i>Pressurized products. See Compressed gases, n.o.s.</i>						
<i>Primers. See Cannon primers, combination primers, or small-arm primers.</i>						
<i>Primers, detonating. See Detonating primers.</i>						
<i>Projectiles, explosive. See Explosive projectile.</i>						
<i>Projectiles, gas, nonexplosive. See Chemical ammunition, class A, B or C.</i>						
<i>Projectiles, gas, smoke, or incendiary, with burster or booster with or without detonating fuze. See Explosive projectile.</i>						
<i>Projectiles, illuminating, incendiary or smoke with expelling charge but without bursting charge. See Fireworks, special.</i>						
<i>Projectiles, sand-loaded, empty, or solid.</i>		See 173.55				
% Propane. <i>See Liquefied petroleum gas.</i>						
Propellant explosives, class A	Expl. A	No exemption, 173.64(d)	Orange A	See 173.86	Not accepted	Not accepted.
Propellant explosives (liquid), class B	Expl. B	No exemption, 173.93	Orange B	10 pounds	do	10 pounds.
Propellant explosives (solid), class B	Expl. B	do	do	do	do	Do.
<i>Propellant explosives (solid), class B, and small-arm primers. See Propellant explosives, class B.</i>						
Propellant explosives in water (<i>smokeless powder</i>)	Expl. B	do	do	Not accepted	do	Not accepted.
Propellant explosives in water, unstable, condemned or deteriorated (<i>smokeless powder</i>).	Expl. B	do	do	do	do	Do.
*Propyl alcohol. <i>See Alcohol, n.o.s.</i>						
Propylene imine, inhibited	F.L.	No exemption, 173.139	Red	5 pints	do	5 pints.
Propylene oxide	F.L.	173.118, 173.119	do	10 gallons	1 quart	10 gallons.
% Propyl mercaptan	F.L.	No exemption, 173.141	do	do	Not accepted	Do.
% Propyl trichlorosilane	Cor. L	No exemption, 173.280	Corrosive Liquid	do	do	Do.
Propylene. <i>See Liquefied petroleum gas.</i>						
<i>Prussic acid. See Hydrocyanic acid.</i>						
*Pyridine	F.L.	173.118, 173.119	Red	do	1 quart	Do.
<i>Pyrophoric materials, n.o.s. See Spontaneously combustible liquids or solids.</i>						
Pyro sulfuric chloride	Cor. L	173.244, 173.247	Corrosive Liquid	1 quart	do	1 quart.
Pyroxylin plastic scrap	F.S.	No exemption, 173.195, 173.196.	Red Striped	See 173.196	Not accepted	Not accepted.
Pyroxylin plastics, rods, sheets, rolls, tubes	F.S.	173.197	do	350 pounds	50 pounds	350 pounds.
*Pyroxylin solution	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
*Pyroxylin solvent, n.o.s.	F.L.	173.118, 173.119	do	do	do	Do.
% Radioactive devices	RAM	173.391(b)	None	do	do	Do.
% Radioactive materials, low specific activity (LSA)	RAM	173.392	Radioactive	do	do	Do.
% Radioactive materials, normal form	RAM	173.393, 173.395	do	do	do	Do.
% Radioactive materials, small quantities	RAM	173.391(a)	None	do	do	Do.
% Radioactive materials, special form	RAM	173.393, 173.394	Radioactive	do	do	Do.

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a)	(b)	(c)
				Rail express	Passenger carrying aircraft	Cargo only aircraft
Rags, oily.....	SCM	No exemption, 173.199	Red Bottom	Not accepted	Not accepted	Not accepted
Rags, wet.....	SCM	No exemption, 173.200	do	do	do	Do.
Railway fuses. See Fuses.						
Railway torpedoes. See Torpedoes, railway.						
*Reducing compounds, paint, varnish, lacquer, etc. See						
*Compounds, lacquer, paint, or varnish, etc., removing, reducing or thinning, liquid.						
Refrigerant gas.....		See 173.314(c) Table Note 13; 173.315(a) Table Note 9.				
%Refrigerating machines.....	Nonf. G.	173.306(e)	Green	No limit	50 pounds	No limit
Refrigerating machines.....	F.G.	173.306(e)	Red Gas			
Refrigerating machines.....	F.L.	173.130, 173.306(e)	Red	No limit	15 pounds	Do.
*Removing compounds, paint, varnish, lacquer, etc. See						
*Compounds, lacquer, paint, or varnish, etc., removing, reducing or thinning, liquid.						
*Resin solution (resin compound, liquid)	F.L.	173.118, 173.119	do	55 gallons	1 quart	55 gallons
Rifle grenades. See Grenades.						
Rifle powder. See Propellant explosives, class A, Propellant explosives, class B, or Black powder.						
Rocket fireworks. See Fireworks, common.						
Rocket ammunition with empty projectiles.....	Expl. B	No exemption, 173.90	Orange B	Not accepted	Not accepted	Not accepted
Rocket ammunition with explosive projectiles.....	Expl. A	No exemption, 173.57	Orange A	do	do	Do.
Rocket ammunition with illuminating projectiles.....	Expl. A	do	do	do	do	Do.
Rocket ammunition with gas projectiles.....	Expl. A	do	do	do	do	Do.
Rocket ammunition with incendiary projectiles.....	Expl. A	do	do	do	do	Do.
Rocket ammunition with inert loaded projectiles.....	Expl. B	No exemption, 173.90	Orange B	do	do	Do.
Rocket ammunition with smoke projectiles.....	Expl. A	No exemption, 173.57	Orange A	do	do	Do.
Rocket ammunition with solid projectiles.....	Expl. B	No exemption, 173.90	Orange B	do	do	Do.
Rocket bodies, with electric primers or electric squibs		See 173.55				
Rocket engines (liquid), class B explosives	Expl. B	No exemption, 173.95	Orange B	Not accepted	Not accepted	Do.
Rocket heads. See Explosive projectiles.						
Rocket motors, class A explosives	Expl. A	No exemption, 173.79	Orange A	do	do	Do.
Rocket motors, class B explosives	Expl. B	No exemption, 173.92	Orange B	550 pounds	do	550 pounds
Roman candles. See Fireworks, common.						
*Rough ammoniate tankages	SCM	No exemption, 173.210	Red Bottom	Not accepted	do	Not accepted
Rubber scrap or rubber buffings	SCM	173.153, 173.201	do	10 pounds	10 pounds	10 pounds
*Rubber shoddy, regenerated rubber, or reclaimed rubber.	SCM	173.153, 173.201	do	do	do	Do.
*Rum, denatured	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons
Safety fuse. See Fuse, safety.						
Safety squibs	Expl. C	No exemption, 173.106	Orange C	150 pounds	50 pounds	150 pounds
Salutes. See Fireworks, common or special.						
Samples of explosives		See 173.86				
Self-lighting cigarettes	F.S.	173.21(d)	Red Striped	Not accepted	Not accepted	Not accepted
Self-propelled vehicles		See 173.120, 173.257, 173.306				
Shaped charges, commercial. See High explosives.		See 173.65(h)				
*Shellac. See Paint, enamel, lacquer, stain, shellac, varnish, etc.						
Shells, fireworks. See Fireworks, common or special.						
Ship, distress signals. See Fireworks, special.						
Signal flares	Expl. C	No exemption, 173.108	Orange C	200 pounds	50 pounds	200 pounds
Silicon chloride (tetrachloride)	Cor. L	173.244, 173.247	Corrosive liquid	1 gallon	1 quart	1 gallon
Silicon tetrafluoride	Nonf. G.	173.306, 173.302	Green	300 pounds	Not accepted	300 pounds
Silver cyanide	Pols. B	173.370	Poison B	No limit	25 pounds	No limit
Silver nitrate	Oxy. M	173.153, 173.182	Yellow	100 pounds	do	100 pounds
*Sludge acid. See Acid, sludge.						
%Small-arms ammunition	Expl. C	173.101	Orange C	150 pounds	50 pounds	150 pounds
Small-arms ammunition, irritating (tear gas) cartridges.....	Expl. C	No exemption, 173.101	Irritant	do	Not accepted	Do.
Small-arms primers	Expl. C	No exemption, 173.107	Orange C	do	50 pounds	Do.
Smoke generators. See Chemical ammunition Class B or C.						
Smoke candles	Expl. C	No exemption, 173.108	do	200 pounds	do	200 pounds
Smoke grenades	Expl. C	do	do	do	do	Do.
Smokeless powder for cannon or small arms. See Propellant explosives, class A or B.						
Smokeless powder for small arms (100 pounds or less)	F.S.	173.88(f), 173.197a	Red Striped	8 pounds	Not accepted	Not accepted
Smoke pots	Expl. C	No exemption, 173.108	Orange C	200 pounds	50 pounds	200 pounds
Smoke projectiles with bursting charges. See Explosive projectile.						
Smoke projectiles with expelling charge but without bursting charge. See Fireworks, special.						
Smoke signals	Expl. C	do	do	do	do	Do.
Soda amolol. See High explosives.						
Sodium aluminate solutions	Cor. L	173.244, 173.249	Corrosive Liquid	10 gallons	1 quart	10 gallons
Sodium aluminum hydride	WRM	No exemption, 173.206	Blue	25 pounds	Not accepted	25 pounds
Sodium amide	WRM	do	do	do	do	Do.
%Sodium arsenate, solid	Pols. B	173.364, 173.365, 173.368	Poison B	200 pounds	50 pounds	200 pounds
Sodium arsenite (solution), liquid	Pols. B	173.345, 173.346	do	55 gallons	1 quart	55 gallons
Sodium azide	Pols. B	173.364, 173.375	do	100 pounds	50 pounds	100 pounds
Sodium bromate	Oxy. M	173.153, 173.154	Yellow	do	25 pounds	Do.
Sodium cacodylate, solid (sodium dimethyl arsenate)	Pols. B	173.364, 173.365	Poison B	200 pounds	50 pounds	200 pounds
Sodium chlorate (sodium chlorate)	Oxy. M	173.153, 173.163	Yellow	100 pounds	25 pounds	100 pounds
Sodium chlorite	Oxy. M	No exemption, 173.160	do	do	Not accepted	Do.
Sodium chlorite solution (not exceeding 42 percent sodium chlorite)	Cor. L	173.244, 173.263	Corrosive Liquid	4 gallons	1 quart	4 gallons
Sodium cyanide, solid	Pols. B	173.370	Poison B	200 pounds	25 pounds	200 pounds
Sodium cyanide, solution	Pols. B	173.345, 173.352	do	55 gallons	1 quart	55 gallons
Sodium dichloroisocyanurate, dry (containing more than 39 percent available chlorine).	Oxy. M	173.153, 173.217	Yellow	100 pounds	50 pounds	100 pounds
Sodium hydride	WRM	No exemption, 173.198	Blue	25 pounds	Not accepted	25 pounds
Sodium hydrosulfite (sodium dithionite)	F.S.	173.153, 173.204	Red Striped	100 pounds	25 pounds	100 pounds
Sodium hydroxide solution	Cor. L	173.244, 173.249	Corrosive Liquid	10 gallons	1 quart	5 gallons
Sodium, metallic	WRM	No exemption, 173.206	Blue	25 pounds	Not accepted	25 pounds
Sodium, metallic, dispersion in organic solvent	WRM	No exemption, 173.230	do	10 pounds	do	10 pounds
Sodium, metallic liquid alloy	WRM	No exemption, 173.202	do	1 pound	do	1 pound
Sodium methyllate, dry	WRM	173.153, 173.154	do	100 pounds	25 pounds	100 pounds
*Sodium methyllate, alcohol mixture	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a)	(b)	(c)
				Rail express	Passenger carrying aircraft	Cargo only aircraft
Sodium nitrate	Oxy. M.	173.153, 173.182	Yellow	100 pounds	25 pounds	100 pounds.
Sodium nitrate bags. See Bags, sodium nitrate.						
Sodium nitrite	Oxy. M.	173.153, 173.154, 173.234	do	do	do	Do.
Sodium nitrite mixed (fused) with potassium nitrate	Oxy. M.	173.153, 173.153	do	do	do	Do.
Sodium nitrite mixtures (sodium nitrate, sodium nitrite, and potassium nitrate)	Oxy. M.	173.153, 173.234	do	do	do	Do.
Sodium permanganate	Oxy. M.	173.153, 173.154	do	do	do	Do.
Sodium peroxide	Oxy. M.	No exemption, 173.187	do	do	Not accepted	Do.
Sodium picramate, wet with at least 20 percent of water	F.S.	No exemption, 173.205	Red Striped	25 pounds	do	25 pounds.
Sodium potassium alloys	WRM.	No exemption, 173.206	Blue	do	do	Do.
Sodium sulfide, anhydrous	F.S.	173.153, 173.207	Red Striped	300 pounds	25 pounds	300 pounds.
*Soybeans, n.o.s.	F.L.	173.118, 173.119	Red	15 gallons	1 quart	10 gallons.
*Sparklers. See Fireworks, common.						
Spent iron mass. See Iron mass, spent.						
Spent iron sponge. See Iron sponge, spent.						
Spent mixed acid. See Nitrating acid.						
Spent oxide. See Oxide, spent.						
Spent sulfuric acid. See Sulfuric acid, spent.						
Spirits of nitroglycerin, 1 to 10 percent	F.L.	No exemption, 173.133	do	6 quarts	Not accepted	6 quarts
Spirits of nitroglycerin, not exceeding 1 percent nitroglycerin by weight.	F.L.	173.118, 173.133	do	do	1 quart	Do.
Spontaneously combustible liquids, n.o.s.	SCM.	No exemption, 173.134	Red Bottom	70 pounds	Not accepted	Not accepted.
Spontaneously combustible solids, n.o.s.	SCM.	No exemption, 173.154	do	do	do	Do.
Sporting powder. See Black powder or Propellant explosive, class B explosives.						
Spray starting fluid. See Engine starting fluid.						
Spreader cartridges. See Fireworks, special.						
Squibs, electric or safety. See Electric squibs or Safety squibs.						
*Stain. See *Paint, enamel, lacquer, stain, shellac, varnish, etc.						
Starter cartridges, jet engine, class B explosives.	Expl. B.	No exemption, 173.92	Orange B	200 pounds	do	200 pounds.
Starter cartridges, jet engine, class C explosives.	Expl. C.	No exemption, 173.102	Orange C	150 pounds	50 pounds	150 pounds.
Storage batteries, wet. See Batteries, electric storage, wet.						
Strontium arsenite, solid	Pois. B.	173.364, 173.365	Poison B.	200 pounds	do	200 pounds.
% Strontium chlorate	Oxy. M.	173.153, 173.163	Yellow	100 pounds	25 pounds	100 pounds.
Strontium chlorate, wet	Oxy. M.	173.153, 173.163 (a) (6)	do	200 pounds	do	200 pounds.
Strontium nitrate	Oxy. M.	173.153, 173.182	do	100 pounds	do	100 pounds.
Strontium peroxide	Oxy. M.	173.153 (a), 173.154	do	do	do	Do.
Strychnine and salts thereof, solid	Pois. B.	173.364, 173.365	Poison B.	200 pounds	50 pounds	200 pounds.
Syphonate of lead. See Initiating explosive.						
Succinic acid peroxide	Oxy. M.	173.153 (b), 173.157, 173.158	Peroxide	25 pounds	2 pounds	25 pounds.
Sulfur chloride (mono and di)	Cor. L.	No exemption, 173.247	Corrosive Liquid	1 gallon	Not accepted	1 gallon.
% Sulfur dioxide	Nonf. G.	173.306, 173.304, 173.314, 173.315	Green	300 pounds	do	300 pounds.
Sulfur hexafluoride	Nonf. G.	173.306, 173.304	do	do	150 pounds	Do.
% Sulfur trioxide, stabilized	Cor. L.	173.244, 173.273	Corrosive Liquid	1 gallon	Not accepted	1 gallon.
Sulfuric acid (oil of vitriol)	Cor. L.	173.244, 173.272	do	10 pints	1 quart	Do.
Sulfuric acid, spent	Cor. L.	No exemption, 173.248	do	1 quart	Not accepted	1 quart.
Sulfuryl chloride	Cor. L.	173.244, 173.247	do	do	1 quart	Do.
Sulfuryl fluoride	Nonf. G.	173.306, 173.304, 173.314	Green	300 pounds	150 pounds	300 pounds.
Supplementary charges (explosive)	Expl. A.	No exemption, 173.69	Orange A	Not accepted	Not accepted	Not accepted.
Tankage. See Garbage tankage.						
*Tankage fertilizers	SCM.	No exemption, 173.209	Red Bottom	do	do	Do.
*Tankages, rough ammoniate	SCM.	No exemption, 173.210	do	do	do	Do.
Tank car, containing residual phosphorus and filled with water or inert gas.		See 173.232				
Tank cars, empty (last contents poisons, class A)		See 174.562 (d) and (e)				
Tank cars, gas (must not contain gases that combine chemically).		See 173.301(a)				
Tank truck, empty		See 173.29				
*Tar, liquid	F.L.	173.118, 173.131	Red	10 gallons	1 quart	10 gallons.
Tear gas ammunition. See Chemical ammunition.						
Tear gas candles	Irr.	No exemption, 173.385	Irritant	75 pounds	Not accepted	75 pounds.
Tear gas cartridges. See Small arms ammunition tear gas cartridges.						
Tear gas grenades. See Grenades, tear gas.						
Tear gas material, liquid or solid, n.o.s.	Irr.	No exemption, 173.382	do	do	do	Do.
Tertiary alcohol. See Alcohol, n.o.s.						
% Tertiary butylisopropyl benzene hydroperoxide	Oxy. M.	173.153(b), 173.224	Peroxide	1 quart	1 pint	1 quart.
Tetraethyl dithio pyrophosphate and compressed gas mixture.	Pois. A.	No Exemption, 173.334	Poison Gas	Not accepted	Not accepted	Not accepted.
Tetraethyl dithio pyrophosphate, liquid	Pois. B.	No Exemption, 173.385	Poison B.	1 quart	do	1 quart.
% Tetraethyl dithio pyrophosphate mixture, dry, (containing more than 2 percent tetraethyl dithio pyrophosphate).	Pois. B.	173.377	do	200 pounds	do	200 pounds.
% Tetraethyl dithio pyrophosphate mixture, dry, (containing not more than 2 percent tetraethyl dithio pyrophosphate).	Pois. B.	173.377(f)	do	do	50 pounds	Do.
% Tetraethyl dithio pyrophosphate mixture, liquid, (containing more than 25 percent tetraethyl dithio pyrophosphate).	Pois. B.	173.359	do	1 quart	Not accepted	1 quart.
% Tetraethyl dithio pyrophosphate mixture, liquid, (containing not more than 25 percent tetraethyl dithio pyrophosphate).	Pois. B.	173.359(c)	do	do	½ pint	Do.
Tetraethyl lead, liquid	Pois. B.	No exemption 173.354	do	55 gallons	Not accepted	55 gallons.
Tetraethyl pyrophosphate, liquid	Pois. B.	No exemption 173.358	do	1 quart	do	1 quart.
% Tetraethyl pyrophosphate mixture, dry, (containing more than 2 percent tetraethyl pyrophosphate).	Pois. B.	173.377	do	200 pounds	do	200 pounds.
% Tetraethyl pyrophosphate mixture, dry, (containing not more than 2 percent tetraethyl pyrophosphate).	Pois. B.	173.377(f)	do	do	50 pounds	Do.
% Tetraethyl pyrophosphate mixture, liquid, (containing more than 25 percent tetraethyl pyrophosphate).	Pois. B.	173.359	do	1 quart	Not accepted	1 quart.
% Tetraethyl pyrophosphate mixture, liquid, (containing not more than 25 percent tetraethyl pyrophosphate).	Pois. B.	173.359(c)	do	do	½ pint	Do.
Tetraethyl pyrophosphate and compressed gas mixture.	Pois. A.	No exemption, 173.334	Poison Gas	Not accepted	Not accepted	Not accepted
Tetrafluoroethylene, inhibited	F.G.	173.306, 173.304	Red Gas	300 pounds	do	300 pounds.
Tetranitromethane	Oxy. M.	No exemption, 173.203	Yellow	25 pounds	do	Not accepted.
Tetrazene (guanyl nitrosamino guanyl tetrazene). See Initiating explosive						
Tetryl. See High explosives.						

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a)	(b)	(c)
				Rail express	Passenger carrying aircraft	Cargo only aircraft
Textile waste, wet	SCM	No exemption, 173.211	Red Bottom	Not accepted	do	Do.
*Thallium salts, solid, n.o.s.	Pois. B	173.364, 173.365	Poison B	200 pounds	50 pounds	200 pounds.
Thallium sulfate, solid	Pois. B	173.364, 173.365	do	do	do	Do.
Thinning compounds, paint, varnish, lacquer, etc. See *Paint, enamel, lacquer stain, shellac, varnish, etc.						
Thiocarbonyl-chloride. See Thiophosgene.						
Thionyl chloride	Cor. L	No exemption, 173.247	Corrosive Liquid	1 gallon	Not accepted	1 gallon.
Thiophosgene (thiocarbonyl-chloride)	Pois. B	No exemption, 173.356	Poison B	do	do	Do.
Thiophosphoryl chloride	Cor. L	No exemption, 173.271	Corrosive Liquid	1 quart	do	1 quart.
Thorium metal, powdered	F.S.	173.226	Red Striped	25 pounds	do	25 pounds.
Thorium nitrate, solid	RAM and Oxy. M.	173.392, 173.393	Radioactive and yellow.	100 pounds	25 pounds	100 pounds.
Time fuses. See Fuses, time.						
Tin tetrachloride, anhydrous	Cor. L	173.244, 173.247	Corrosive Liquid	1 quart	1 quart	1 quart.
Titanium metal powder, dry	SCM	No exemption, 173.208	Red Bottom	75 pounds	Not accepted	75 pounds.
Titanium metal powder, wet with not less than 20 percent water	SCM	do	do	150 pounds	do	150 pounds.
Titanium sulfate solution containing not more than 45 percent sulfuric acid	Cor. L	173.244, 173.297	Corrosive Liquid	1 gallon	1 quart	1 gallon.
Titanium tetrachloride	Cor. L	173.244, 173.247	do	10 gallons	do	10 gallons.
Toluene (toluol)	F.L.	173.118, 173.119	Red	do	do	Do.
Torches. See Fireworks, common.						
Torpedoes, cap. See Fireworks, special.						
Torpedoes, explosive. See Explosive torpedoes.						
Torpedoes, railway	Expl. B	No exemption, 173.91	Orange B	200 pounds	Not accepted	200 pounds.
Toy caps	Expl. C	No exemption, 173.100(p), 173.100	Orange C	150 pounds	50 pounds	150 pounds.
Toy propellant devices	Expl. C	No exemption, 173.111	do	do	do	Do.
Toy smoke devices	Expl. C	do	do	do	do	Do.
Toy torpedoes. See Fireworks, special.						
Tracers	Expl. C	No exemption, 173.105	do	do	do	Do.
Tracer fuses	Expl. C	do	do	do	do	Do.
Tractors		See 173.120				
Trailer or truck body with refrigerating or heating equipment on flat cars		See 173.120(c), 173.306				
% Trichloroisocyanuric acid, dry (containing more than 39 percent available chlorine)	Oxy. M.	173.153, 173.217	Yellow	100 pounds	50 pounds	100 pounds.
% Trichlorosilane	F.L.	No exemption, 173.136	Red	10 gallons	Not accepted	10 gallons.
% Trick matches	Expl. C	No exemption, 173.111	Orange C	150 pounds	do	Not accepted.
% Trick noise makers, explosive	Expl. C	do	do	do	50 pounds	100 pounds.
Trifluorochloroethylene	F.G.	173.306, 173.304, 173.314	Red Gas	300 pounds	Not accepted	300 pounds.
Trimethylamine, anhydrous	F.G.	173.306, 173.304, 173.314, 173.315	do	do	do	Do.
Trimethylamine, aqueous solution	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Trimethylchlorosilane	F.L.	No exemption, 173.135	do	do	Not accepted	Do.
Trinitrobenzene, dry. See High explosives						
% Trinitrobenzene, wet containing at least 10-percent water	F.S.	173.212	Red Striped	16 ounces	16 ounces	16 ounces.
Trinitrobenzoic acid, dry. See High explosives.						
Trinitrobenzoic acid, wet with not less than 10-percent water	F.S.	No exemption, 173.192, 173.193	do	25 pounds	1 pound	25 pounds.
Trinitrobenzoic acid wet with not less than 10-percent water, over 25 pounds. See High explosives.						
Trinitroresorcinol. See High explosives.						
Trinitrotoluene, dry. See High explosives.						
% Trinitrotoluene, wet with not less than 10-percent water	F.S.	173.212	do	16 ounces	16 ounces	16 ounces.
Tris-(1-aziridinyl) phosphine oxide	Cor. L	173.244, 173.299a	Corrosive liquid	1 gallon	1 quart	1 gallon.
*Turpentine substitutes	F.L.	173.118, 173.119	Red	10 gallons	do	10 gallons.
Uranyl nitrate, solid	RAM and Oxy. M.	173.392, 173.396	Radioactive and Yellow.	100 pounds	25 pounds	100 pounds.
Urea nitrate dry. See High explosives						
Urea nitrate wet with not less than 10 percent of water	F.S.	No exemption, 173.192, 173.193	Red Striped	25 pounds	1 pound	25 pounds.
Urea nitrate wet with not less than 10 percent of water, over 25 pounds. See High explosives.						
% Urea peroxide	Oxy. M	173.153(b), 173.227	Peroxide	do	do	Do.
Vanadium oxytrichloride	Cor. L	173.244, 173.247a	Corrosive liquid	do	Not accepted	1 quart.
Vanadium tetrachloride	Cor. L	173.244, 173.247a	do	do	do	Do.
Varnish. See *Paint, enamel, lacquer, stain, shellac, var- nish, etc.						
Varnish driers. See *Paint driers, liquid.						
Varnish remover or reducer. See *Compounds, lacquer, paint or varnish removing, reducing, or thinning, liquid.						
Varnish thinning compounds. See *Compounds, lacquer, paint, or varnish removing, reducing, or thinning, liquid.						
Very signal cartridges	Expl. C	No exemption, 173.108	Orange C	200 pounds	50 pounds	200 pounds.
Vinyl acetate	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Vinyl chloride	F.G.	173.306, 173.304, 173.314, 173.315	Red Gas	300 pounds	Not accepted	300 pounds.
% Vinyl fluoride, inhibited	F.G.	173.306, 173.304, 173.314, 173.315	do	do	do	Do.
Vinylidene chloride, inhibited	F.L.	173.118, 173.119	Red	10 gallons	1 quart	10 gallons.
Vinyl methyl ether, inhibited	F.G.	173.306, 173.304, 173.314	Red Gas	20 pounds	Not accepted	20 pounds.
Vinyl trichlorosilane	F.L.	No exemption, 173.135	Red	10 gallons	do	10 gallons.
War heads. See Explosive projectiles.						
Waste paper, wet	SCM	No exemption, 173.186	Red Bottom	Not accepted	do	Not accepted.
Waste textile, wet	SCM	No exemption, 173.211	do	do	do	Do.
Waste wool, wet	SCM	No exemption 173.213	do	do	do	Do.
Water reactive solids, n.o.s.	WRM	173.163, 173.154	Blue	25 pounds	do	25 pounds.
*Water treatment compound, liquid	Cor. L	173.244, 173.249	Corrosive Liquid	10 gallons	1 quart	10 gallons.
Wet hair. See Hair, wet.						
Wet textile waste. See Waste textile, wet.						
Wood filler. See *Paint, varnish, lacquer, stain, shellac, varnish etc.						
Wool waste, wet. See Waste wool, wet.						

(1) Article	(2) Classed as—	(3) Exemptions and packaging (see section)	(4) Label required (if not exempt)	(5) Maximum quantity in one package		
				(a)	(b)	(c)
				Rail express	Passenger carrying aircraft	Cargo only aircraft
X-ray film. See Film.						
Xylol bromide.	F.L.	173.118, 173.119.	Red	do.	do.	Do.
Zinc ammonium nitrate.	Irr.	No exemption, 173.382.	Irritant	75 pounds.	Not accepted.	75 pounds.
Zinc arsenate.	Oxy. M.	No exemption, 173.228.	Yellow	100 pounds.	25 pounds.	100 pounds.
Zinc arsenite, solid.	Pols. B.	173.364, 173.365.	Poison B.	200 pounds.	50 pounds.	200 pounds.
Zinc chlorate.	Pols. B.	173.364, 173.365.	do.	do.	do.	Do.
Zinc cyanide.	Oxy. M.	173.153, 173.163, 173.370.	Yellow	100 pounds.	25 pounds.	100 pounds.
Zinc ethyl. See Spontaneously combustible liquids, n.o.s.	Pols. B.		Poison B.	No limit.	do.	No limit.
Zinc nitrate. See Nitrates, n.o.s.						
Zinc permanganate.	Oxy. M.	173.153, 173.154.	Yellow	100 pounds.	do.	100 pounds.
Zinc peroxide.	Oxy. M.	173.153, 173.154.	do.	do.	do.	Do.
Zirconium metal, dry, mechanically produced, finer than 270 mesh particle size.	SCM.	No exemption, 173.214.	Red Bottom	75 pounds.	Not accepted.	75 pounds.
Zirconium metal, dry, chemically produced, finer than 20 mesh particle size.	SCM.	do.	do.	do.	do.	Do.
Zirconium metal, wet, mechanically produced, finer than 270 mesh particle size.	F.S.	do.	Red Striped.	150 pounds.	do.	150 pounds.
Zirconium metal, wet, chemically produced, finer than 20 mesh particle size.	F.S.	do.	do.	do.	do.	Do.
Zirconium metallic, liquid, suspensions.	F.L.	No exemption, 173.140.	Red	5 pounds.	do.	5 pounds.
Zirconium picramate, wet with at least 20 percent of water.	Oxy. M.	No exemption, 173.216.	Yellow	25 pounds.	do.	25 pounds.
Zirconium scrap (borings, clippings, shavings, sheets or turnings).	F.S.	173.153, 173.220.	Red Striped.	100 pounds.	do.	Not accepted.

III. Part 173:

(A) In Part 173, Table of Contents, §§ 173.5, 173.6, and 173.27 would be amended to read as follows:

- Sec.
173.5 Shipments by rail express and baggage by rail.
173.6 Shipments by air.
173.27 Rail express and aircraft limitations.

(B) In § 173.5, the heading would be amended; paragraph (b) would be added to read as follows:

§ 173.5 Shipments by rail express and baggage by rail.

(b) For shipments of explosives and other dangerous articles acceptable as baggage by rail carriers see Part 176 of the chapter, Regulations Applying to Rail Carriers in Baggage Service.

(C) Section 173.6 would be amended to read as follows:

§ 173.6 Shipments by air.

(a) *General shipping requirements.* When the regulations prohibit a hazardous material from shipment via cargo-only aircraft, such a material is prohibited from shipment via any passenger-carrying aircraft.

(b) *General packaging requirements.* (1) In addition to the requirements of this part and Part 173, each packaging must be designed and constructed to prevent leakage that may be caused by changes in altitude and temperature during air transportation.

(2) Inner receptacles which are breakable (such as earthenware, glass, or plastic), or any receptacles containing less than 1 quart of liquid material, must be packaged with adequate cushioning and absorbent material to prevent breakage and leakage under conditions normally incident to transportation (which include a 4-foot drop of the completed packaging in the position most likely to cause damage). Cushioning and absorbent materials must not be capable of reacting dangerously with the contents. Where plastic packagings are specified

in this part, plastic bags or pouches are not permitted unless specifically authorized.

(3) Sufficient outage (ullage) to prevent leakage of contents or distortion of packagings from any expansion of the contents by any increase in temperature up to 130° F. must be provided for any packaging containing liquid. The primary packaging (which may include composite packaging), for which retention of the liquid is the basic function, must be capable of withstanding an internal gage pressure of at least 15 p.s.i. without leaking. In addition, for liquids having an absolute vapor pressure exceeding 16 p.s.i. at 100° F., the primary packaging must be capable of withstanding the inside vapor pressure produced at 130° F., without any leakage.

(4) Stoppers, corks, or other such friction-type closures must be held securely and effectively in place with wire, tape, or other positive means.

(5) Bags permitted by the regulations as outside packaging for transportation aboard aircraft must be water resistant.

(6) Packaging incorporating valves, and containing any compressed gas, must be provided with sufficient protection to prevent operation and damage to such valves during transportation, by one of the following methods:

(i) By equipping each packaging with securely attached caps, or

(ii) By boxing or crating of the compressed gas packaging.

(c) *Special labeling requirements.* See § 173.402 (b).

(d) *Special requirements for magnetized materials.* Each shipper offering magnetized materials for shipment shall:

(1) Package magnets or magnetized devices such as magnetrons and light meters so that the polarities of each unit oppose one another.

(2) Install keeper bars on permanent magnets, shield them, or arrange for special stowage to prevent the magnetic field from causing compass deviation.

(3) Label each package with the label described in § 173.414.

(D) In § 173.27, the heading and paragraphs (a) and (b) would be amended to read as follows:

§ 173.27 Rail express and aircraft limitations.

(a) Hazardous materials, except those not accepted for transportation, and except where special packaging is prescribed in this part for rail express or aircraft shipments, must, when offered for shipment by rail express or aircraft, be packaged, marked, and labeled in compliance with this part.

(b) The maximum quantity of any hazardous material that may be offered for transportation in one outside container by rail express, cargo-only aircraft, or passenger-carrying aircraft must not exceed that shown in § 172.5 of this chapter.

(E) In § 173.30 paragraph (a) would be amended; subparagraph (a) (3) would be added to read as follows:

§ 173.30 Loading and unloading of transport vehicles.

(a) Any person who loads or unloads shipments of hazardous materials into or from transport vehicles shall comply with the applicable loading and unloading provisions of Parts 174 and 177 of this chapter and Part 103 of Title 14, Code of Federal Regulations, as follows:

(1) Rail: Section 174.525 through 174.567 of this chapter.

(2) Highway: Section 177.834 through 177.848 of this chapter.

(3) Air: Title 14 CFR 103.1 through 103.35.

(F) In § 173.52, the introductory text of paragraph (a) would be amended to read as follows:

§ 173.52 Acceptable explosives.

(a) For the purposes of Parts 170-189 of this chapter, acceptable explosives are divided into three classes as defined in this section, viz. (see § 172.5 of this chapter for restrictions for shipments by rail express and aircraft).

(G) In § 173.80, paragraph (f) would be amended to read as follows:

§ 173.80 Charged oil well jet perforating guns.

(f) Charged oil well jet perforating guns must not be offered for transportation or be transported by carriers by rail freight, rail express, rail baggage, water, aircraft, or by common or contract carriers by public highway.

(H) In § 173.110, paragraph (b) would be amended to read as follows:

§ 173.110 Charged oil well jet perforating guns, total explosive content in guns not exceeding 20 pounds per motor vehicle.

(b) Charged oil well jet perforating guns must not be offered for transportation or transported by carriers by rail freight, rail express, rail baggage, water, aircraft, or by common or contract carriers by public highway.

(I) In § 173.128, the introductory text of paragraph (c), would be amended to read as follows:

§ 173.128 Paints and related materials.

(c) Paint, enamel, lacquer, satin, shellac, varnish, aluminum, bronze, gold, wood filler, liquid, and lacquer base liquid, and thinning, reducing and removing compounds therefor, and driers, liquid, therefor, in glass or earthenware containers not over 1 quart capacity each or metal containers not over 5 gallons capacity each, packed in strong outside containers are exempt from specification packaging, marking, and labeling requirements when offered for transportation by rail freight, highway, or water, except when offered for transportation by carrier by water, name of contents must be marked on outside container. Shipments for transportation by highway carriers are exempt also from Part 177 of this chapter, except § 177.817. When offered for transportation by rail express and cargo-only aircraft, shipments are exempt from specification packaging, marking, and labeling requirements, except that for shipments by air the label described in § 172.5 of this chapter must be affixed on the outside container; however, for shipments by cargo-only aircraft or rail express of packages having inside containers over 1 quart capacity, each outside packaging must be marked with the name of contents and bear the label described in § 172.5 of this chapter. When a fiberboard box is used for shipments by rail freight, rail express, motor vehicle, vessel, or aircraft, the gross weight must not exceed 65 pounds.

(J) In § 173.132, paragraph (b) would be amended to read as follows:

§ 173.132 Cement, liquid, n.o.s., container cement, linoleum cement, pyroxylin cement, rubber cement, tile cement, wallboard cement, and coating solution.

(b) Cements, except cements containing carbon bisulfide, in glass or earthen-

ware containers not over 1 quart capacity each, or metal containers not over 5 gallons capacity each, packed in strong outside containers are exempt from specification packaging, marking, and labeling requirements when offered for transportation by rail freight, highway, or water, except when offered for transportation by carrier by water, name of contents must be marked on outside container. Shipments for transportation by highway carriers are exempt also from Part 177 of this chapter, except § 177.817. When offered for transportation by rail express and cargo-only aircraft, shipments are exempt from specification packaging, marking, and labeling requirements, except that for shipments by air the label described in § 172.5 of this chapter must be affixed on the outside container however, for shipments by cargo-only aircraft or rail express of packages having inside containers over 1 quart capacity, each outside packaging must be marked with the name of contents and bear the label described in § 172.5 of this chapter. When a fiberboard box is used for shipments by rail freight, rail express, motor vehicle, vessel, or aircraft, the gross weight must not exceed 65 pounds.

(K) In § 173.144, paragraph (b) would be amended to read as follows:

§ 173.144 Inks.

(b) Ink in glass or earthenware containers not over 1 quart capacity each, or metal containers not over 5 gallons capacity each, packed in strong outside containers are exempt from specification packaging, marking, and labeling requirements when offered for transportation by rail freight, highway, or water, except when offered for transportation by carrier by water, name of contents must be marked on outside container. Shipments for transportation by highway carriers are also exempt from Part 177 of this chapter, except § 177.817. When offered for transportation by rail express and cargo-only aircraft, shipments are exempt from specification packaging, marking, and labeling requirements, except that for shipments by air the label described in § 172.5 of this chapter must be affixed on the outside container; however, for shipments by cargo-only aircraft or rail express of packages having inside containers over 1 quart capacity, each outside packaging must be marked with the name of contents and bear the label described in § 172.5 of this chapter. When a fiberboard box is used for shipments by rail freight, rail express, motor vehicle, vessel, or aircraft, the gross weight must not exceed 65 pounds.

(L) In § 173.162, paragraph (a)(9) would be amended to read as follows:

§ 173.162 Charcoal.

(a) * * *

(9) When offered for transportation by rail express and cargo-only aircraft, charcoal must be packaged in barrels, bags, or boxes. Charcoal briquettes shipped by rail express are not subject

to this restriction and are not required to be labeled.

(M) In § 173.176, Note 1 following paragraph (e)(2) would be canceled as follows:

§ 173.176 Matches.

(e) * * *

(2) * * *

NOTE: 1. [Canceled].

(N) In § 173.180, the introductory text of paragraph (a) would be amended to read as follows:

§ 173.180 Motion-picture film, and X-ray film, unexposed.

(a) Motion-picture film, and X-ray film, unexposed (nitrocellulose base), when offered for transportation by rail express, aircraft, or vessel must bear the label described in § 172.5 of this chapter and must be packaged in specification packaging as follows:

(O) In § 173.197, the introductory text of paragraph (a) would be amended to read as follows:

§ 173.197 Pyroxylin plastics, in sheets, rolls, rods, or tubes.

(a) Pyroxylin plastics, in sheets, rolls, rods, or tubes containing nitrocellulose is not subject to Parts 170-189 of this chapter when offered for transportation by carriers by rail freight or highway. When offered for transportation by carriers by rail express, aircraft, or vessel, these materials must be packaged in specification packaging as follows and must bear the label described in § 172.5 of this chapter.

(P) In § 173.217, paragraph (b) would be amended to read as follows:

§ 173.217 Calcium hypochlorite compounds, dry, lithium hypochlorite compounds, dry, dichloroisocyanuric acid, dry, potassium dichloroisocyanurate, dry, sodium dichloroisocyanurate, dry, and trichloroisocyanuric acid, dry.

(b) Strong outside wooden or fiberboard packages with inside glass containers not over 5 pounds capacity each, or with metal containers or plastic bottles not over 10 pounds capacity each, are exempt from specification packaging, marking, and labeling when offered for transportation by rail freight, rail express, cargo-only aircraft, or motor vehicle, except that for shipments by air the label described in § 172.5 of this chapter must be affixed on the outside container. When for transportation by water, strong wooden or fiberboard containers with inside glass containers not over 5 pounds capacity each, or with metal containers or plastic bottles not over 10 pounds capacity each, are exempt from specification packaging only. Shipments for transportation by highway carriers are exempt also from Part 177 of this chapter, except § 177.817.

(Q) In § 173.223, paragraph (b) would be amended to read as follows:

§ 173.223 Peracetic acid.

(b) Peracetic acid solutions not exceeding 40 percent concentration packaged in strong wooden or fiberboard boxes, with not more than one inside glass container not exceeding 1 pint or 1 pound capacity, cushioned with sterile absorbent cotton or other cushioning material which will not react with the contents to generate heat, and with such cushioning material in sufficient quantity to completely absorb the contents of the bottle, are exempt from specification packaging, marking other than name of contents, and labeling requirements except that for shipments by air the label described in § 172.5 of this chapter must be affixed on the outside container. Shipments for transportation by highway carriers are exempt also from Part 177 of this chapter, except § 177.817.

(R) In § 173.241 the introductory text of paragraph (a) would be amended to read as follows:

§ 173.241 Outage.

(a) Outage for containers of corrosive liquids for transportation by carriers by rail freight, rail express, air (see § 173.6 (b)(3)), highway, or water, must be as follows:

(S) In § 173.244, paragraph (b) would be amended to read as follows:

§ 173.244 Exemptions for acids and other corrosive liquids.

(b) Other exemptions from specification packaging, marking, and labeling requirements for rail freight, rail express, and highway transportation, and exemptions from specification packaging, marking other than name of contents, and labeling requirements for transportation by carrier by water, and exemptions from specification packaging and marking requirements for transportation by carrier by air, are shown with the packaging requirements for the particular commodity.

(T) In § 173.286, the introductory text of paragraph (b) would be amended to read as follows:

§ 173.286 Chemical kits.

(b) Chemical kits containing corrosives in inside containers not exceeding 6 fluid ounces capacity each and complying with all of the following requirements, are exempt from specification packaging, marking, other than name of contents, and labeling requirements, except that for shipment by air the label described in § 172.5 of this chapter must be affixed on the outside container. Shipments for transportation by highway carriers are exempt also from Part 177 of this chapter, except § 177.817.

(U) In § 173.344, the introductory text of paragraph (b) would be amended to read as follows:

§ 173.344 Packing for class B poisons, liquid.

(b) Outage. Outage for containers of liquid poison for transportation by carriers by rail freight, rail express, air (see § 173.6(b)(3)) highway, or water must be as follows:

(V) In § 173.371, paragraph (a)(2) would be amended to read as follows:

§ 173.371 Dinitrobenzol.

(2) Spec. 11A (§ 178.160 of this chapter). Wooden barrels, gross weight 300 pounds; must be shipped in carload or truckload shipments only and must not be offered for transportation by rail express, aircraft, or vessel.

(W) § 173.373, paragraph (a)(2) would be amended to read as follows:

§ 173.373 Ortho-nitroaniline and para-nitroaniline.

(2) Spec. 11A (§ 178.160 of this chapter). Wooden barrels, gross weight 385 pounds; must be shipped in carload or truckload shipments only and must not be offered for transportation by rail express, aircraft, or vessel.

(X) In § 173.402, the introductory text of paragraph (a)(14) (appearing in Docket No. HM-8; Notice No. 70-13, 35 F.R. 11742) would be amended to read as follows:

§ 173.402 Labeling of hazardous materials.

(14) For shipment by air, the shipper shall label each packaging with the appropriate label described in § 172.5 of this chapter, although the commodity otherwise may be exempted from those labeling requirements by this Part 173. In addition, when appropriate, the following labels must be used:

(Y) In Part 173, the phrases "rail freight, rail express, motor vehicle, or water"; "rail freight, rail express, highway, or water"; "rail freight, rail express, highway, or carriers by water" would be deleted and the following inserted in place thereof in the following sections: "rail freight, rail express, (rail baggage, if in present text) motor vehicle, vessel, or aircraft":

Sec.	Sec.
173.1 (a), (b)	173.65(d)
173.9(a)	173.116(a)
173.21(a)	173.182(b)
173.26(b)	173.238(a)
173.51(a)	173.331 (a), (b), (c)

(Z) In Part 173, the phrase "except that marking name of contents on outside container is required for shipments via carrier by water" would be deleted and the following inserted in place thereof in the following sections: "except that for shipments by water, the name of contents described in § 172.5 of this chapter

must be marked on the outside container and for shipments by air the label described in § 172.5 of this chapter must be affixed on the outside container."

Sec.	Sec.
173.118(a)	173.263(b)(2)
173.129(b)	173.272(b)
173.130(a)	173.277 (d), (d)(1)
173.147(b)	173.279(b)
173.153 (a), (b)	173.306 (a), (b), (c),
173.181(a)	(d)(2), (e)(1), (e)
173.220(b)(1)	(2)
173.226(b)	173.345(a)
173.244(a)	173.364(a)
173.261(b)	173.369(b)

(AA) In Part 173, where the phrase "rail express" appears by itself (without reference to other modes of transportation) the words "or cargo-only aircraft" would be added to that phrase, in the following sections:

Sec.	Sec.
173.119(a)(3)	173.185(b)
173.120(a)	173.186(b)
173.121(b)	173.190 (c), (e)
173.122(b)	173.196 Heading, (a)
173.126(b)	173.199(b)
173.135(a)(5)	173.200(b)
173.136 (a)(3), (a)	173.209(b)
(4)	173.210(b)
173.138(b)	173.211(b)
173.143(b)	173.213(b)
173.159(b)	173.249(b)
173.167(b)	173.268 (1), (j)
173.169(b)	173.280(a)(5)
173.170(b)	173.306(d)(2)
173.171(b)	173.326(b)
173.172(b)	173.330(b)
173.174 (b), (d)	173.357(c)

(BB) In Part 173, after the words "and labeling requirements" insert "except for shipment by air the label described in § 172.5 of this chapter must be affixed on the outside container." in the following sections:

Sec.	Sec.
173.359(c)	173.377(f)
173.370 (b), (d)	

Interested persons are invited to give their views on this proposal. Communications should identify the docket number and be submitted in duplicate to the Secretary, Hazardous Materials Regulations Board, Department of Transportation, 400 Sixth Street SW., Washington, DC 20590. Communications received on or before August 31, 1971, will be considered before final action is taken on the proposal. All comments received will be available for examination by interested persons at the Office of the Secretary, Hazardous Materials Regulations Board, both before and after the closing date for comments.

This proposal is made under the authority of sections 831-835 of title 18, United States Code, section 9 of the Department of Transportation Act (49 U.S.C. 1657), and title VI and section 902(h) of the Federal Aviation Act of 1958 (49 U.S.C. 1421-1430 and 1472(h)).

Issued in Washington, D.C., on May 14, 1971.

W. J. BURNS,
Chairman, Hazardous
Materials Regulations Board.

[FR Doc.71-6993 Filed 5-24-71;8:45 am]

ATOMIC ENERGY COMMISSION

[10 CFR Parts 20, 30, 31]

LICENSING OF BYPRODUCT MATERIAL

Exempt Quantity of Barium 133

Set forth in this notice are proposed amendments to the Atomic Energy Commission's regulations which would, in response to a petition from Nuclear-Chicago Corp.; (1) add a listing of 10 microcuries for barium-133 to the schedule of exempt quantities of byproduct material, § 30.71, Schedule B, 10 CFR Part 30; (2) add a similar listing to Appendix C, 10 CFR Part 20; (3) revoke § 31.4 which sets forth the existing general license for small quantities of byproduct material that was extended to accommodate the petition from Nuclear-Chicago Corp.; and (4) amend § 30.18 (b), 10 CFR Part 30, to reference the new date or revocation of that general license.

On April 22, 1970, the Atomic Energy Commission published in the *FEDERAL REGISTER* (35 F.R. 6425) amendments to 10 CFR Parts 20, 30, 31, 32, and 35 of its regulations. The amendments, among other changes, revised Part 31 to revoke the general license in § 31.4 for certain small quantities of byproduct material, effective October 22, 1970. The notice of rule making stated, however, that if a petition for rule making for exemption of a product containing byproduct material presently being transferred as a generally licensed quantity under § 31.4 were filed prior to revocation of the general license, the Director of Regulation would consider extending the general license until such time as the petition is finally determined.

By letter dated October 15, 1970, Nuclear-Chicago Corp. petitioned the Commission to amend Part 30 to exempt the following items:

a. Barium-133 as a sealed source containing approximately 9.5 microcuries of activity, contained within a Liquid Scintillation Counting System for the purpose of internal calibration and standardization;

b. A unit identified as a "Thyroid Phantom" containing 9.5 microcuries of barium-133 and 0.5 microcurie of cesium-137, used to educate medical students and practitioners in the identification of thyroid maladies; and

c. An educational kit containing a 9-microcurie cesium-134 source for use in teaching the properties of radiation, principles of Geiger Muller counter operation, and interpretation of nuclear measurements. By letter dated March 19, 1971, Nuclear-Chicago Corp. withdrew this source from the petition.

Notice of filing of the petition for rule making and the extension of the general license in § 31.4 until the petition is finally determined, was published in the *FEDERAL REGISTER* (35 F.R. 16554) on October 23, 1970.

The proposed amendment to § 30.71, Schedule B, 10 CFR Part 30, which fol-

lows, would add a listing of 10 microcuries for barium-133. Section 30.15(a) (9), 10 CFR Part 30, currently exempts from licensing controls:

Ionizing radiation measuring instruments containing, for purposes of internal calibration or standardization, a source of byproduct material not exceeding the applicable quantity set forth in § 30.71, Schedule B.

While a liquid scintillation counter is an ionizing radiation measuring instrument, barium-133 is not presently listed in § 30.71, Schedule B. Following addition of barium-133 to § 30.71, Schedule B, existing § 30.15(a) (9), 10 CFR Part 30, will provide an exemption from licensing requirements for such sources in liquid scintillation counters.

Section 32.18(c), 10 CFR Part 32, "Specific Licenses to Manufacture, Distribute, or Import Exempted and Generally Licensed Items Containing Byproduct Material," in establishing the criteria for licensing commercial suppliers of exempt quantities, specifies that:

(C) The byproduct material is in the form of processed chemical elements, compounds, or mixtures, tissue samples, bioassay samples, counting standards, plated or encapsulated sources, or similar substances, identified as radioactive and to be used for its radioactive properties, but is not incorporated into any manufactured or assembled commodity, product, or device intended for commercial distribution; and

The Commission considers the "Thyroid Phantom" marketed by Nuclear-Chicago Corp. to be an encapsulated source which, with the inclusion of barium-133 in § 30.71, Schedule B, falls within the specification of items which may be transferred in accordance with a license issued under § 32.18, 10 CFR Part 32, to persons exempt pursuant to § 30.18, 10 CFR Part 30.

The listing of 10 microcuries for barium-133 would also be added to Appendix C, 10 CFR Part 20. The byproduct material listings in Appendix C conform to the listings in § 30.71, Schedule B, 10 CFR Part 30, and are referred to in providing exceptions from label requirements pursuant to § 20.203, 10 CFR Part 20, and in specifying quantities that may be disposed of by release into sanitary sewer systems or by burial in soil pursuant to §§ 20.303 and 20.304, 10 CFR Part 20, respectively.

Since these actions would, when made effective, constitute determination of the petition from Nuclear-Chicago Corp., the general license for certain small quantities of byproduct material, § 31.4 and related sections, 10 CFR Part 31, would be revoked and § 30.18(b), 10 CFR Part 30, which provides exemption from licensing requirements for byproduct material received or acquired under the general license, would be amended to reference the new date of revocation of the general license.

Under the proposed amendments and the provisions of § 150.15(a) (6), 10 CFR Part 150, "Exemptions and Continued Regulatory Authority in Agreement States Under Section 274," a producer, packager, repackager, or importer who intends to distribute, on a commercial

basis, quantities of byproduct material for use under the exemption, even if licensed to manufacture, process, or produce such quantities by an Agreement State, would be required to obtain a specific license from the Commission authorizing the import or commercial distribution of such quantities. To obtain a license, the applicant must meet the criteria of § 32.18, 10 CFR Part 32. Likewise, a person who intends to incorporate byproduct material into ionizing radiation measuring instruments or to import for sale or distribution such products containing byproduct material, would be required to obtain a specific license from the Commission pursuant to § 32.14, 10 CFR Part 32.

Pursuant to the Atomic Energy Act of 1954, as amended, and section 553 of title 5 of the United States Code, notice is hereby given that adoption of the following amendments to 10 CFR Parts 20, 30, and 31 is contemplated. All interested persons who desire to submit written comments or suggestions for consideration in connection with the proposed amendments should send them to the Secretary of the Commission, U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Chief, Public Proceedings Branch, within thirty (30) days after publication of this notice in the *FEDERAL REGISTER*. Comments received after that period will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments filed within the period specified. Copies of the comments on the proposed amendments may be examined at the Commission's Public Document Room at 1717 H Street NW., Washington, DC.

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

1. Appendix C of 10 CFR Part 20 is amended by adding a value of 10 microcuries for barium-133, to be inserted between the listings for barium-131 and barium-140 as follows:

APPENDIX C	
Material	Microcuries
Barium-133	10

PART 30—RULES OF GENERAL APPLICABILITY TO LICENSING OF BYPRODUCT MATERIAL

2. Section 30.18(b) is amended to read as follows:

§ 30.18 Exempt quantities.

(b) Any person who possesses byproduct material received or acquired prior to (date)¹ under the general license then provided in § 31.4 of this chapter is exempt from the requirements for a license set forth in section 81 of the Act and from the regulations in Parts 30-34 of this chapter to the extent that such per-

¹ Effective revocation date of § 31.4, 10 CFR Part 31.

son possesses, uses, transfers, or owns such byproduct material.

3. Section 30.71, Schedule B, is amended by adding a value of 10 microcuries for barium-133, to be inserted between the current listings for barium-131 and barium-140, to read as follows:

§ 30.71 Schedule B.

Byproduct material	Microcuries
Barium-133 (Ba 133)-----	10

PART 31—GENERAL LICENSES FOR BYPRODUCT MATERIAL

4. Sections 31.2(b), 31.4, and 31.100 of 10 CFR Part 31 are revoked.
(Sec. 81, 68 Stat. 935; 42 U.S.C. 2111; sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Germantown, Md., this 14th day of May 1971.

For the Atomic Energy Commission.

F. T. HOBBS,

Acting Secretary of the Commission.

[FR Doc.71-7206 Filed 5-24-71;8:45 am]

CIVIL SERVICE COMMISSION

[5 CFR Part 900]

INTERGOVERNMENTAL PERSONNEL ACT GRANT PROGRAMS GUIDELINES

Notice of Proposed Rule Making

Notice is hereby given that under sections 202(b), 203(b), 303(b), 304(a), 305(b), and 503(c)(1) of the Intergovernmental Personnel Act of 1970 (IPA), Public Law 91-648, 84 Stat. 1909, the Civil Service Commission proposes to issue "Guidelines for IPA Grant Programs" and a "Guide for IPA Grant Administration" containing related forms. The proposed guidelines would provide necessary information, instructions, and guidelines related to eligibility for, purposes of, application for, and administration of a financial grant under the Intergovernmental Personnel Act. Interested persons may obtain copies of the proposed Guidelines and Guide from the Bureau of Intergovernmental Personnel Programs, U.S. Civil Service Commission,

Room 3A03, 1900 E. Street NW., Washington, DC 20415 (Tel. 202-632-6275), and may submit to the Bureau of Intergovernmental Personnel Programs written comments, objections, or suggestions within 30 days after the date of publication of this notice in the FEDERAL REGISTER. Written comments, objections, and suggestions submitted will be available for public inspection at the address given in this notice during the Commission's regular business hours (8:15 a.m. to 5:45 p.m., Monday through Friday).

[SEAL]

JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc.71-7248 Filed 5-21-71;8:50 am]

ENVIRONMENTAL PROTECTION AGENCY

[45 CFR Part 1201]

1976 EMISSION STANDARD FOR OXIDES OF NITROGEN APPLICABLE TO LIGHT DUTY VEHICLES

Notice of Proposed Rule Making

Section 202(b) of the Clean Air Act, as amended December 31, 1971 (Public Law 91-604), directs the administrator of the Environmental Protection Agency to establish emission standards which require, with respect to 1975 and later model year light duty vehicles, at least a 90 percent reduction in emissions of carbon monoxide and hydrocarbons from those allowable under applicable 1970 standards and, with respect to 1976 and later model year light duty vehicles at least 90 percent reduction in emissions of oxides of nitrogen from those actually measured from 1971 model year light duty vehicles which are not subject to any Federal or State emission standard for oxides of nitrogen. The act further provides that emission standards to accomplish this reduction and the measurement techniques on which such standards are based, if such techniques were not promulgated prior to December 31, 1970, be prescribed within 180 days after such date, i.e., on or before June 29, 1971.

On February 26, 1971, the Agency proposed to amend the regulations relating to the control of air pollution from

new motor vehicles and engines (45 CFR Part 1201) by setting hydrocarbon and carbon monoxide emission standards for 1975 model year light duty motor vehicles. It is now proposed to establish an oxides of nitrogen exhaust emission standard of 0.40 gram per vehicle mile for 1976 and later model year light duty vehicles and engines in accordance with the Act.

The proposed standard is based on tests of 1971 model year light duty vehicles which were not designed to meet any Federal or State emission standard for oxides of nitrogen, and represents a 90 percent reduction in emissions from an average NOx emission level of 4.0 grams per vehicle mile from such vehicles.

The test procedure proposed is the procedure in Subpart H of the regulations applicable to 1972 and later model year vehicles (35 F.R. 17288), as it would be amended by the proposed oxides of nitrogen measurement procedure (36 F.R. 3825) which utilizes the chemiluminescence method for the determination of oxides of nitrogen emissions.

45 CFR Part 1201 as amended by the proposed standards would be effective on republication and would be applicable to 1976 and subsequent model year vehicles.

Interested persons may submit written data, views, or arguments (in quadruplicate) in regard to the proposed regulations to the Administrator, Environmental Protection Agency, Attention: Air Pollution Control Office, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20852. All relevant material received not later than 21 days after the publication of this notice will be considered. The Agency finds that good cause exists for allowing public comment for a period of 21 days on the proposal, because the statutory deadline of June 29, 1971, mentioned above, makes a more extended time for comment impracticable.

This notice of proposed rule making is issued under the authority of section 202 of the Clean Air Act, as amended by section 6, Public Law 91-604; 84 Stat. 1690.

Dated: May 21, 1971.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.71-7297 Filed 5-24-71;8:51 am]

Notices

FEDERAL POWER COMMISSION

NATIONAL GAS SURVEY EXECUTIVE ADVISORY COMMITTEE AND THE TECHNICAL ADVISORY COMMITTEES

Order Designating Additional Members; Correction

MAY 5, 1971.

In the order designating additional members of the national gas survey executive advisory committee and the technical advisory committees, issued April 30, 1971 and published in the FEDERAL REGISTER May 8, 1971 (36 F.R. 8617), under the heading "Technical Advisory Committee—Distribution," change the position title and company name of Mr. Ralbern H. Murray to read as follows:

Deputy Vice Chairman—Ralbern H. Murray,
Director Marketing, Consolidated Natural
Gas Service Co., Inc.

KENNETH F. PLUMB,
Acting Secretary.

[FR Doc. 71-7215 Filed 5-24-71; 8:46 am]

[Docket No. RI71-836 etc.]

AUSTRAL OIL CO., INC., ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund; Correction

MAY 13, 1971.

Austral Oil Co., Inc., Agent for Oil Participations, Inc., et al., Docket No. RI71-836 et al.; Jerome P. McHugh et al., Docket No. RI69-627; Aztec Oil & Gas Co., Docket No. RI69-379.

In the order providing for hearing on and suspension of proposed changes in rates, and allowing rate changes to become effective subject to refund, issued March 19, 1971 and published in the FEDERAL REGISTER March 30, 1971 (36 F.R. 5874), appendix A, under column headed "Effective Date Unless Suspended", opposite Dockets Nos. RI69-627 and RI69-379 change "3-25-71" to "4-28-71" and "3-28-71", respectively.

KENNETH F. PLUMB,
Acting Secretary.

[FR Doc. 71-7216 Filed 5-24-71; 8:46 am]

[Docket No. E-7602]

CENTRAL TELEPHONE & UTILITIES CORP.

Order Providing for Hearing Suspending in Part and Rejecting in Part Proposed Rate Schedule Changes, Initiating Proceedings, and Allowing Intervention

MAY 19, 1971.

On January 29, 1971, Central Telephone & Utilities Corp., Western Power

Division (Central) submitted for filing, proposed rate schedule changes with the Commission, affecting 10 rural electric cooperatives¹ and 13 municipal² wholesale customers operating in Kansas. Central submitted supplemental materials to complete its filing on April 19, 1971.

The filing proposes to increase the rates charged for electric service and to change the neutral zone of the fuel adjustment clause from 17-19 cents to 24-26 cents per million B.t.u.

According to Central, based upon a test year ending June 30, 1970, the effect of the rate change would increase revenues by \$1,160,622 from the cooperatives and \$173,389 from the municipalities. The average charge per kw.-hr. would be increased from 0.89 cents kw.-hr. to 1.53 cents per kw.-hr. for cooperatives and from 1.33 cents per kw.-hr. to 1.93 cents per kw.-hr. for the municipalities.

Two petitions for intervention were filed, one by the cooperatives and one by the municipalities. Notice of intervention has been filed by the State Corporation Commission of Kansas.

In addition to seeking intervention, the petition of the cooperatives also requests that Central's filing be rejected because it is an attempt to unilaterally increase rates which are fixed by contract, citing, inter alia, Sierra Pacific Power Co. v. Federal Power Commission, 223 F. 2d 605 (C.A.D.C., 1955), aff'd. sub nom. Federal Power Commission v. Sierra-Pacific Power Co., 350 U.S. 348 (1956); Mobile Gas Service Corp. v. Federal Power Commission, 215 F. 2d 883 (C.A. 3, 1954) aff'd. sub nom. United Gas Pipe Line Co. v. Mobile Gas Service Corp., 350 U.S. 332 (1956).

The cooperatives point to article III of their contracts with Central in support of their contention that the contracts do not permit unilateral rate schedule changes and, therefore, fall with the Sierra-Mobile doctrine, Article III reads as follows:

Article III. The rate to be paid by the cooperative shall be the Company's Rate Schedule 68-CWH-2, a copy of which is attached hereto and made a part thereof.

Neither the contract nor Central's Rate Schedule 68-CWH-2 make mention of methods for changing rates.

In its letter to the Commission dated March 17, 1971, Central addressed itself to this issue stating: "the rate of return being earned by the Company on its sales to its Cooperative customers is so

low, both on an absolute basis and in relation to the Company's other operations, as to bring this filing within the exceptions to what would otherwise be the rule that a contract cannot be changed unilaterally, as set forth by the United States Supreme Court in Sierra Pacific Power Co., 350 U.S. 348, that is, that it is so low that—

"It might impair the financial ability of the public utility to continue its service, cast upon other customers an excessive burden or be unduly discriminatory. (350 U.S. at 355)"

Central then argues that the Commission has jurisdiction to proceed under section 205 of the Federal Power Act but if it rules otherwise, the Commission should treat Central's application as a complaint and proceed under section 206 of the Act.

The Municipalities also urge rejection of filing upon the grounds that Central's "individual contracts with its customers preclude it from seeking a unilateral rate increase", citing the Sierra case. However, unlike the Cooperatives, all the Municipal contracts contain the paragraph:

The rate schedule above referred to constitutes the present legal rate of company for the class of service contracted for and is subject to change by order of the legally constituted ratemaking body having jurisdiction over the Company's rates.

By way of comparison, in United Gas Pipeline Co. v. Memphis Light, Gas and Water Division, 358 U.S. 103 (1958), the Supreme Court was called upon to decide whether the following contractual provision allowed unilateral rate increase filings:

All gas delivered hereunder shall be paid for by buyer under seller's rate schedule * * *, or any effective superseding rate schedules, on file with the Federal Power Commission. This agreement in all respects shall be subject to the applicable provisions of such rate schedules and to the general terms and conditions attached thereto and filed with the Federal Power Commission which are by reference made a part hereof. 358 U.S. at 105.

Although Memphis had claimed that the Mobile case prevented United from unilaterally changing the terms of its service agreements, the Court distinguished Mobile on the ground that the aforementioned language reserved United's right to file rate changes in accordance with procedures specified in section 4(d) of the Natural Gas Act (15 U.S.C. sec. 717c(d)).

The question presented, then, is whether the language authorizing unilateral rate change in the Memphis contract is sufficiently similar to the language in the municipal contracts in this case to justify findings based on legal precedent that unilateral rate changes are authorized.

Analysis of the pertinent language in the Municipal contracts would lead to the conclusion that unilateral rate filings are permitted. The contract clearly states that "[t]he rate schedule * * * is subject to change." The only limitation

¹ Valley Electric Cooperative Association, Inc.; The C.M.S. Electric Cooperative Association, Inc.; The C&W Rural Electric Cooperative Association, Inc.; Jewell-Mitchell Cooperative Electric Co. Inc.; N.C.K. Electric Cooperative, Inc.; Ninnesah Rural Electric Cooperative Assn., Inc.; Norton-Decatur Cooperative Electric Co., Inc.; The Smoky Hill Electric Cooperative Assn., Inc.; Sumner-Crowley Electric Cooperative, Inc.; and Victory Electric Cooperative Assn., Inc.

² The cities of Cawker, Cimarron, Coats, Glasco, Glen Elder, Holyrood, Isabel, Jamestown, Lucas, Luray, Mankato, Montezuma, and Tipton, Kans.

to such change is that it must be "by order of the legally constituted ratemaking body having jurisdiction over the Company's rates." Since the Commission is "the legally constituted ratemaking body having jurisdiction over the Company's rates" and can change rates "by order", (sec. 205 Federal Power Act; 49 Stat. 851; 16 U.S.C. 824d), the limitation on the words "[t]he rate schedule * * * is subject to change" does not apply in the instant case. Therefore, the municipal contracts do allow unilateral rate changes. We believe the language in the two contracts is sufficiently similar to warrant answering the question in the affirmative.

Conversely, we reject the filing as it pertains to the intervening cooperatives for the purposes of initiating a proceeding under section 205 of the Act because the cooperative contracts and their accompanying rate schedules do not contain language from which it might reasonably be inferred that the parties contemplated rate changes on a unilateral basis. However, that portion of the proposed rate increase filing applicable to the cooperatives will be treated as a complaint under section 206 of the Act, and Central will be permitted to present such evidence as it deems necessary to support its claim that the Sierra doctrine should be applied with respect to its rates and charges to the cooperatives.

Review of the rate filing proposing to increase rates and charges to the municipal customers indicates that issues are raised which require development in evidentiary proceedings. Those issues include, but are not limited to, the claimed rate of return of 8.76 percent, rate base and the adjustments thereto by Central, the proposed adjustment for wages, fuel cost, and property taxes.

The Commission further finds:

(1) Participation by the petitioners for intervention in this proceeding may be in the public interest.

(2) Central's filing should be accepted as validly initiating a proceeding under section 205 of the Federal Power Act, but only with regard to the municipal customers mentioned in Central's filing.

(3) The proposed increased rates and charges as it pertains to municipal customers referred to in Central's filing may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful under the Federal Power Act.

(4) Central's filing should be rejected as initiating a proceeding under section 205 of the Federal Power Act with respect to Central's cooperative customers because the contracts between Central and the cooperatives do not contain language from which it might be reasonably inferred that the parties contemplated rate changes on a unilateral basis.

(5) Central should be permitted to present its evidence under section 206 of the Federal Power Act, to support its claim, the Sierra doctrine should be applied with respect to its rates and charges to the cooperatives.

The Commission orders:

(A) The petitioners for intervention are hereby permitted to intervene in this proceeding subject to the rules and regulations of the Commission: *Provided, however*, That participation of the interveners shall be limited to the matters affecting asserted rights and interests specifically set forth in the petition to intervene: *And provided, further*, That admission of the interveners shall not be construed as recognition by the Commission that interveners may be aggrieved by any order entered in this proceeding.

(B) Central's filing is accepted as validly initiating a proceeding under section 205 of the Federal Power Act, but only to the extent that such filing affects the municipal customers mentioned therein. Pending a hearing and decision thereon, this portion of the filing is hereby suspended and the use thereof deferred until October 19, 1971. Increased rates and charges found by the Commission in this proceeding to be unjustified shall be refunded and shall bear interest at the rate of 5½ per annum from the date of payment to Central until refunded. Central shall bear all costs of refunding; shall keep accurate accounts in detail of all amounts received by reason of the increased rates and charges effective at the termination of the suspension period; and shall file with the Commission a monthly written report for each billing period in duplicate and under oath such report shall set forth: (1) The billing determinants of electric power and energy sold and delivered to the municipal customers during the billing period; (2) the revenues resulting from such sale and delivery computed under Central's present rate schedule and under its proposed rate schedule and shall show the differences in the revenues so computed.

(C) Central's proposed changes in rates and charges under section 205 of the Federal Power Act to the 10 cooperative customers referred to above hereby are rejected.

(D) In addition to the requirements of section 205 of the Act, Central shall also have the burden of proving that its present rates, charges, or classifications under its contracts with the cooperatives are so low that it might impair the financial ability of the public utility to continue its service, cast upon other customers an excessive burden, or be unduly discriminatory.

(E) Central shall file its case in chief with the Commission no later than June 1, 1971. Staff will serve its direct case no later than September 1, 1971. Interveners will serve their direct cases no later than September 15, 1971. Central's rebuttal evidence shall be served no later than October 1, 1971. A hearing shall be held at the offices of the Federal Power Commission, Washington, D.C., for the purposes of cross examination of all evidence on October 19, 1971. A prehearing conference shall be held on August 15, 1971. Modification of the schedule set forth in this paragraph may only be granted upon good cause shown to the Presiding Examiner.

(F) A Presiding Examiner to be designated by the Chief Examiner (see Delegation of Authority 18 CFR 3.5(d)), shall preside at the hearing in this proceeding; shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[FR Doc. 71-7211 Filed 5-24-71; 8:46 am]

[Docket No. RP71-102]

GREAT LAKES GAS TRANSMISSION CO.

Order Providing for Hearing, Suspending Proposed Revised Tariff Sheets, Providing Hearing Procedures, and Permitting Interventions

MAY 19, 1971.

Great Lakes Gas Transmission Co. (Great Lakes) on April 16, 1971, tendered for filing in Docket No. RP71-102 22 revised tariff sheets¹ proposing changes in its FPC Gas Tariff, Original Volumes Nos. 1 and 2 all to become effective on June 1, 1971. The revised tariff sheets provide for an increase in annual jurisdictional revenues of \$9,647,370 based upon sales volumes for the 12-month period ended December 31, 1970, as adjusted. The proposed tariff changes would be applicable to Great Lakes' Rate Schedules CQ-1, CQ-2, CQ-3, AOS-1 and G-3 in Volume No. 1, and T-4 in Volume No. 2; and Great Lakes present rate structure would be changed by the addition of third rate zone.

Great Lakes claims that its present rates, approved in Docket No. RP70-31, are not fully compensatory and do not provide the interest coverage necessary for long-term financing. Great Lakes states that the proposed rates will permit it to recoup its total cost of service, including a minimum reasonable rate of return.

The proposed rates are designed to produce a rate of return of 9.92 percent and an equity allowance of 15 percent, and are expected to generate revenues sufficient to enable the company to refinance its present short-term debt financing with long-term debt.

Great Lakes requests that the Commission waive the requirements of § 154.63(b)(3) of its regulations to permit the filing of Statement P material

¹ The proposed revised tariff sheets are as follows: 4th Revised Sheet No. 1, 2d Revised Sheet No. 3, 3d Revised Sheet No. 4, 1st Revised Sheets No. 6-A and No. 6-B, Original Sheets No. 6-D, No. 6-E, and No. 6-F; 3d Revised Sheet No. 7, 2d Revised Sheet No. 8, 1st Revised Sheets No. 8-F, No. 8-G, No. 8-H, and No. 8-I; 2d Revised Sheet No. 21, 1st Revised Sheets No. 26-G and No. 26-I, and 4th Revised Sheet No. 27 of Original Volume No. 1; and 4th Revised Sheet No. 1, 3d Revised Sheets Nos. 3 and 53, and 4th Revised Sheet No. 69 of Original Volume No. 2.

by May 14, 1971, 15 days prior to the proposed effective date of the tariff sheets.

Review of the rate filings indicates that issues are raised which require development in evidentiary proceedings. The proposed increased rates and charges have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

Petitions to intervene were timely filed by Consumers Gas Co., the United States through the Administrator of General Services, Michigan Consolidated Gas Co., Michigan Wisconsin Pipe Line Co., Natural Gas Pipeline Co., Northern and Central Gas Corp., Ltd., St. Lawrence Gas Co., Trans-Canada Pipe Lines Ltd., and Union Gas Company of Canada, Ltd. Notices of intervention were also filed by the Michigan Public Service Commission and the Public Service Commission of Wisconsin.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the rates and charges contained in Great Lakes' FPC gas tariff, as proposed to be amended herein, and that the proposed tariff sheets listed in footnote 1 above be suspended, and the use thereof be deferred as herein provided.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the disposition of this proceeding be expedited in accordance with the procedures set forth below.

(3) The participation of the above named petitioners may be in the public interest.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 5 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I) a public hearing shall be held, commencing with a prehearing conference on June 22, 1971, at 10 a.m., e.d.s.t., as provided herein, reconvening for hearing on October 5, 1971, at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street, Washington, D.C. 20426, concerning the lawfulness of the rates, charges, classifications, and services contained in Great Lakes' FPC Gas tariff as proposed to be revised herein.

(B) Pending such hearing and decision thereon, Great Lakes' revised tariff sheets listed in footnote 1 above, are suspended, and the use thereof deferred until November 1, 1971, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Section 154.63(b)(3) of the Commission's regulations under the Natural Gas Act is hereby waived to that extent necessary to permit Great Lakes to file Statement P on or before May 14, 1971.

(D) At the prehearing conference on June 22, 1971, Great Lakes' prepared

testimony (Statement P), together with its entire rate filing as submitted and served on April 16, 1971, shall be admitted to the record as Great Lakes' complete case-in-chief as provided by § 154.63(e)(1) of the Commission's regulations under the Natural Gas Act, and Order No. 254, 28 FPC 495, subject to appropriate motions, if any, by parties to the proceeding. All parties will be expected to come to the conference fully prepared to effectuate the provisions of §§ 1.18 and 2.59 of the Commission's rules of practice and procedure, including a useful discussion of all problems involved in the proceeding, both procedural and substantive, and fully authorized to make commitments with respect thereto.

(E) On or before August 16, 1971, the Commission Staff shall serve its prepared testimony and exhibits. The prepared testimony and exhibits of any and all intervenors shall be served on or before August 26, 1971. Any rebuttal evidence by Great Lakes shall be served on or before September 15, 1971. Hearing will commence with a prehearing conference on June 22, 1971, reconvening on October 5, 1971, for hearing, as provided above. The Presiding Examiner, upon a showing of good cause, may grant such extensions of time as he deems appropriate.

(F) A Presiding Examiner to be designated by the Chief Examiner for that purpose (see Delegation of Authority, 18 CFR 3.5(d)), shall preside at the hearing in this proceeding; shall prescribe relevant procedural matters not herein provided, and shall control this proceeding in accordance with the policies expressed in § 2.59 of the Commission's rules of practice and procedure.

(G) The above-named petitioners are hereby permitted to intervene in this proceeding, subject to the rules and regulations of the Commission: *Provided, however,* That the participation of such intervenors shall be limited to matters affecting the rights and interests specifically set forth in the respective petitions to intervene: *And provided, further,* That the admission of such intervenors shall not be construed as recognition that they or any of them might be aggrieved because of any order or orders issued by the Commission in this proceeding.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[FR Doc.71-7212 Filed 5-24-71; 8:46 am]

[Dockets Nos. E-7512, E-7514]

**ILLINOIS MUNICIPAL UTILITIES
ASSOCIATION ET AL.**

**Order Denying Motions To Dismiss,
Prescribing Hearing, Consolidating
Proceedings, and Requiring
Amendment of Complaints**

MAY 19, 1971.

Illinois Municipal Utilities Association
v. Illinois Power Co., Central Illinois
Public Service Co., and Union Electric

Co., Docket No. E-7512; Municipalities of Peru, et al. v. Illinois Power Co., Central Illinois Public Service Co., and Union Electric Co., Docket No. E-7514.

On November 19, 1969, the Illinois Municipal Utilities Association (IMUA)¹ filed a complaint with this Commission (Docket No. E-7512) requesting us to issue an order requiring either Central Illinois Public Service Co. (CIPS) and Illinois Power Co. (IP), or these companies and Union Electric Co. (Union),² to sell and exchange electric power with certain Illinois municipalities on the same terms as set forth in an Interconnection Agreement of November 1, 1969, between the Pool members and the Tennessee Valley Authority.

In its complaint IMUA alleges that IP and CIPS intend to prevent the municipalities from sharing in any benefits flowing from the Pool-TVA contract, contrary to the policy of the Antitrust Laws and sections 10 and 11 of the Tennessee Valley Act (16 U.S.C. 831i, 831j). Accordingly, IMUA petitions the Commission to order either IP and CIPS or the Pool members to sell and exchange power with the municipalities on the same terms as provided by the TVA-Pool contract.

Subsequently, on December 5, 1969, the municipalities³ (Peru et al.) not yet connected with one of the respondent public utilities filed a complaint requesting an order directing either that the Pool members interconnect with them on the same terms as obtain within the pool, or that IP and CIPS interconnect with them on the same terms extended to other investor-owned systems, and that, pending determination of these requests, emergency interconnections be ordered for Freeburg, Highland, and Sullivan under section 202(c). This complaint (Docket No. E-7514) was directed against the Pool members, or in the alternative, against IP and CIPS separately.

In that complaint, Peru et al., allege that for reasons of system reliability, emergency and economy service, etc., it is necessary for interconnections to be established, which should be on the same terms as extended by the companies to other electric systems. Referring, *inter alia*, to section 10(h) of the Federal Power Act, the municipalities also assert that failure by IP and CIPS to make interconnections available on reasonable terms would violate the antitrust laws.

¹ IMUA filed its complaint as representative of a group of municipal utilities directly or indirectly connected with IP or CIPS, or contemplating establishment of such interconnections. Those municipalities are Cairo, Casey, Flora, Metropolis, Newton, Mound City, Bethany, and Greenup (all connected with CIPS); Oglesby, Ogden, and Ladd (connected with IP); Springfield and Jacksonville (indirectly connected with CIPS and IP through the facilities of Central Illinois Light Co.); and another group of cities intending to file with this Commission a joint application for interconnection.

² Together constituting the Illinois-Missouri Pool (Pool).

³ Breese, Bushnell, Carlyle, Freeburg, Mascoutah, Highland, Peru, Princeton, Red Bud, Sullivan, and Waterloo.

As to each complaint, respondents filed answers and motions to dismiss. In their motions, respondents assert, among other things, that the Complainant's failure to include two required exhibits in their complaints necessitates their dismissal. Section 32.2 of the Commission's regulations calls for a statement of estimated annual cost of proposed interconnections and a map showing the service area of each utility involved, the location of the facilities concerned, and an indication of the point where interconnection may be most economically established. The complaints conform to the regulations in all other respects. Rather than dismissing them and awaiting the filing of amended pleadings, which will delay the resolution of these matters, we will require the Complainants to correct those two deficiencies prior to the date set for the prehearing conference. Other contentions advanced in the motions do not warrant dismissal at this time.

The Complainants subsequently responded to those pleadings.

We are advised that a number of conferences were held over a period of some months in an effort to resolve the parties' differences.⁴ The question of emergency interconnections for Freeburg, Highland, and Sullivan was disposed of by agreement, but as to the other issues the conferences have apparently failed to produce agreement. We are therefore required to act upon the requests contained in the complaints.

A review of the complaints, answers, and responses reflect that numerous factual and legal issues have been raised which require an evidentiary hearing record to resolve. Accordingly, we will order a public hearing to be held on the issues raised in those pleadings and will deny respondent's motions to dismiss the complaints without prejudice to their right to renew those motions at the conclusion of the hearing. Further, the proceedings in Dockets Nos. E-7512 and E-7514 contain common questions of law and fact and, consequently, should be consolidated for purposes of hearing and decision.

The Commission further finds: It is necessary and appropriate for the purposes of carrying out the provisions of the Federal Power Act, and particularly but not in limitation of the foregoing, sections 10, 202(b), 205, and 206, that a public hearing be held concerning the interconnection and/or exchange of power sought by Complainants, that the Motions to Dismiss filed by respondents be denied without prejudice to their renewal at the conclusion of the hearing, and that the proceedings in Dockets Nos. E-7512 and E-7514 be consolidated for purposes of hearing and decision.

The Commission orders:

(A) A public hearing shall be held concerning the proposed interconnection referred to in the finding above, and

⁴ By letter of Apr. 21, 1971, Complainants advised that no further benefit could be expected from these conferences, and requested that the Commission act upon the complaints.

the issues raised by the above-mentioned pleadings in Dockets Nos. E-7512 and E-7514. This hearing shall be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC, at a time to be specified by the Presiding Examiner following the prehearing conference herein-after directed.

(B) A prehearing conference shall be held before the Presiding Examiner commencing at 10 a.m., e.d.t., June 22, 1971, in a hearing room of the Federal Power Commission, Washington, D.C. for purposes as specified in the Commission's rules of practice and procedure.

(C) Complainants shall, before the date prescribed in ordering paragraph (B) for the prehearing conference, file with the Commission and serve upon all parties, as an attachment to their complaints, Exhibits A and B required by § 32.2 (18 CFR 32.2) of the Commission's regulations under the Federal Power Act.

(D) The respondents motions to dismiss are hereby denied without prejudice to their renewal at the conclusion of the hearing.

(E) The proceedings in Dockets Nos. E-7512 and E-7514 are hereby consolidated for purposes of hearing and decision.

(F) Notices of intervention or petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington, D.C. 20426, on or before June 18, 1971, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.37).

By the Commission.

[SEAL] KENNETH F. PLUMB,
Acting Secretary.

[FR Doc. 71-7213 Filed 5-24-71; 8:46 am]

[Docket No. CS71-302 etc.]

SCHIMMEL OIL CO. ET AL.

Notice of Applications for "Small Producer" Certificates¹

MAY 13, 1971.

Take notice that each of the applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before June 10, 1971, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered

¹ This notice does not provide for consolidation for hearing of the several matters covered herein.

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

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

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

KENNETH F. PLUMB,
Acting Secretary.

Docket No.	Date filed	Name of applicant
CS71-302.....	4-15-71	Schimmel Oil Co., D-304 Petroleum Center, San Antonio, TX 78209.
CS71-303.....	4-16-71	N. H. Wheelless (Operator) et al., Post Office Box 1746, Shreveport, LA 71102.
CS71-304.....	4-16-71	Bodeaw Co., 1300 Mercantile Dallas Bldg., Dallas, TX 75201.
CS71-305.....	4-15-71	Wheelless Industries, Inc., Post Office Box 1746, Shreveport, LA 71102.
CS71-306.....	4-15-71	Stewart R. Jenkins, Jr., Post Office Box 5086, Shreveport, LA 71105.
CS71-307.....	4-16-71	Resler and Sheldon, 314 Carper Bldg., Artesia, NM 88210.
CS71-308.....	4-16-71	Charm Oil Co., 314 Carper Bldg., Artesia, NM 88210.
CS71-309.....	4-16-71	W. C. Pickens, 800 Preston Bank Bldg., Dallas, TX 75225.
CS71-310.....	4-16-71	Pool & Hooper Oil Properties, Post Office Box 1476, Victoria, TX 77901.
CS71-311.....	4-13-71	Fred Roberts, 611 North Akard, Room 1200A, Dallas, TX 75201.
CS71-312.....	4-16-71	Ethyle Moorhead, Post Office Box 296, Liberal, KS 67901.
CS71-313.....	4-16-71	H. H. Phillips, Jr., 319 Milam Bldg., San Antonio, TX 78205.
CS71-314.....	4-16-71	The Gray Wolfe Co., 2004 Bank of the Southwest Bldg., Houston, TX 77002.
CS71-315.....	4-16-71	Petroleum Reserve Corp., Post Office Box 906, Stillwater, OK 74074.
CS71-316.....	4-16-71	Milton F. Shaffer (Operator) et al., Post Office Box 1451, Amarillo, TX 79105.
CS71-317.....	4-16-71	George H. Coates, 1610 Milam Bldg., San Antonio, TX 78205.
CS71-318.....	4-15-71	The Dow Chemical Co., Post Office Box 22468, Houston, TX 77027.
CS71-319.....	4-19-71	John D. Caruthers, Jr., 505 Louisiana Bank Bldg., Shreveport, LA 71101.
CS71-320.....	4-19-71	Fred Wilson Drilling Co., Inc., Post Office Box 22, Shreveport, LA 71102.
CS71-321.....	4-19-71	Triple S Oil Co., Post Office Box 1757, Shreveport, LA 71102.

See footnote at end of table.

Docket No.	Date filed	Name of applicant	Docket No.	Date filed	Name of applicant	Docket No.	Date filed	Name of applicant
CS71-322.....	4-19-71	Cotton Petroleum Co., 2121 South Columbia, Tulsa, OK 74114.	CS71-356.....	4-20-71	South States Oil & Gas Co., 946 Milam Bldg., San Antonio, TX 78205.	CS71-392.....	4-26-71	Lechner & Hubbard, 1303 Kirby Bldg., Dallas, TX 75201.
CS71-323.....	4-19-71	Cal-Ray Petroleum Corp., Liberty Bank Bldg., Oklahoma City, OK 73102.	CS71-357.....	4-21-71	Paul K. Leforge and E. H. Klein, Post Office Box 2508, Amarillo, TX 79105.	CS71-393.....	4-26-71	W. J. Coppinger, 925 Sutton Place, Wichita, KS 67202.
CS71-324.....	4-19-71	W. H. Smith Construction Co., Box 219, Wilson, OK 73463.	CS71-358.....	4-21-71	Consolidated Gas & Equipment Co. of America, 507 Amarillo Petroleum Bldg., Amarillo, TX 79101.	CS71-394.....	4-26-71	Anchor Production Co., Atlas Life Bldg., Tulsa, OK 74128.
CS71-325.....	4-19-71	R. C. Harris et al., 221 Hall Bldg., Beeville, TX 78102.	CS71-359.....	4-21-71	Roberts & Whitson Petroleum, Inc., 3100 Richmond, Suite 103, Houston, TX 77006.	CS71-395.....	4-26-71	Robert M. Wynne, 301 Midland National Bank Bldg., Midland, TX 79701.
CS71-326.....	4-19-71	Don R. Nichols, Box 1665, Midland, TX 79701.	CS71-360.....	4-21-71	Roger M. Wheeler, Post Office Box 1526, Tulsa, OK 74101.	CS71-396.....	4-26-71	Horace M. (H. M.) Holder, 1300 Beck Bldg., Shreveport, LA 71101.
CS71-327.....	4-19-71	H. D. Akin, Box 1271, Midland, TX 79701.	CS71-361.....	4-21-71	Alamo Petroleum Co., 4411 First National Bank Bldg., Dallas, TX 75202.	CS71-397.....	4-26-71	W. P. Carr, 6700 Forest Lane, Dallas, TX 75230.
CS71-328.....	4-19-71	R. E. Throckmorton, Jr., Post Office Box 1271, Midland, TX 79701.	CS71-362.....	4-21-71	Robert P. Wilson et al., National Bank of Tulsa Bldg., Tulsa, OK 74103.	CS71-398.....	4-26-71	E. R. Campbell, Post Office Box 1750, Shreveport, LA 71102.
CS71-329.....	4-19-71	T. A. McCarty, Post Office Box 1271, Midland, TX 79701.	CS71-363.....	4-21-71	T. B. Wilson, 179 Bossier Center, Bossier City, LA 71010.	CS71-399.....	4-26-71	Wilmar Oil, Inc., Post Office Box 474, Mattoon, IL 61538.
CS71-330.....	4-19-71	E. H. Thalman, Post Office Box 1591, Midland, TX 79701.	CS71-364.....	4-21-71	Edwin M. Jones Oil Co., 304 Milam Bldg., San Antonio, TX 78205.	As amended Apr. 26, 1971.		
CS71-331.....	4-19-71	McMoran Exploration Co., 1012 Pere Marquette Bldg., New Orleans, LA 70112.	CS71-365.....	4-21-71	Guy I. Warren, Post Office Drawer 2507, Corpus Christi, TX 78403.	[FR Doc. 71-7096 Filed 5-24-71; 8:45 am]		
CS71-332.....	4-19-71	Robert B. Stallworth, Jr., d.b.a. Dominion Oil & Gas Co. and/or Stallworth Oil & Gas, 407 West Missouri Ave., Midland, TX 79701.	CS71-366.....	4-21-71	Morgan Petroleum Co., 1600 Liberty Bank Bldg., Oklahoma City, OK 73102.	[Docket No. RP71-107]		
CS71-333.....	4-19-71	Chandler-Simpson, Inc., et al., 1401 Denver Club Bldg., Denver, CO 80202.	CS71-367.....	4-21-71	Logue and Patterson, 628 Meadows Bldg., Dallas, TX 75206.	NORTHERN NATURAL GAS CO.		
CS71-334.....	4-19-71	W. K. Byrom, Post Office Box 147, Hobbs, NM 88240.	CS71-368.....	3-22-71	Hines & Hobbs, Post Office Box 1698, Pampa, TX 79065.	Notice of Extension of Time		
CS71-335.....	4-19-71	Mallard Exploration, Inc., 1306 V & J Tower, Midland, TX 79701.	CS71-369.....	3-22-71	R. J. Bean, Post Office Box 1698, Pampa, TX 79065.	MAY 21, 1971.		
CS71-336.....	4-19-71	Dr. Robert Mack Caruthers, 430 Forest Circle, Ruston, LA 71278.	CS71-370.....	3-22-71	F. N. Hills Production, Post Office Box 1698, Pampa, TX 79065.	On May 18, 1971, Erie Mining Co. and Eveleth Taconite Co. filed a request for an extension of time within which to file petitions to intervene in the above-designated proceeding.		
CS71-337.....	4-19-71	Veva O. Caruthers, 129 East Lister St., Shreveport, LA 71101.	CS71-371.....	3-22-71	Johnny E. Hines, Post Office Box 1698, Pampa, TX 79065.	Upon consideration, notice is hereby given that the time is extended to and including May 25, 1971, within which protests or petitions to intervene may be filed in the above-designated matter. The notice of application issued May 3, 1971, is amended accordingly.		
CS71-338.....	4-19-71	Caruthers Operating Co., Inc. (Operator), et al., 505 Louisiana Bank Bldg., Shreveport, LA 71101.	CS71-372.....	3-22-71	Johnny E. Hines, Post Office Box 1698, Pampa, TX 79065.	KENNETH F. PLUMB,		
CS71-339.....	4-14-71	Floyd M. Hodge, 3404 Gilbert, Shreveport, LA 71104.	CS71-373.....	3-24-71	Archer & Smith, Post Office Box 1698, Pampa, TX 79065.	Acting Secretary.		
CS71-340.....	4-19-71	Burlington Bank & Trust Co., Burlington, Iowa, Trustee Under the Will of H. E. Trovillo (Operator), 16th Floor, 125 North Market, Post Office Box 997, Wichita, KS 67201.	CS71-374.....	3-24-71	Marshall & Winston, Inc., 314 Gulf Bldg., Post Office Box 82, Midland, TX 79701.	[FR Doc. 71-7320 Filed 5-24-71; 8:51 am]		
CS71-341.....	4-19-71	Mills Bennett Estate, 2001 Southern National Bank Bldg., Houston, TX 77002.	CS71-375.....	4-22-71	Helmly & Prather Oil Corp., 518 Petroleum Bldg., Amarillo, TX 79101.	[Docket No. CP71-268]		
CS71-342.....	4-19-71	Robert E. King, 935 Thora Blvd., Shreveport, LA 71106.	CS71-376.....	4-22-71	Triangle J Oil Co., 580 Mohawk, Boulder, CO 80303.	UNITED GAS PIPE LINE CO.		
CS71-343.....	4-12-71	Singer-Fleischaker Oil Co. et al., Post Office Box 663, 1501 North Classen, Oklahoma City, OK 73106.	CS71-377.....	4-22-71	Expando Production Co. et al., 607 Hamilton Bldg., Wichita Falls, TX 76301.	Notice of Application		
CS71-344.....	4-19-71	Southwestern Exploration Consultants, Inc. and Hanus J. Wehmann, 404 Local Federal Bldg., Oklahoma City, OK 73102.	CS71-378.....	4-22-71	J. S. Abercrombie Mineral Co., Inc., 818 15th St. NW., Suite 1020, Washington, DC 20006.	MAY 19, 1971.		
CS71-345.....	4-19-71	James D. Heldt, 1300 Mercantile Dallas Bldg., Dallas, TX 75201.	CS71-379.....	4-22-71	Perry E. Larson, 1201 Mercantile Securities Bldg., Dallas, TX 75201.	Take notice that on May 7, 1971, United Gas Pipe Line Co. (applicant), 1500 Southwest Tower, Houston, TX 77002, filed in Docket No. CP71-268 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the operation of existing facilities and the exchange of natural gas with United Gas, Inc. (United), all as more fully set forth in the application which is on file with the Commission and open to public inspection.		
CS71-346.....	4-19-71	John W. O'Boyle (estate of), 1300 Mercantile Dallas Bldg., Dallas, TX 75201.	CS71-380.....	4-22-71	Everett J. Carlson, Operator, Alamo National Bldg., San Antonio, TX 78205.	Specifically, applicant proposes to exchange up to 3,500 Mcf of natural gas daily with United. Applicant states that it will deliver this quantity of natural gas to United at Diboll, Angelina County, Tex., and that United will deliver equivalent volumes of natural gas to applicant at Marshall, Harrison County, Tex. The application states that this exchange of natural gas will afford each company a high degree of flexibility in their respective system operations.		
CS71-347.....	4-16-71	Evko Development Co., 742 35th Ave., San Francisco, CA 94121.	CS71-381.....	4-22-71	J. S. Turner, Post Office Box 108, Shreveport, LA 71102.	Any person desiring to be heard or to make any protest with reference to said application should on or before June 7, 1971, file with the Federal Power Commission, Washington, D.C. 20426, a pe-		
CS71-348.....	4-20-71	L. B. Nichols, Jr., Post Office Box 671, Borger, TX 79007.	CS71-382.....	4-22-71	C. O. Hardey, Operator, L. L. Hardey Trust and E. Lee Barnes, Post Office Box 1237, Shreveport, LA 71102.			
CS71-349.....	4-20-71	GHK Corp., 1010 Kernac Bldg., Oklahoma City, OK 73102.	CS71-383.....	4-23-71	Texas Gulf Sulphur Co., 1803 Houston Club Bldg., Houston, TX 77002.			
CS71-350.....	4-20-71	Chandler & Associates, Inc., et al., 1401 Denver Club Bldg., Denver, CO 80202.	CS71-384.....	4-23-71	Carolyn E. Allbritton, Tutrix of the Minors, David L. Allbritton and Diane L. Allbritton, Post Office Box 7425, Shreveport, LA 71107.			
CS71-351.....	4-20-71	Voor Mac Trust, Post Office Box 18735, Oklahoma City, OK 73118.	CS71-385.....	4-23-71	Arroyo Resources, Inc., 1818 Guaranty Bank Plaza, Corpus Christi, TX 78401.			
CS71-352.....	4-16-71	Jay Kornfeld, 1313 Union, National Bldg., Wichita, KS 67202.	CS71-386.....	4-23-71	Nelson B. Escene, 23 East 11th St., Liberal, KS 67901.			
CS71-353.....	4-13-71	Ratlidge H. Deas, Jr., Post Office Box 52093, Lafayette, LA 70501.	CS71-387.....	4-23-71	First National Oil, Inc., 23 East 11th St., Liberal, KS 67901.			
CS71-354.....	4-20-71	Shenandoah Oil Corp., 1500 Commerce Bldg., Fort Worth, TX 76102.	CS71-388.....	4-23-71	George P. Caulkins, Jr., 315 Majestic Bldg., Denver, CO 80202.			
CS71-355.....	4-20-71	Oakland Corp., Post Office Box 5162, Shreveport, LA 71105.	CS71-389.....	4-23-71	Beneficial Oil Co., 831 22d St., Ogden, UT 84401.			
			CS71-390.....	4-23-71	Wichita Industries, Inc., Post Office Box 1110, Wichita Falls, TX 76307.			
			CS71-391.....	4-23-71	Jet Oil Co., 3343 John Hancock Center, Chicago, IL 60611.			

See footnote at end of table.

tition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

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

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

KENNETH F. PLUMB,
Acting Secretary.

[FR Doc.71-7214 Filed 5-24-71; 8:46 am]

DEPARTMENT OF THE INTERIOR

National Park Service

EVERGLADES NATIONAL PARK

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 Sammy Hamilton, Jr., authorizing him to provide sightseeing boat tours for the public at Everglades National Park, Fla., for a period of 10 years from January 1, 1972, through December 31, 1981.

The foregoing concessioner has performed his obligations under the expiring contract 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 the contract and in the negotiation of a new contract. 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 evalu-

ated 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: May 13, 1971.

EDWARD A. HUMMEL,
Acting Director,
National Park Service.

[FR Doc.71-7204 Filed 5-24-71; 8:45 am]

DEPARTMENT OF COMMERCE

Office of the Secretary

OHIO STATE 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 Office of Import Programs, Department of Commerce, Washington, D.C.

Docket No. 71-00320-33-46040. Applicant: The Ohio State University Department of Microbial and Cell Biology, 190 North Oval Drive, Columbus, OH 43210. Article: Electron microscope, Model EM 300, Manufacturer: Philips Electronic NVD, The Netherlands.

Intended use of article: The article will be used to study the ultrastructural relationships of microorganisms and the microenvironment. Research concerns the effects of certain chlorinated hydrocarbon pesticides on biochemically active cell fractions and on virus ultrastructure; and an investigation of the characteristics and distribution of colloidal microparticulates in Lake Erie.

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-4B electron microscope which was formerly manufactured by the Radio Corp. of America and which is presently being supplied by the Forgi Corp. The Model EMU-4B 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 De-

partment of Health, Education, and Welfare in its memorandum dated March 26, 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-4B is not of equivalent scientific value to the foreign article for such purposes as 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.

SETH M. BODNER,
Director,

Office of Import Programs.

[FR Doc.71-7239 Filed 5-24-71; 8:48 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[DESI 6264]

ABSORBABLE DUSTING POWDER

Drugs for Human Use; Drug Efficacy Study Implementation

The Food and Drug Administration has evaluated a report received from the National Academy of Sciences-National Research Council, Drug Efficacy Study Group, on the following drug for use as a glove dusting powder:

Bio-Sorb; nonpeptizable homogeneous mixture of amylose and amylopectine derived from cornstarch with 2 percent magnesium oxide, marketed by Ethicon, Inc., Division of Johnson and Johnson, U.S. Highway 22, Somerville, New Jersey 08876 (NDA 6-264).

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

A. Effectiveness classification. The Food and Drug Administration has considered the Academy report, as well as other available evidence, and concludes that a nonpeptizable homogeneous mixture of amylose and amylopectine derived from cornstarch with 2 percent magnesium oxide is effective for use as a biologically absorbable glove powder.

B. Conditions for approval and marketing. The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. **Form of drug.** The drug is in sterile powder form suitable for dusting of surgical gloves.

2. **Labeling conditions.** a. The label and other labeling bear the statements:

(1) "Caution: Powder should be removed from the gloves after donning by wiping gloves thoroughly with a sterile wet sponge, sterile wet towel, or other effective method."

(2) "Surgical gloves treated with this powder are required to be labeled with the statement: 'Caution: After donning, remove powder by wiping gloves thoroughly with a sterile wet sponge, sterile wet towel, or other effective method.'"

b. The package labeling includes appropriate material which is recommended for display at the point of use and is designed to convey the above cautions to users of the drug or gloves treated with the drug.

c. The drug is labeled to comply with all requirements of the Act and regulations. Its labeling bears adequate information for safe and effective use of the drug. The recommended use of the drug as stated on the label and in any other labeling is as follows:

A biologically absorbable glove powder.

3. **Marketing status.** Marketing of such drugs may be continued under the conditions described in the notice entitled "Conditions for Marketing New Drugs Evaluated in Drug Efficacy Study" published in the FEDERAL REGISTER July 14, 1970 (35 F.R. 11273), as follows:

a. For holders of "deemed approved" new drug applications (i.e., an application which became effective on the basis of safety prior to October 10, 1962), the submission of a supplement for revised labeling and an abbreviated supplement for updating information as described in paragraph (a)(1)(i) and (iii) of the notice of July 14, 1970.

b. For any person who does not hold an approved or effective new drug application, the submission of an abbreviated new drug application as described in paragraph (a)(3)(i) of that notice.

c. For any distributor of the drug, the use of labeling in accord with this announcement for any such drug shipped within the jurisdiction of the Act as described in paragraph (b) of that notice.

A copy of the NAS-NRC report has been furnished to the firm referred to above. Any other interested person may obtain a copy by request to the Food and Drug Administration, Press Relations Office (CE-200), 200 C Street SW., Washington, D.C. 20204.

Communications forwarded in response to this announcement should be identified with the reference number DESI 6264, directed to the attention of the appropriate office listed below and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20852:

Supplements (Identify with NDA number):
Office of Scientific Evaluation (BD-100),
Bureau of Drugs.

Original abbreviated new drug applications (Identify as such): Drug Efficacy Study Implementation Project Office (BD-5),
Bureau of Drugs.

All other communications regarding this announcement: Drug Efficacy Study Implementation Project Office (BD-5),
Bureau of Drugs.

This notice is issued pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-53 as amended; 21 U.S.C. 352, 355) and under the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120).

Dated: May 10, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71-7218 Filed 5-24-71;8:46 am]

[Docket No. FDC-D-156; NADA No. 9-528V]

DR. MAYFIELD LABORATORIES
Dr. Mayfield 3WC; Notice of Withdrawal of Approval of New Animal Drug Application

A notice of opportunity for a hearing was published in the FEDERAL REGISTER of January 17, 1970 (35 F.R. 638), proposing to withdraw approval of NADA (new animal drug application) No. 9-528V for Dr. Mayfield 3WC (a drug containing diammonium arsenate) which is recommended for use in removing large roundworms from broiler chickens.

Dr. Mayfield Laboratories, 1209 South Main Street, Charles City, Iowa 50616, holder of NADA No. 9-528V for the drug Dr. Mayfield 3WC requested a hearing. However, a well-organized and full-factual analysis of the clinical and other investigational data was not presented to support the request. Therefore, the Commissioner of Food and Drugs finds that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application. The hearing request is therefore denied.

No other responses to the notice of opportunity for a hearing were received.

The Commissioner finds on the basis of new information before him with respect to said drug, evaluated together with the evidence available to him when the application was approved, that there is a lack of substantial evidence that the drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in its labeling.

Based on the grounds set forth, the Commissioner concludes that approval of said new animal drug application should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug and Cosmetic Act (sec. 512(e), 82 Stat. 345-47; 21 U.S.C. 360b(e)) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 9-528V including all amendments and supplements thereto, is hereby withdrawn effective on the date of signature of this document.

Dated: May 6, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71-7222 Filed 5-24-71;8:47 am]

[Docket No. FDC-D-223; NADA No. 8-748V etc.]

DR. MAYFIELD LABORATORIES ET AL.
Hog Wormer; Notice of Withdrawal of Approval of New Animal Drug Applications

A notice of opportunity for a hearing was published in the FEDERAL REGISTER of September 9, 1970 (35 F.R. 14227), proposing to withdraw approval of new animal drug applications covering drugs containing copper aceto-arsenite, antimonyl potassium tartrate, and phenothiazine recommended for use in removing large roundworms (*Ascaris*) and nodular worms (*Oesophagostomum*) from swine.

Dr. Mayfield Laboratories, 1209 South Main Street, Charles City, Iowa 50616, holder of NADA (new animal drug application) No. 8-748V for the drug Dr. Mayfield Hog Wormer, requested a hearing. However, a well-organized and full-factual analysis of the clinical and other investigational data was not presented to support the request. Therefore, the Commissioner of Food and Drugs finds that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application. The hearing requested is therefore denied.

King Castle, Inc., Post Office Box 189, Marion, Iowa 52302 (formerly The Corn King Co.), holder of NADA No. 9-040V for the drug Hog Wormer, advised the Commissioner of Food and Drugs that they do not wish to avail themselves of the opportunity for a hearing. No other response to the notice of opportunity for a hearing was received.

The Commissioner finds on the basis of new information before him with respect to said drugs, evaluated together with the evidence available to him when the applications were approved, that there is a lack of substantial evidence that the drugs will have the effect they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in their labeling.

Based on the grounds set forth, the Commissioner concludes that approval of said new animal drug applications should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-47; 21 U.S.C. 360b(e)) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 8-748V and NADA No. 9-040V, including all amendments and supplements thereto, is hereby withdrawn effective on the date of signature of this document.

Dated: May 6, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.71-7221 Filed 5-24-71;8:46 am]

[Docket No. FDC-D-166; NADA No. 8-839V etc.]

E. I. DU PONT DE NEMOURS & CO., INC., ET AL.

Sodium Propionate; Notice of Withdrawal of Approval of New Animal Drug Applications

A notice of opportunity for a hearing proposing to withdraw approval of the following NADA's (new animal drug applications) for drugs containing sodium propionate as the designated active ingredient was published in the FEDERAL REGISTER of February 18, 1971 (36 F.R. 3147):

1. Impedex; NADA No. 8-839V; E. I. du Pont de Nemours & Co., Inc., Wilmington, Del. 19898;

2. Keenote; NADA No. 9-114V; Anchor Serum Co., Division of Phillips Roxane, Inc., 2621 North Belt Highway, St. Joseph, Mo. 64502; and

3. Whit Pro; NADA No. 9-117V; Whitmoyer Laboratories, Inc., Myerstown, Pa. 17067.

The holders of the above new animal drug applications did not file a written appearance of election to avail themselves of the opportunity for a hearing. The failure of such persons to file a written appearance of election within 30 days following the date of publication of said notice is construed as an election not to avail themselves of an opportunity for a hearing.

On the basis of the grounds set forth in said notice and the response to said notice, the Commissioner of Food and Drugs concludes that approval of the listed new animal drug applications should be withdrawn.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512, 82 Stat. 343-51; 21 U.S.C. 360b) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 8-839V, NADA No. 9-114V, and NADA No. 9-117V and all amendments and supplements thereto is hereby withdrawn effective on the date of signature of this document.

Dated: May 5, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 71-7220 Filed 5-24-71; 8:46 am]

[Docket No. FDC-D-152; NADA 6-601V etc.]

PAUL'S PRODUCTS CO. ET AL.

Sulfamerazine; Notice of Withdrawal of Approval of New Animal Drug Applications

A notice of opportunity for a hearing proposing to withdraw approval of new animal drug application No. 6-601V for the drug Sulfamarex was published in the FEDERAL REGISTER of January 17, 1970 (35 F.R. 639).

Paul's Products Co., Post Office Box 546, Mankato, Minn. 56001, holder of new animal drug application (NADA No. 6-601V) covering the drug Sulfamarex

did not file a written appearance of election regarding whether they wished to avail themselves of the opportunity for a hearing within the 30-day period provided for in said notice, nor did any other interested person. This is construed as an election by Paul's Products Co., and any other possibly interested person, not to avail themselves of the opportunity for a hearing.

The new animal drugs listed below are similar in composition and labeling to the above-cited drug product. The holders of the new animal drug applications for these drugs did not furnish data for review by the Academy as requested in a notice published in the FEDERAL REGISTER of July 9, 1966 (31 F.R. 9426). Therefore, the findings of the Academy and of the Administration with regard to the drug Sulfamarex apply equally to the following drugs:

1. Dr. Hess Poultry Sulfa; NADA No. 6-478V; contains sulfamerazine 25 percent; by Hess & Clark, Inc., Seventh and Orange Streets, Ashland, Ohio 44805.

2. Lee's Sulfamerazine; NADA No. 6-450V; contains sodium sulfamerazine 13 percent; by George H. Lee Co., 115 Harney Street, Omaha, Nebr. 68102.

3. Soluble Veta-Merazine; sodium sulfamerazine U.S.P.; NADA No. 6-324V; by American Cyanamid Co., Post Office Box 400, Princeton, N.J. 08540.

4. Sodium Sulfa Merazine and Sulfa Merazine; contains sodium sulfamerazine and sulfamerazine; NADA No. 5-875V; by Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Inc., Rahway, N.J. 07065.

Based on the grounds set forth in said notice of opportunity for hearing and the response to said notice, the Commissioner of Food and Drugs concludes that approval of said new animal drug applications should be withdrawn. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(e), 82 Stat. 345-47; 21 U.S.C. 360b(e)) and under authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 6-601V, NADA No. 6-478V, NADA No. 6-450V, NADA No. 6-324V, NADA No. 5-875V, including all amendments and supplements thereto is hereby withdrawn effective on the date of signature of this document.

Dated: May 7, 1971.

SAM D. FINE,
Associate Commissioner,
for Compliance.

[FR Doc. 71-7223 Filed 5-24-71; 8:47 am]

[Docket No. FDC-80]

PARMESAN CHEESE (REGGIANO CHEESE) IDENTITY STANDARD

Notice of Hearing Regarding Reduction of Minimum Curing Time

In the matter of amending the standard of identity for parmesan cheese (§ 19.595) to reduce the minimum curing time required from 14 months to 10 months:

A notice of proposed rule making in the above-identified matter was published in the FEDERAL REGISTER of April 24, 1970 (35 F.R. 6595), based upon a petition filed by Tolibia Cheese, Inc., 919 Michigan Avenue, Chicago, Illinois 60611. An order rejecting the proposed amendment was published January 23, 1971 (36 F.R. 1153), to become effective in 60 days unless stayed by objection. Tolibia Cheese, Inc., an adversely affected person, filed an objection to this order and requested a public hearing upon the objection. Notice of this objection and the stay of the subject order was published April 21, 1971 (36 F.R. 7535).

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 under authority delegated to the Commissioner (21 CFR 2.120) notice is now given that a public hearing will be held for the purpose of receiving evidence relevant and material to the issue of whether reducing the minimum curing time required by the standard of identity for parmesan cheese (§ 19.595) from 14 months to 10 months is reasonable and will promote honesty and fair dealing in the interest of consumers.

The hearing will begin at 10 a.m. on June 28, 1971, in Room 4A-31, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland. Any interested person may attend the hearing and present evidence. A prehearing conference for the exchange of documentary evidence, scheduling of witnesses, and such other matters as may aid in disposition of the hearing will be held in Room 4A-31, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland, beginning at 10 a.m. on June 21, 1971. Under the provisions of 21 CFR 2.71, Mr. William E. Brennan is hereby designated as presiding officer to conduct the hearing in accordance with the provisions of 21 CFR 2.48-2.104. All those intending to participate in the hearing shall submit a written notice of appearance, according to 21 CFR 2.60, on or before June 9, 1971. Notices of appearance should be addressed to William E. Brennan, Hearing Examiner, Department of Health, Education, and Welfare, Room 5B-46, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.

Dated: May 14, 1971.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc. 71-7219 Filed 5-24-71; 8:46 am]

Public Health Service

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Delegation of Authority Regarding Implementation of Emergency Health Personnel Act

The Emergency Health Personnel Act of 1970, Public Law 91-623, amends the Public Health Service Act to add a new section 329 to part C, title III, to provide for the assignment of commissioned offi-

cers and other health personnel of the Public Health Service to communities and other areas with critical health manpower shortages to provide health care and services for persons living in such areas.

The Act requires implementation by "an identifiable administrative unit of the Public Health Service."

On March 14, 1971, the Secretary delegated to the Assistant Secretary for Health and Scientific Affairs the authority to administer this law, and the Assistant Secretary on April 5, 1971, wrote a memorandum from which the following is excerpted:

1. The Secretary has delegated to the ASHSA authority for implementation of the EHPS. I am hereby delegating this authority to the Administrator, HSMHA

Following receipt of this delegation the HSMHA Administrator issued the following document:

**HEALTH SERVICES AND MENTAL HEALTH
ADMINISTRATION**

DELEGATION OF AUTHORITY

I hereby delegate to the Director, Community Health Service the functions under section 329 of the Public Health Service Act, as amended by Public Law 91-623, the Emergency Health Personnel Act of 1970, relating to the authority to assign commissioned officers and other health personnel of the Public Health Service to communities and areas with critical health manpower shortages for the provision of health care and services and to make other necessary commitments.

VERNON E. WILSON, M.D.,
Administrator.

APRIL 27, 1971.

The HSMHA Administrator has approved the establishment of "an identifiable administrative unit" as part of the Community Health Service, as follows:

National Health Service Corps (3P2106). (1) Establishes the guidelines for the utilization of Emergency Health Personnel Act assignees; (2) recruits and selects commissioned officers and other personnel for assignment to the areas designated; (3) determines, with advice from the Regional Offices, which communities or areas may receive assistance; (4) assigns health personnel to practice in areas designated as having a critical health manpower shortage; and (5) coordinates with Federal agencies, such as Department of Justice, Selective Service, and Treasury, with State and local governments, and with nongovernmental agencies and organizations, as necessary.

VERNON E. WILSON,
Administrator.

MAY 14, 1971.

[FR Doc.71-7273 Filed 5-24-71;8:50 am]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

HIAWATHA NATIONAL FOREST

Transfer of Certain Lands

In compliance with section 8 of the Act of October 15, 1966, Public Law 89-668,

notice is hereby given that pursuant to the authority vested in the Secretary of Agriculture, the following lands are hereby transferred from the administrative jurisdiction of the Forest Service, U.S. Department of Agriculture, to the administrative jurisdiction of the National Park Service, U.S. Department of the Interior.

Those certain lands now administered as a part of the Hiawatha National Forest situated, lying, and being in Tps. 47 and 48 N., R. 18 W., of the Michigan Meridian, Alger County, Mich., and being more particularly described as follows:

T. 47 N., R. 18 W.,
Sec. 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and lot 2 except for 1 acre in its southwest corner;
Sec. 4, an 0.66-acre tract of public domain reserved by Proclamation No. 2318 of January 3, 1939;
Sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 16, S $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 29, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 48 N., R. 18 W.,
Sec. 36, lots 1 and 2, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 455.69 acres.

Effective date. This notice shall become effective on the date of its publication in the FEDERAL REGISTER (5-25-71).

MAY 20, 1971.

CLIFFORD M. HARDIN,
Secretary of Agriculture.

[FR Doc.71-7268 Filed 5-24-71;8:50 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-385]

MITSUBISHI INTERNATIONAL CORP.

Notice of Application for and Proposed Issuance of Facility Export License

Please take notice that Mitsubishi International Corp., New York, N.Y., has submitted to the Atomic Energy Commission (Commission) an application dated January 25, 1971, as amended, for a license to authorize the export of a 2,440 megawatt thermal, pressurized water reactor to the Kansai Electric Power Co., Osaka, Japan.

Subject to confirmation that the proposed reactor export is within the scope of and consistent with the terms of the Agreement for Cooperation Between the Government of the United States of America and the Government of Japan, the Commission has found that:

(a) The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, Code of Federal Regulations, and

(b) The reactor proposed to be exported is a utilization facility as defined in said Act and regulations.

In its review of applications solely to authorize the export of production or utilization facilities, the Commission does not evaluate the health and safety

characteristics of the facility to be exported.

Unless within 15 days after the publication of this notice in the FEDERAL REGISTER, a request for a hearing is filed with the Commission by the applicant, or a petition for leave to intervene is filed by any person whose interest may be affected by the proceeding, the Director of Regulation will upon such confirmation as noted above cause to be issued to the Mitsubishi International Corp., a facility export license and cause to be published in the FEDERAL REGISTER a notice of issuance of the license. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in the notice, the Commission will issue a notice of hearing or an appropriate order.

A copy of the application, dated January 25, 1971, as amended, is on file in the Commission's Public Document Room located at 1717 H Street NW., Washington, DC.

Dated at Bethesda, Md., this 6th day of May 1971.

For the Atomic Energy Commission.

EBER R. PRICE,
Director, Division of
State and Licensee Relations.

[FR Doc.71-7237 Filed 5-24-71;8:48 am]

[Docket No. 50-301]

WISCONSIN ELECTRIC POWER CO. AND WISCONSIN MICHIGAN POWER CO.

Notice of Availability of Detailed Statement on Environmental Considerations

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that a document entitled "Detailed Statement on the Environmental Considerations by the Division of Radiological and Environmental Protection, U.S. Atomic Energy Commission, Related to the Proposed Issuance of an Operating License to the Wisconsin Electric Power Co. and the Wisconsin Michigan Power Co. for the Point Beach Nuclear Plant, Unit No. 2" is being placed in the following locations where it will be available for inspection by members of the public: The Commission's Public Document Room, 1717 H Street NW., Washington, DC; and at the Manitowoc Public Library, 808 Hamilton Street, Manitowoc, WI 54220. Mrs. Barbara F. Kelly, Librarian. Single copies of the statement may be obtained by writing the Director, Division of Reactor Licensing, U.S. Atomic Energy Commission, Washington, D.C. 20545.

Dated at Bethesda, Md., this 11th day of May 1971.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[FR Doc.71-7207 Filed 5-24-71;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket No. 22307]

AMERICAN FLYERS AIRLINE CORP. ET AL.

Notice of Further Postponement of Hearing

American Flyers Airline Corp., Charter Consultants, Inc., Fred Meyrow, individually, Group Travel Associates, Inc., Howard J. McConnell, individually, enforcement proceeding.

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding, now assigned to be held on May 20, 1971, at 10 a.m., e.d.s.t., in Room 503, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner William F. Cusick, is postponed until June 8, 1971, at 10 a.m., in Room 503, Universal Building.

Dated at Washington, D.C., May 20, 1971.

[SEAL] WILLIAM F. CUSICK,
Hearing Examiner.

[FR Doc. 71-7257 Filed 5-24-71; 8:49 am]

[Docket No. 23021]

CHINA AIRLINES

Notice of Prehearing Conference and Hearing Regarding Charter Service Application

Notice is hereby given that a prehearing conference in the above-entitled application is assigned to be held on June 2, 1971, at 10 a.m., e.d.s.t., in Room 205, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Robert M. Johnson.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement before May 28, 1971.

Dated at Washington, D.C., May 20, 1971.

[SEAL] RALPH L. WISER,
Associate Chief Examiner.

[FR Doc. 71-7258 Filed 5-24-71; 8:50 am]

[Docket No. 23140]

PASSENGER FARES CHARGED BY DOMESTIC TRUNKLINE AND LOCAL SERVICE CARRIERS

Notice of Prehearing Conference

Reasonableness of passenger fares charged by domestic trunkline and local service carriers from October 1, 1969, through October 14, 1970.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on July 29, 1971, at 10 a.m., e.d.s.t., in Room 1027, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Ross I. Newmann.

In order to facilitate the conduct of the conference parties are instructed to submit to the examiner and other parties (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Economics will circulate its material on or before July 8, 1971, and the other parties on or before July 19, 1971. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Economics.

Dated at Washington, D.C., May 20, 1971.

[SEAL] RALPH L. WISER,
Associate Chief Examiner.

[FR Doc. 71-7259 Filed 5-24-71; 8:50 am]

[Docket No. 23080]

PRIORITY AND NONPRIORITY DO- MESTIC SERVICE MAIL RATES IN- VESTIGATION

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on July 1, 1971, at 10 a.m., e.d.s.t., in Room 726, Universal Building, 1825 Connecticut Avenue NW., Washington, DC, before Examiner Harry H. Schneider.

In order to facilitate the conduct of the conference, parties are instructed to submit to the examiner and other parties (1) proposed statements of issues; (2) proposed stipulations; (3) requests for

information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Economics will circulate its material on or before June 15, 1971, and the other parties on or before June 22, 1971. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Economics.

Dated at Washington, D.C., May 20, 1971.

[SEAL] RALPH L. WISER,
Associate Chief Examiner.

[FR Doc. 71-7256 Filed 5-24-71; 8:49 am]

CIVIL SERVICE COMMISSION ENVIRONMENTAL PROTECTION AGENCY

Notice of Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Environmental Protection Agency to fill by noncareer executive assignment in the excepted service the position of Associate General Counsel, Office of Standards, Enforcement and General Counsel.

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

[FR Doc. 71-7250 Filed 5-24-71; 8:49 am]

MEDICAL RADIOLOGY TECHNICIAN SERIES, LOS ANGELES-LONG BEACH, CALIF.

Notice of Establishment of Minimum Rates and Rate Ranges

Under the authority of 5 U.S.C. 5303 and Executive Order 11073, the Civil Service Commission has established special minimum salary rates as follows:

GS-647 MEDICAL RADIOLOGY TECHNICIAN SERIES

Geographic coverage: Los Angeles-Long Beach, Calif., Standard Metropolitan Statistical Area (includes all of Los Angeles County).

Effective date: First day of the first pay period beginning on or after May 30, 1971.

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS-4	\$7,651	\$7,858	\$8,065	\$8,272	\$8,479	\$8,686	\$8,893	\$9,100	\$9,307	\$9,514
GS-5	7,862	8,093	8,324	8,555	8,786	9,017	9,248	9,479	9,710	9,941
GS-6	8,243	8,501	8,759	9,017	9,275	9,533	9,791	10,049	10,307	10,565
GS-7	8,868	9,154	9,440	9,726	10,012	10,298	10,584	10,870	11,156	11,442

All new employees in the specified occupational level will be hired at the new minimum rates.

As of the effective date, all agencies will process a pay adjustment to increase the pay of employees on the rolls in the affected occupational levels. An employee who immediately prior to the effective date was receiving basic compensation at one of the statutory rates shall receive basic compensation at the corresponding numbered rate authorized by this notice on or after such date. The pay adjustment will not be considered

an equivalent increase within the meaning of 5 U.S.C. 5335.

Under the provisions of section 3-2b, Chapter 571, FPM, agencies may pay the travel and transportation expenses to first post of duty under 5 U.S.C. 5723 of new appointees to positions cited.

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

[FR Doc. 71-7249 Filed 5-24-71; 8:49 am]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN

Notice of Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Thursday, May 27, 1971. The hearing will take place in the South Auditorium of the ASTM Building, 1916 Race Street in Philadelphia, beginning at 2 p.m. The hearing will be on proposals to amend the Comprehensive Plan so as to include the following projects.

1. *Dublin Water Co.* A well water supply project to augment public supplies in the company's service area in Upper Dublin Township, Montgomery County, Pa. Designated as Well No. 4, the new facility is expected to yield 340,000 gallons per day.

2. *Bucks County Commissioners.* A countywide sewage plan for Bucks County, Pa. The plan includes collection systems and treatment plants, both existing and proposed, to serve 52 municipalities.

3. *Northampton-Bucks County Municipal Authority.* A well water supply project to develop new public water supplies in Northampton Township, Bucks County, Pa. Designated as Wells No. 6A, and No. 6B, the new facilities are expected to yield a total of 410,000 gallons per day.

4. *Springfield Township.* Abandonment of a portion of an existing sewer and force main, by the extension of an existing interceptor which serves Springfield and White Marsh Townships, Montgomery County, Pa. The 27-inch interceptor will extend along Wissahickon Creek and will convey sewage to the City of Philadelphia Southwest Treatment Plant.

5. *Village of Hobart.* A sewage treatment plant and improved collection system for the village of Hobart, Delaware County, N.Y. The treatment plant is designed to remove in excess of 95 percent of BOD₅ from an average flow of 75,000 gallons per day. Treated effluent will be discharged to the West Branch Delaware River.

6. *City of Vineland.* A well water supply project to augment public water supplies in the city of Vineland, Cumberland County, N.J. Designated as Wells No. 11 and No. 12, the two new facilities will be limited to 1.4 and 2.4 million gallons per day respectively.

7. *Delaware Department of Highways.* A dredging project sponsored by the Delaware Department of Highways to dredge 5 million cubic yards of borrow from the Delaware River between Penns Grove and Oldmans Point in New Castle County, Del., for use in construction of a portion of Interstate Route 495 across Cherry Island in Wilmington, Del.

8. *Commonwealth of Pennsylvania.* A project to reconstruct Chain Dam on the Lehigh River near the Borough of Glendon, Northampton County, Pa., sponsored by the Department of Environmental Resources. The concrete gravity dam will restore a 5-mile lake intended for recreational use.

9. *Levy Court of Kent County.* A sewage collection and treatment project by the Levy Court of Kent County, Del. Designated as Phase II of the Comprehensive Sewage Works Project, the new facility will provide in excess of 90 percent removal of BOD₅. The treatment plant will be located northeast of Frederick, and treated effluent will discharge to the Murderkill River.

10. *Township of Mount Olive.* A well water supply project to augment public water supplies in the township of Mount Olive, Morris County, N.J. Two new wells will be utilized and the total diversion from groundwaters will be limited to 250,000 gallons per day during any month.

Documents relating to the above items may be examined at the Commission's offices. All persons wishing to testify are requested to register in advance with the Secretary of the Commission (Telephone (609) 883-9500).

W. BRINTON WHITALL,
Secretary.

MAY 14, 1971.

[FR Doc.71-7254 Filed 5-24-71; 8:49 am]

ENVIRONMENTAL PROTECTION AGENCY

UNDERGROUND MINING OF URANIUM ORE

Radiation Protection Guidance for Federal Agencies

The President's Reorganization Plan No. 3 of 1970 transferred to the Environmental Protection Agency (EPA) the functions of the former Federal Radiation Council (FRC) which was established under Executive Order 10831 and Public Law 86-373. These functions include recommending radiation protection guidance for Federal agencies.

In a memorandum to the President published in the FEDERAL REGISTER on December 18, 1970, the FRC recommended that annual exposure levels of miners to radon daughters in underground uranium mines should be no more than 4 WLM,¹ effective as of July 1, 1971. This memorandum also recommended that the FRC consider additional information to determine whether or not to modify this recommendation. The additional information has been considered and the Administrator of EPA has concluded that this recommendation should not be modified.

¹ "WLM" is Working Level Months, a term commonly used to express a miner's calculated exposure to radon daughter products found in the mine air. This is derived from the Working Level (WL), a unit which is defined as any combination of short-lived radon daughters in one liter of air that will result in the ultimate emission of 1.3×10^6 MeV of potential alpha energy.

Public comment on this matter is invited.

BACKGROUND

The FRC, noting an increase in the 1960s in lung cancer among underground uranium miners in the United States associated with the inhalation of radioactive materials, undertook a study of the problem, resulting in issuance of Report No. 8, "Guidance for the Control of Radiation Hazards in Uranium Mining", in September 1967.

The FRC submitted three memorandums to the President on this subject, and the recommendations contained in the memorandums were approved by the President. In the first memorandum, approved by the President and published in the FEDERAL REGISTER on August 1, 1967, 32 F.R. 1183, the FRC initially considered exposure guidance of 36, 12 and 4 WLM per year. It concluded that the best balance between risks to the miners and control capability was a limit of 12 WLM per year based on the information available at that time on epidemiological studies, animal experiments, miner exposure records, health considerations, mining practices and costs thereof, and applicable research and development results.

The second memorandum, approved by the President and published in the FEDERAL REGISTER on January 15, 1969, 34 F.R. 576, includes, among others, the following five recommendations:

1. Occupational exposure to radon daughters in underground uranium mines be controlled so that no individual miner will receive an exposure of more than 6 WLM in any consecutive 3-month period and no more than 12 WLM in any consecutive 12-month period. Actual exposures should be kept as far below these values as practicable.

4. As a policy measure of prudence the agencies having responsibility for regulating the uranium mining industry be advised that the Federal Radiation Council recommends an annual exposure level of 4 WLM as of January 1, 1971.

5. Prior to this date, the Council will consider all pertinent information including epidemiological data, miner exposure records, health considerations, mining practices and costs thereof, and applicable research and development results, to determine whether or not to modify this recommendation.

6. The uranium mining industry is urged to continue efforts to progressively lower exposure levels in the mines so that the anticipated 4 WLM standard can be attained by January 1, 1971.

7. To assist the Council in its periodic review of radiation protection in uranium mines an interagency group will be established with representation from agencies of the Council. This group will keep all relevant information and developments under continuing surveillance and make reports to the Council in advance of its periodic review.

Pursuant to recommendation No. 7, an interagency group was established. This group was known as the Interagency Uranium Mining Radiation Review Group (IUMRRG) and consisted of representatives from the Department of Health, Education, and Welfare, the Department of Agriculture, the Department of the Interior, the Department of Labor,

the Department of Commerce, the Department of Defense, and the Atomic Energy Commission. The Surgeon General, U.S. Public Health Service, was appointed Chairman.

The third memorandum, approved by the President and published on December 18, 1970, 35 F.R. 9218, stated that IUMRRG required additional time to complete its review and recommended that the effective date be postponed from January 1, 1971 to July 1, 1971.

CONCLUSIONS

Following a review and analysis of the information referenced below, the Administrator has reached the following conclusions:

a. The major areas of consideration in connection with determining radiation protection guidance for uranium miners are:

(1) Protection of the health of uranium miners.

(2) Technical feasibility of achieving various levels of exposure.

(3) Economic impact of achieving various levels of exposure.

b. The primary objective of EPA guidance for underground uranium mining standards is to protect miners from radiation induced lung cancer. Although the magnitude of risk attributable to radiation exposures incident to uranium mining is still in dispute among the participants in the IUMRRG review, it is concluded that radiation exposure is the major identified factor causally related to an increased lung cancer risk. Thus, the major principle on which EPA guidance is based is the reduction of the radiation exposure to uranium miners to the lowest practicable level.

c. A standard of 4 WLM per year is technically feasible.

d. A standard of 4 WLM per year would not have a severe impact on the underground uranium mining community, provided additional time is allowed for compliance in certain instances.

e. A standard greater than 4 WLM per year probably would result in dosages exceeding those permitted for other occupational radiation exposure situations.

f. The risk of lung cancer appears to be enhanced by cigarette smoking in combination with the inhalation of radioactive materials; therefore, smoking by underground uranium miners should continue to be discouraged.

DECISIONS

In light of the conclusions noted above, the Administrator does not find a basis for modifying the guidance approved by the President that an annual exposure level of 4 WLM be effective as of July 1, 1971.

The authority which EPA derived from the former FRC is limited to recommending guidance for Federal agencies. Other agencies are responsible for setting and enforcing standards. It is for these agencies to consider what provision it is appropriate to make, in enforcement of standards, for those cases where immediate enforcement of a 4 WLM per year standard would cause excessive financial loss which would compel the

closing of mines resulting in substantial loss of employment for miners. It is the Administrator's concern that, if variances are granted for specific mines by the appropriate regulatory agencies, such mines be brought into compliance with the 4 WLM per year guidance at the earliest possible time.

In this connection it should be noted that the recommendation of 4 WLM per year was approved by the President and published in the FEDERAL REGISTER on January 15, 1969, to be effective January 1, 1971. (The effective date was later extended to July 1, 1971.) Thus, industry has been aware of the impending 4 WLM per year limit for 2½ years.

The Administrator strongly urges that epidemiological and related experimental studies and research on better radiation control procedures and methods continue to be actively and vigorously pursued by both the industry and Federal agencies.

AVAILABILITY OF REPORTS TO PUBLIC

The foregoing conclusions and decisions were based on information and reports prepared by the IUMRRG, subgroups of the IUMRRG, and a report of the National Academy of Sciences-National Research Council (NAS-NRC). These reports are available to the public at EPA Headquarters and the 10 EPA Regional Offices at the addresses noted at the end of this notice.

For the convenience of the public, the following reports and summaries are set forth below:

(1) The IUMRRG report by the Chairman of the IUMRRG.

(2) Summaries of the subgroup reports.

(3) The conclusions of the NAS-NRC report.

IUMRRG REPORT

The final report of the IUMRRG was in the form of a letter dated April 26, 1971, from the Chairman of the IUMRRG, the Surgeon General, U.S. Public Health Service. This letter is set forth below:

DEPARTMENT OF HEALTH, EDUCATION,
AND WELFARE

WASHINGTON, D.C. 20201

SURGEON GENERAL OF THE PUBLIC
HEALTH SERVICE

HON. WILLIAM D. RUCKELSHAUS,
Administrator,
Environmental Protection Agency,
Washington, D.C. 20460.

April 26, 1971.

DEAR MR. RUCKELSHAUS: In accordance with the recent exchange of correspondence between you and Secretary Richardson concerning the efforts of the Interagency Uranium Mining Radiation Review Group which I chair, I am enclosing final reports summarizing the conclusions reached by the subgroups of our committee. I believe that these reports, as well as the full reports of the subgroups sent to you earlier, represent a workmanlike review of the assigned problems.

The methodology and content of the reports were discussed at length at a meeting of the Interagency Review Group held on April 1, 1971. While there were a number of differences of opinion on other matters, the Group did reach a consensus that there is

an increased risk of lung cancer associated with all ranges of radiation exposure examined, including the 120-359 cumulative working level month category. It seems clear to me then that the guidance concerning the allowable radiation level in uranium mines must [sic] be as low as possible.

The courses of action available to you concern principally the schedule for achievement of the lower levels. The arguments for early adoption of low levels center around human health considerations—lower levels established soon will achieve lower total lifetime exposure to hazard. The arguments for more time to achieve the lower guidance center around economic considerations—possible damage to the domestic uranium mining industry may result from more stringent requirements. Comments from each Review Group member on both the appropriate level to be established and the schedule for reaching that goal are attached for your use in reaching a decision.

A discussion of the alternatives I outlined in an enclosure to my February 26 memorandum to the members of the Review Group follows:

1. That the guidance of 4 WLM per year go into effect on or before July 1, 1971.

Pro: Exposure of miners to radiation in the uranium mines would be decreased; total exposure in cumulative working level months would increase at a lower rate than at present.

Con: A significant number of mines would not be in compliance, having a possible adverse effect on the domestic uranium mining industry. Some miners might be thrown out of work.

2. That the guidance of 8 WLM per year go into effect in 1 year and that the guidance of 4 WLM per year go into effect in 2 years.

Pro: Industry would have time to comply with lower standards gradually thus diminishing possible economic damage and layoffs; total exposure in cumulative working level months would increase at a lower rate than at present.

Con: Total exposure of miners to radiation in the uranium mines would increase at a higher rate than under a 4 WLM per year guidance.

3. That the guidance remain at 12 WLM.

Pro: Industry is, by and large, already complying with this exposure guidance; no increased cost would be necessary; there would be no adverse economic impact.

Con: Exposure of miners to radiation in the uranium mines would remain at the current level as would their cumulative total exposure.

The member from the Atomic Energy Commission urges the continuation of the Review Group. With the submission of this letter to you, however, I believe that the work of the present Interagency Uranium Mining Radiation Review Group is concluded, and I shall convene no further sessions. I would, however, be happy to arrange for the participation of this Department in any interagency committee constituted to consider this subject.

Sincerely yours,

JESSE L. STEINFELD, M.D.,
Surgeon General, Chairman, Inter-
agency Uranium Mining Radiation
Review Group.

Enclosures:

NOTE: Enclosures are located at EPA Headquarters and the 10 EPA Regional offices at the addresses noted at the end of this notice.

NAS-NRC REPORT

The NAS-NRC prepared a report for the IUMRRG dated January 27, 1971, titled "Epidemiologic Studies of Uranium

Miners." This report referenced an earlier NAS-NRC report dated August 1968 titled "Radiation Exposure of Uranium Miners." The conclusions of the January 1971 report are set forth below:

In its report of August, 1968, the NAS-NRC Advisory Committee to the Federal Radiation Council concluded as follows:¹

"(a) There appears to be a causal association between lung cancer and exposures of approximately 1,000 CWLM and higher.

"(b) There is a statistically significant increase in the lung cancer risk for miners with approximately 100 to 400 CWLM exposure that cannot be explained by any known artifact of the data.

"(c) The hypothesis is favored, pending more definitive data, that radiation exposure at least contributed to the excess lung cancer observed in miners in the 100 to 400 CWLM category."

The Analyses in the present PHS report strengthen the conclusions of the previous NAS-NRC Committee. Of particular significance are the following:

1. With further accumulation of data, an increased lung cancer risk continues to be seen for miners in the 120-359 CWLM category.

2. This increase is seen using a variety of analytic methods, based on different assumptions. In spite of intensive study, no likely source of error or bias that could account for the increase has been identified. In particular, cigarette smoking does not account for the excess. Certain biases that have been identified are in the direction to suggest that radiation exposure may have been overestimated and that therefore the effect observed may in fact be attributable to doses lower than those of the 120-359 CWLM category. There is no evidence that these biases affect differentially miners who have or have not developed lung cancer.

3. Up dating and improvement in the quality of the data on exposure levels has eliminated apparent irregularities in the dose-response relationship in the lower dose categories seen in previous analyses.

4. An independent review of the histologic characteristics of the lung tumors in miners and appropriate controls using a careful statistical design and conducted on behalf of the PHS interagency review group has confirmed the earlier finding of Saccamano and others that the particular form of lung cancer that occurs in excess in miners exposed to high doses is also in excess among cases occurring in miners exposed to the lowest categories of dose.

5. The Ad Hoc Committee reaffirms the statement of the 1968 National Academy of Sciences-National Research Council Committee quoted above. This conclusion is unanimous.

IUMRRG SUBGROUPS

The IUMRRG established subgroups to carry out various tasks. These tasks and a brief summary of the conclusions of the subgroups were:

1. *Health effects.* Subgroup IA: Task—Review and update the U.S. Public Health Service epidemiologic study of underground uranium miners in accordance with the advice and recommendations of an ad hoc committee of the National Academy of Sciences-National

Research Council (NAS-NRC), set up at the request of the FRC.

Conclusions: Unanimously agreed with the conclusions of the NAS-NRC report (set forth above).

Subgroup IB: Task—Review all appropriate experimental and epidemiological studies, including published and unpublished information on the induction of lung cancer by radiation, and review theoretical considerations related to the epidemiological exposure units of WLM to the radiation protection units of rads and rems to critical tissues.

Conclusions: The bronchial epithelium is a relatively sensitive tissue with respect to radiation induced cancer; radiation is the major identified carcinogenic agent associated with lung cancer in uranium miners and that a standard greater than 4 WLM per year probably would result in dosages to the critical tissues of lung exceeding dosages permitted for other occupational radiation exposure situations.

II. *Monitoring, exposure and mining practice.* Task—Analyze data on industry performance in controlling radon daughter concentrations in mine air using Department of Labor Inspection data, U.S. Bureau of Mines inspection data and State records.

Conclusions: Most of the industry is now meeting a 12 WLM per year standard and data indicate that it is feasible to reduce exposures to 4 WLM per year with current technology. However, it recommended that a sufficient time to achieve compliance be allowed, if an exposure standard of less than 12 WLM is adopted.

III. *Economics.* Task—Examine the economic impact of proposed annual exposure standards set at 12 WLM, 8 WLM, and 4 WLM. In carrying out this particular phase the FRC contracted with Arthur D. Little, Inc., for an evaluative report.

Conclusions: Technology is available by which the industry can achieve a 4 WLM per year standard and such a standard would not have a severe economic impact on the underground uranium mining industry provided adequate time was allowed for compliance. It concluded that a period of 1 year to achieve an 8-WLM-per-year standard and 2 years to achieve a 4-WLM-per-year standard may be reasonable. The report also stated that the effect of a 4-WLM-per-year standard on available uranium reserves would be a relatively minor reduction, i.e., less than 10 percent.

IV-A. *Diagnosis and therapy of lung cancer.* Task—Review information related to diagnosis and treatment of lung cancer, including pathological review for cancer cell-type and sputum cytology.

Conclusions: Present methods of treatment of lung cancer are unsatisfactory; sputum cytology and analysis can be useful in the early diagnosis of lung cancer. Earlier diagnoses might improve the prospect for cure. It also concluded that there is a demonstrable relationship between the cumulative exposure level and the frequency of small cell, anaplastic carcinomas that could not be attributed to age or cigarette smoking.

IV-B. *Radiation concentration and exposure techniques and equipment.* Task—Collect, analyze, and interpret measurement technology for determining radon and radon daughter concentrations in mine air and potential use of various types of radiation exposure monitoring devices.

Conclusions: Satisfactory instruments are available for radon and radon daughter concentration measurement but no personal monitoring devices are available at the present time.

PUBLIC COMMENT

All reports referred to above are to be found in EPA Headquarters located at 1626 K Street NW., Washington, DC, telephone (202) 632-7792 and the 10 Regional Offices located at:

Region	Address	Telephone No.
I.....	John F. Kennedy Federal Bldg., Boston, MA 02203.	617-223-6884
II.....	26 Federal Plaza, New York, NY 10007.	212-264-2525
III.....	401 North Broad St., Philadelphia, PA 19108.	215-597-9151
IV.....	50 7th St. NE, Atlanta, GA 30323.	404-526-5215
V.....	433 West Van Buren St., Chicago, IL 60607.	312-353-5264
VI.....	1114 Commerce St., Dallas, TX 75202.	514-749-2827
VII.....	610 East 12th St., Kansas City, MO 64106.	816-374-3038
VIII.....	Federal Office Bldg., 19th and Stout St., Denver, CO 80202.	303-297-4457
IX.....	760 Market St., San Francisco, CA 94102.	415-556-4303
X.....	1319 2d Ave., Seattle, WA 98101.	206-442-0530

All interested persons who desire to submit written comments for consideration in connection with this matter should send them to the Administrator, EPA, Washington, D.C. 20460, within 30 days after publication of this notice in the FEDERAL REGISTER. Comments received after that period will be considered if it is practicable to do so, but assurance of consideration cannot be given except as to comments filed within the period specified.

Dated: May 19, 1971.

WILLIAM D. RUCKELSHAUS,
Administrator.

[FR Doc.71-7210 Filed 5-24-71; 8:46 am]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 4.4-2; Oklahoma City Disaster No. 790]

MANAGER, DISASTER BRANCH OFFICE, SHAWNEE, OKLA.

Delegation of Authority Regarding Financial Assistance Functions

I. Pursuant to the authority delegated to the District Director by Delegation of Authority No. 4.4-1 (Region VI), Revision 1 (36 F.R. 6927), the following authority is hereby redelegated to the position as indicated herein:

¹ "Radiation Exposure of Uranium Miners." A report of an Advisory Committee from the Division of Medical Sciences: National Academy of Sciences-National Research Council-National Academy of Engineering, Federal Radiation Council, Washington, D.C., August 1968, p. 24, paragraphs 7, 8.

A. Manager, Shawnee Disaster Branch Office. 1. To approve or decline disaster direct and immediate participation loans up to the total SBA share of (a) \$50,000 per household for repairs or replacement of the home and/or not to exceed an additional \$10,000 allowable for household goods and personal items, but in no event may the money loaned exceed \$55,000 for a single disaster on home loans, except for funds to refinance prior liens or mortgages, which may be approved in addition to the foregoing limits for amounts up to \$50,000; and (b) \$350,000 on disaster business loans except to the extent of refinancing of a previous SBA disaster loan; to approve disaster guaranteed loans up to \$350,000, and to decline disaster guaranteed loans in any amount.

2. To execute loan authorizations for Central, regional and district office approved loans and disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,
By _____
Manager,
Disaster Branch Office

3. To cancel, reinstate, modify, and amend authorizations for disaster loans approved under delegated authority.

4. To disburse unsecured disaster loans.

5. To extend the disbursement period on disaster loan authorizations or undisbursed portions of disaster loans.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein to a specific position may be exercised by an SBA employee designated as acting in that position.

Effective date: January 11, 1971.

E. BRUCE CAFKY,
District Director,
Oklahoma City District Office.

[FR Doc.71-7224 Filed 5-24-71;8:47 am]

DEPARTMENT OF LABOR

Office of the Secretary
IDAHO

Notice of Availability of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, Title II of Public Law 91-373, establishes a program of extended unemployment compensation payable when unemployment is high (according to indicators set forth in the law) to unemployed workers who have received all of the regular compensation to which they are entitled. Pursuant to section 203(b)(2) of the Act, notice is hereby given that Fred Garrett, Executive Director, Idaho Department of Employment, has determined that there was a State "on" indicator in Idaho for the week beginning January 17, 1971, and that an extended benefit period began in the State with the week beginning February 7, 1971.

Signed at Washington, D.C., this 18th day of May 1971.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.71-7225 Filed 5-24-71;8:47 am]

MAINE SHOE CORP. AND KRAMER SHOE CO., INC.

Notice of Certification of Eligibility of Workers To Apply for Adjustment Assistance

Under date of February 8, 1971, the U.S. Tariff Commission made a report of the results of investigations (TEA-W-38 and TEA-W-49) under section 301(c)(2) of the Trade Expansion Act of 1962 (76 Stat. 884) in response to petitions for determination of eligibility to apply for adjustment assistance submitted on behalf of workers formerly employed by the Maine Shoe Corp., Brunswick, Maine, and Kramer Shoe Co., Inc., Haverhill, Mass. In this report, the Commission being equally divided, made no finding with respect to whether articles like or directly competitive with the women's and misses' footwear produced by Maine Shoe Corp. and Kramer Shoe Co., Inc., are, as a result in major part of concessions granted under trade agreements, being imported into the United States in such increased quantities as to cause, or threaten to cause, the unemployment or underemployment of a significant number or proportion of the workers at the plants concerned. The President subsequently decided, under the authority of section 330(d)(1) of the Tariff Act of 1930 as amended to consider the findings of those Commissioners who found in the affirmative as the finding of the Commission.

Upon receipt of the President's authorization, the Department, through the Acting Director of the Office of Foreign Economic Policy, Bureau of International Labor Affairs, instituted investigations. Following this, the Director made recommendations to me relating to the matter of certifications (Notice of Delegation of Authority and Notice of Investigation, 34 F.R. 18342, 36 F.R. 7625; 29 CFR Part 90). In those recommendations he noted that significant lay offs caused by imports began to occur on March 7, 1969, at the Maine Shoe Corp. which ceased production on October 17, 1969; and that Kramer Shoe Co., Inc., ceased production on June 20, 1969. After due consideration, I make the following certifications:

All workers (hourly, piecework, and salaried), of the Maine Shoe Corp. plant located at Brunswick, Maine, who became unemployed or underemployed after March 7, 1969, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

All workers (hourly, salaried, and piecework) of the Kramer Shoe Co., Inc., plant located at Haverhill, Mass., who became unemployed or underemployed after June 19, 1969, are eligible to apply for adjustment assistance under title III, chapter 3, of the Trade Expansion Act of 1962.

Signed at Washington, D.C., this 18th day of May 1971.

HERBERT N. BLACKMAN,
Deputy Assistant Secretary for
Trade and Adjustment Policy.

[FR Doc.71-7240 Filed 5-24-71;8:48 am]

INTERSTATE COMMERCE COMMISSION

[Notice 298]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 19, 1971.

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

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

MOTOR CARRIERS OF PROPERTY

No. MC 730 (Sub-No. 328 TA), filed May 10, 1971. Applicant: PACIFIC INTRAMOUNTAIN EXPRESS CO., 1417 Clay Street, Post Office Box 958, Oakland, CA 94612. Applicant's representative: R. N. Cooledge (Same address as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chloral, in bulk, in tank vehicles, from Henderson Nev., to LeMoyne, Ala., for 150 days. Supporting shipper: Montrose Chemical Corp. of California, Post Office Box 147, Torrance, CA 90507. Send protests to: District Supervisor Wm. E. Murphy, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, CA 94102.

No. MC 3252 (Sub-No. 75 TA), filed May 10, 1971. Applicant: MERRILL TRANSPORT CO., 1037 Forest Avenue, Portland, ME 04104. Applicant's representative: Francis E. Barrett, Jr., 536 Granite Street, Braintree, MA 02184. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sodium aluminate, in bulk, in tank vehicles, from Portland, Maine, to points in Maine north of a

line beginning at a point on the New Hampshire-Maine State line near Upton and extending through Upton and Livermore Falls to Rockport, for 180 days. Supporting shipper: Vinings Chemical Co., Vinings, Ga. 30080. Send protests to: District Supervisor Donald G. Weiler, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Post Office Box 167, PSS, Portland, ME 04112.

No. MC 51146 (Sub-No. 215 TA) (Correction), filed April 26, 1971, published FEDERAL REGISTER issue May 7, 1971, and republished in part as corrected this issue. Applicant: SCHNEIDER TRANSPORT & STORAGE, INC., 817 McDonald Street, Green Bay, WI 54303. Applicant's representative: D. J. Schneider (same address as above). NOTE: The purpose of this partial republication is to include the State of Virginia in the destination territory. The rest of the application remains as previously published.

No. MC 52917 (Sub-No. 60 TA), filed May 10, 1971. Applicant: CHESAPEAKE MOTOR LINES, INC., R.F.D. 4, Box 231, Baltimore, MD 21227. Applicant's representative: Lynwood M. Robinson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cheese and cheese products*, in vehicles equipped with mechanical refrigeration, from Syosset, N.Y., to Baltimore, Md., and Washington, D.C., and commercial zones of each, for 120 days. Supporting shipper: Avram Dorman, N. Dorman & Co., Inc., 125 Michael Drive, Syosset, NY 11791. Send protest to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1125 Federal Building, Baltimore, MD 21201.

No. MC 52917 (Sub-No. 61 TA), filed May 10, 1971. Applicant: CHESAPEAKE MOTOR LINES, INC., R.F.D. 4, Box 231, Baltimore, MD 21227. Applicant's representative: Lynwood M. Robinson (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, prepared, canned, fresh and preserved, in vehicles equipped with mechanical refrigeration, from Lynbrook, Long Island, N.Y., to Baltimore, Md., and Washington, D.C., including commercial zones of each, for 120 days. Supporting shipper: Robert W. Koob, Plant Manager, Farm Fresh Cream Wip Corp., 639 Merrick Road, Lynbrook, Long Island, NY 11563. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1125 Federal Building, Baltimore, MD 21201.

No. MC 87720 (Sub-No. 107 TA), filed May 11, 1971. Applicant: BASS TRANSPORTATION CO., INC., Old Croton Road, Post Office Box 391, Star Route A, Flemington, NJ 08822. Applicant's representative: Bert Collins, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper articles*, together

with materials, supplies, and equipment, used in connection with the manufacture, distribution, or sale of the aforementioned articles, between Riegelwood, N.C., and Cape Fear Warehouse, Leland, N.C., on the one hand, and, on the other, points in Maryland, Delaware, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia, for 180 days. Supporting shipper: Riegel Paper Corp., Paper Division, Post Office Box 170, Grand Central Station, New York, NY 10017. 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 103993 (Sub-No. 633 TA), filed May 10, 1971. Applicant: MORGAN DRIVER-AWAY, INC., 2800 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: (1) *Trailers*, designed to be drawn by passenger automobiles in initial movements; and (2) *motor homes*, in initial movements, in truckaway service, from West Bend, Wis., to points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Mallard Coach Corp., Post Office Box 378, West Bend, WI 53095. 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 106644 (Sub-No. 117 TA), filed May 11, 1971. Applicant: SUPERIOR TRUCKING COMPANY, INC., Post Office Box 916, 30301, 2770 Peyton Road NW., Atlanta, GA 30321. Applicant's representative: Duane W. Acklie (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wire and plastic cloth, paper and pulp mill screens and core containers*, between Mentor, Ohio, Cleveland, Ohio, and Florence, Miss., and their commercial zones on the one hand, and, on the other, points in Arizona, California, Montana, Idaho, Oregon, and Washington, for 180 days. Supporting shipper: Lonsday Wire Weaving Co., 14001 Aspinwall Avenue, Cleveland, OH 44110. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 309, 1252 West Peachtree Street NW., Atlanta, GA 30309.

No. MC 106688 (Sub-No. 17 TA), filed May 11, 1971. Applicant: EDWARD M. RUDE CARRIER CORP., R.F.D. No. 1, Falling Waters, WV 25419. Applicant's representative: Francis J. Ortmann, 1700 Pennsylvania Avenue NW., Suite 770, Mills Building, Washington, DC 20006. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *High explosives, and nitro carbo nitrate*, from Falling Waters, W. Va., to Columbia,

S.C., for 150 days. Supporting shipper: E. I. du Pont de Nemours & Co., Wilmington, Del. 19898. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Washington, DC 20423.

No. MC 109462 (Sub-No. 14 TA), filed May 10, 1971. Applicant: LUMBER TRANSPORT, INC., Post Office Box 6181, South Station, Highway 71S and I-540, Fort Smith, AR 72901. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Composition board*; (2) *wood chips and wood waste* from (1) Miami, Okla., to points in Arkansas, Alabama, Colorado, Illinois, Indiana, Iowa, Louisiana, Missouri, Mississippi, Nebraska, North Dakota, New Mexico, South Dakota, and Texas; and (2) from points in Texas, Louisiana, Arkansas, Missouri (except Belle and Ellis Spur), Kansas, Mississippi, Tennessee, and Kentucky to Miami, Okla., for 180 days. Supporting shipper: Crown Ltd., Post Office Box 1228, Miami, OK 74354. Send protests to: District Supervisor William H. Land, Jr., Bureau of Operations, Interstate Commerce Commission, 2519 Federal Office Building, 700 West Capitol, Little Rock, AR 72201.

No. MC 112595 (Sub-No. 45 TA), filed May 11, 1971. Applicant: FORD BROTHERS, INC., Post Office Box 727, 510 Riverside Drive, Ironton, OH 45638. Applicant's representative: James Muldoon, 50 West Broad Street, Columbus, OH 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic granules*, in bulk, from the plantsite of United States Steel Corp. at or near Havehill (Scioto County), Ohio, to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, for 180 days. Supporting shipper: United States Steel Corp., 600 Grant Street, Pittsburgh, PA 15230 (Attention: Mr. H. M. Flenner, Assistant Manager). Send protests to: H. R. White, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room No. 3108, Federal Office Building, 500 Quarrier Street, Charleston, WV 25301.

No. MC 114011 (Sub-No. 3 TA), filed May 11, 1971. Applicant: PETER SADOWSKI, doing business as PETE'S SERVICE AND TRUCK RENTAL, 640 South Century Avenue, St. Paul, MN 55119. Applicant's representative: Robert E. Swanson, 1211 South Sixth Street, Stillwater, MN 55082. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beer and malt beverages*, from St. Paul and Minneapolis, Minn., to Wis-

consin, north of Wisconsin Highway 29 and the Upper Peninsula of Michigan, for 180 days. Supporting shippers: Jacob Schmidt Brewing Co., St. Paul, Minn.; Grain Belt Breweries, Inc., Minneapolis, Minn. Send protests to: District Supervisor A. E. Rathert, Interstate Commerce Commission, Bureau of Operations, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 114290 (Sub-No. 58 TA), filed May 10, 1971. Applicant: EXLEY EXPRESS, INC., 2610 Southeast Eighth Avenue, Portland, OR 97202. Applicant's representative: James Johnson, 1610 IBM Building, 1200 Fifth Avenue, Seattle, WA 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Umatilla County, Oreg., and from points in Walla Walla, Grant, Benton, and Franklin Counties, Wash., to points in Oregon, Washington, and Washoe County, Nev., for 180 days. Supporting shipper: Lamb-weston Inc., Post Office Box 23507, 6600 Southwest Hampton Street, Portland, OR 97223. Send protests to: District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 319 Southwest Pine Street, Portland, OR 97204.

No. MC 114533 (Sub-No. 227 TA), filed May 10, 1971. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, IL 60632. Applicant's representative: Stanley Komosa (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Audit media and other business records*, between Rockford, Ill., on the one hand, and on the other, points in Rock, Dane, Green, and Walworth Counties, Wis., for 180 days. Supporting shipper: North Central Data Processing Center, Inc., 1551 Sandy Hollow Road, Rockford, IL 61109. Send protest to: Robert G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 126276 (Sub-No. 48 TA), filed May 11, 1971. Applicant: FAST MOTOR SERVICE, INC., 12855 Ponderosa Drive, Palos Heights, IL 60463. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, IL 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper cups and plates, plastic lids, cups, knives, forks and spoons*, from the plant and warehouse facilities of Continental Can Co. at Three Rivers, Mich., to Manville, N.J., Kansas City, Mo., and Kansas City, Kans., for 180 days. Supporting shipper: Norman Meyers, Central Regional Traffic Manager, Continental Can Co., 150 South Wacker Drive, Chicago, IL 60606. Send protests to: Robert G. Anderson, District Supervisor, Interstate Commerce Commission, Bureau of Opera-

tions Everett McKinley Dirksen Building, Room 1086, 219 South Dearborn Street, Chicago, IL 60604.

No. MC 127042 (Sub-No. 84 TA), filed May 11, 1971. Applicant: HAGEN, INC., Post Office Box 98, Leeds Station, 4120 Floyd Boulevard, Sioux City, IA 51108. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat byproducts and articles distributed by meat packinghouses*, as described in section A and C of appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 except hides and commodities in bulk, from the plantsite and storage facilities of Illini Beef Packers, Inc., at or near Joslin, Ill., to points in Colorado, Idaho, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming, for 180 days. Supporting shipper: Illini Beef Packers, Inc., Joslin, Ill. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, IA 51101.

No. MC 128616 (Sub-No. 1 TA), filed May 10, 1971. Applicant: BANKERS DISPATCH CORPORATION, 4970 South Archer Avenue, Chicago, IL 60632. Applicants representative: Stanley Komosa (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments* (except coins, currency, and negotiable securities) as are used in the conduct and operation of banks and banking institutions, between Springfield, Mo., on the one hand, and, on the other, points in the counties of Benton, Boone, Baxter, Carroll, Madison, Marion, and Washington, Ark., for 180 days. Supporting shipper: The Union National Bank, S.S. Station, Post Office Box 1157, Springfield, MO 65805. Send protests to: Robert G. Anderson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 133240 (Sub-No. 17 TA), filed May 10, 1971. Applicant: WEST END TRUCKING CO., INC., 530 Duncan Avenue, Jersey City, NJ 07306. 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: *Such commodities as are dealt in or used by discount or department stores*, between the facilities of Unishops, Inc., their division and subsidiaries located in Jersey City, N.J., on the one hand, and, on the other, points in Corpus Christi, Fort Worth, Houston, Midland, Waco, and Richardson, Tex., Towson, Bethesda, and Wheaton, Md., Elyria, Ohio, York, Connellsville, King of Prussia, Lancaster, Monroeville, Reading, Pittsburgh, Plymouth Meeting, Harrisburg, and Monaca, Pa., Evansville, Fort Wayne and Indian-

apolis, Ind., for 150 days. Supporting shipper: Unishops, Inc., 21 Caven Point Avenue, Jersey City, NJ 07305. Send protests to: District Supervisor Robert E. Johnston, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 135470 (Sub-No. 1 TA), filed May 7, 1971. Applicant: WILLIAM VANN TRUCKING, INC., 3412 George Washington Highway, Portsmouth, VA 23704. Applicant's representative: William Vann (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Sand*, in bulk, in dump vehicles, from Como, N.C., to Portsmouth, Norfolk, and Suffolk, Va., from Como over U.S. Highway 258 to junction Virginia Highway 189, thence over Virginia Highway 189 to junction U.S. Highway 58, thence over U.S. Highway 58 to Suffolk, Portsmouth, and Norfolk, for 180 days. Supporting shipper: Portsmouth Paving Corp., Post Office Box 2217, Portsmouth, VA 23702. Send protests to: Robert W. Waldron, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 10-502 Federal Building, Richmond, VA 23240.

By the Commission.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.71-7261 Filed 5-24-71; 8:50 am]

[Notice 694]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 20, 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-72731. By order of May 18, 1971, the Motor Carrier Board approved the transfer to M & M Coaches & Charter, Inc., Menominee, Mich., of the operating rights in certificate No. MC-134818 issued May 17, 1971, to William Smeester, doing business as Iron Mountain-Kingsford Coaches, Kingsford, Mich., authorizing the transportation of passengers and their baggage, and mail, express, and newspapers in the same vehicle with passengers, over a regular route between Menominee, Mich., and Marinette, Wis., serving all intermediate points, and passengers and their baggage, in charter

operations, beginning and ending at Menominee, Mich., and Marinette, Wis., and extending to points in Michigan and Wisconsin. Michael J. Anuta, 960 First Street, Menominee, MI 49858, attorney for applicants.

No. MC-FC-72820 (Corrected). By order of May 14, 1971, the Motor Carrier Board approved the transfer to P & C Trucking, Inc., Pinckneyville, Ill., of the operating rights in certificate No. MC-125534 (Sub-No. 1), issued May 4, 1964, to Felix Frassato, Inc., Mount Vernon, Ill., authorizing the transportation of lumber from specified counties in Indiana and Illinois to specified points

and areas in Indiana, Wisconsin, Iowa, and Missouri. Delmar O. Koebel, 107 West St. Louis Street, Lebanon, IL 62254, attorney for transferee. (Issued to show correct date of issuance and to delete the name of Internal Revenue Service-successor-in interest.)

No. MC-FC-72860. By order of May 18, 1971, the Motor Carrier Board approved the transfer to Black Transfer, Inc., Appalachia, Va., of the operating rights in permits Nos. MC-116269, MC-116279 (Sub-No. 1), and MC-116279 (Sub-No. 5) issued June 24, 1957, December 7, 1960, and March 9, 1970, respectively, to John H. Black, doing business as Black's

Transfer, Appalachia, Va., authorizing the transportation of bakery products, from Winston-Salem, N.C., to Bristol and Appalachia, Va., Pineville and Harlan, Ky., and Johnson City and Kingsport, Tenn., and toilet preparations, cosmetics, waxes, and polishes, brushes, and household specialty items, from Richmond, Va., to points in Sullivan County, Tenn. Carl E. McAfee, Professional Arts Building, Norton, Va. 24273, attorney for applicants.

[SEAL]

ROBERT L. OSWALD,
Secretary.

[FR Doc.71-7260 Filed 5-24-71; 8:50 am]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

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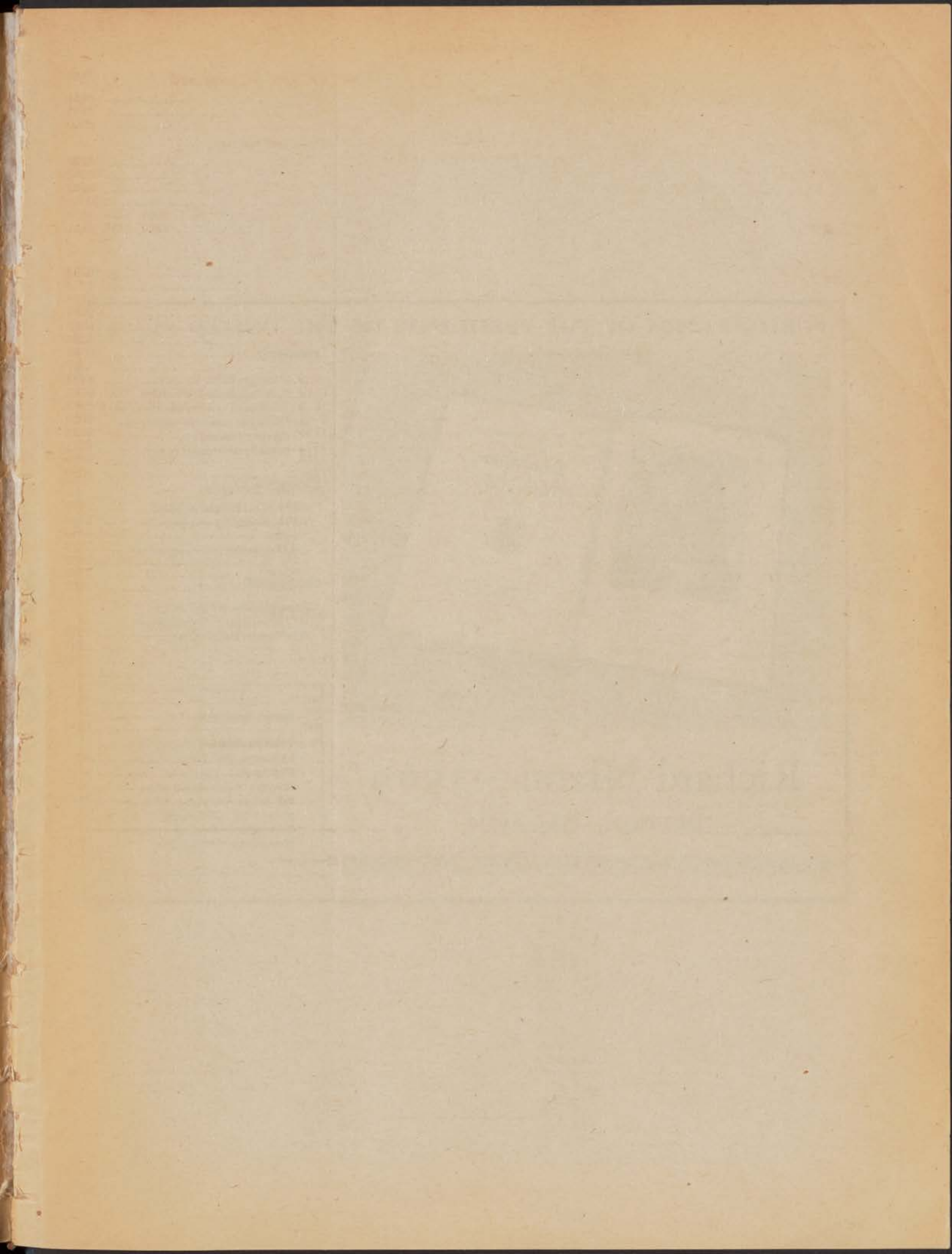
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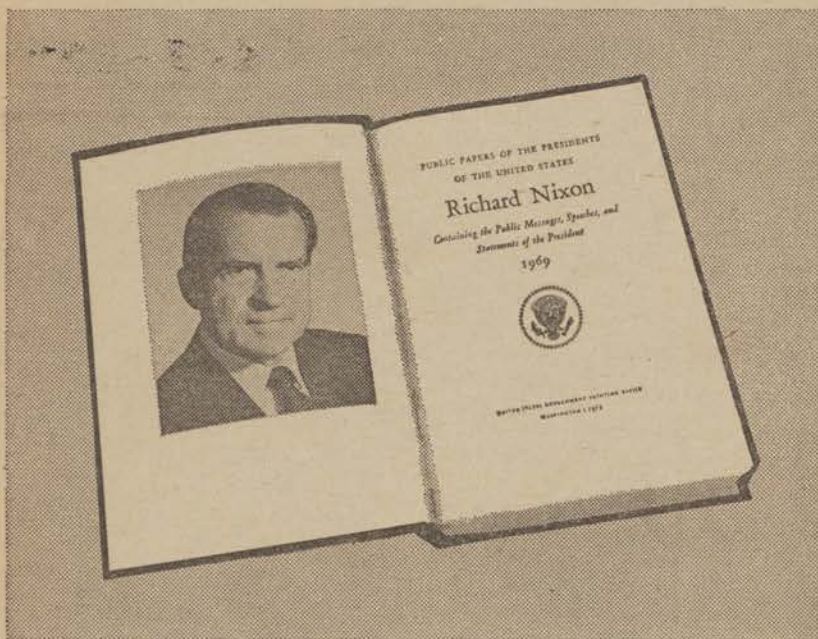
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