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List of CFR Parts Affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1972, and specifies how they are affected.

Rules and Regulations

Title 7—AGRICULTURE

Chapter II—Food and Nutrition Service, Department of Agriculture

PART 271—PARTICIPATION OF STATE AGENCIES AND ELIGIBLE HOUSEHOLDS

Food Stamp Program

Section 271.1(s) of Title 7 of the Code of Federal Regulations is amended to allow a reasonable period of time for implementing the revised purchase requirements and household eligibility standards. In view of the need for placing the following amendment into effect at the earliest possible date, it is hereby determined that it is impracticable and contrary to the public interest to give notice of proposed rule making with respect to this amendment.

Subdivisions (iv), (v), and (vi) of § 271.1(s)(1) are revised to read as follows:

§ 271.1 General terms and conditions for State agencies.

* * * * *

(s) *Implementation.* (1) Each State agency shall:

* * * * *

(iv) Put into effect the coupon allotments, purchase requirements, and household eligibility standards prescribed by this subchapter for all new applications and household recertifications not later than April 1, 1972;

(v) Put into effect all other provisions of the regulations in this subchapter within 60 days of implementation of the provisions in subdivision (iv) of this subparagraph; and

(vi) Complete the recertification of its entire caseload within 120 days of implementation of the provisions in subdivision (iv) of this subparagraph.

* * * * *

Section 271.6(h) of Title 7 of the Code of Federal Regulations is revised to except officials and employees of the U.S. Postal Service from the requirement that every official or employee who receives and issues food coupons or accepts cash and other receipts from eligible households shall be covered by a surety bond. Since the amendment does not affect the participation of households in the Food Stamp Program, it is determined that compliance with the proposed rule making procedures is not necessary with respect to this amendment.

Section 271.6(h) is revised to read as follows:

§ 271.6 Methods of distributing, issuing and accounting for coupons and receipts.

* * * * *

(h) Every official or employee, except officials and employees of the U.S. Postal Service, who is responsible for receiving and issuing coupons or accepting cash or other receipts from eligible households shall be covered by an appropriate form of surety bond in favor of the State agency or the State issuing agency.

(78 Stat. 703, as amended, 7 U.S.C. 2011–2025)

Effective date. This amendment shall be effective on the date of its publication in the FEDERAL REGISTER (1–26–72).

Signed at Washington, D.C., on January 21, 1972.

RICHARD E. LYNG,
Assistant Secretary.

[FR Doc.72–1149 Filed 1–25–72;8:49 am]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1972 Crop of Upland Cotton; Base Acreage Allotments

COUNTY RESERVES

Correction

In F.R. Doc. 72–698 appearing at page 789 in the issue of Wednesday, January 19, 1972, the following changes should be made in the table under § 722.468(a):

1. In the parish listing for Louisiana the entries for "Catahoule" and "St. Marin" should read "Catahoula" and "St. Martin."

2. The county listing reading "Careteret" under North Carolina should read "Carteret."

3. The county listing reading "Dectaur" under Tennessee should read "Decatur."

4. The county reserve acreage allotment for Franklin County, Tex., reading "2.2" should read "2.0."

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

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN RIVERSIDE COUNTY, CALIF.

Export of Free Dates for Withholding Credit

Notice was published in the December 31, 1971, issue of the FEDERAL REGISTER (36 F.R. 25431) regarding a proposal to amend § 987.155(a)(3) of Subpart—Administrative Rules and Regulations (7 CFR 987.100–987.174). The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987; 36 F.R. 15053), regulating the handling of domestic dates produced or packed in Riverside County, Calif. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Section 987.155(a)(3) currently provides, among other things, for free dates certified for handling as dates packed for handling and exported to an approved country, to be reclassified by the committee as restricted dates, and the exportation credited to the exporting handler's withholding obligation. However, this provision does not extend to free dates certified for further processing. Exports of such dates have increased substantially in recent years. The amendment would afford handlers exporting such dates the same opportunity for reclassification as handlers exporting free dates certified for handling as dates packed for handling and thereby contribute to more uniform administration of the marketing agreement and order program.

The documentation requirements prescribed pursuant to § 987.155(a)(3) provide for the exporting handler to submit to the committee an on-board bill of lading or other satisfactory documentary evidence of export before the exportation can be credited to the handler's withholding obligation. However, circumstances beyond the control of the handler and the committee may delay receipt by the committee of the necessary documentation. These delays make it impossible to determine promptly the extent to which handlers have met their withholding obligations, the need, if any, for handlers to defer their obligations, and the quantity of credits from excess disposition in restricted outlets which are available for transfer to other handlers. The amendment would enable the committee to make the necessary determinations sooner, thereby facilitating administration of the withholding and transfer of credit provisions.

The notice afforded interested persons an opportunity to submit written data, views or arguments with respect to the proposal; and one such submission was received from the California Date Administrative Committee. In connection with that portion of the proposal which reads "and his restricted and assessment obligations adjusted accordingly", the committee recommended that the reference to assessment obligation be deleted and that the word "restricted" be changed to "withholding." It contended that the matter at issue is merely the

reclassification of one category of marketable dates to another category, and that both categories are subject to identical assessments. Hence, the exporting handler's assessment obligation will not change and no adjustment is due the handler insofar as assessments are concerned. With respect to changing the word "restricted" to "withholding," it contended that § 987.45 of the marketing order creates a "withholding obligation," and that the word "restricted" is only a designation of the dates withheld. Hence, the obligation to withhold is a withholding obligation rather than a restricted obligation, and it should be so described in the amendment. Both recommendations of the committee are adopted.

After consideration of all relevant matter presented, including that in the notice, the written comment of the committee received pursuant to the notice, and other available information, it is hereby found that amendment of § 987.155(a)(3), as hereinafter set forth, will tend to effectuate the declared policy of the act.

Therefore, § 987.155(a) of Subpart—Administrative Rules and Regulations (7 CFR 987.100–987.174) is amended by revising subparagraph (3) thereof to read as follows:

§ 987.155 Disposition of restricted and other marketable dates by export or diversion.

(a) *By export.* * * *

(3) Any handler may export to an approved country free dates certified for handling pursuant to either paragraph (a) or (b) of § 987.41, and the quantity of dates so exported shall be credited as disposition of restricted dates and his withholding obligation adjusted accordingly. The credit shall be given to the handler upon the committee receiving notification from the inspection service that such dates are being exported to an approved country. Such credit shall be contingent upon the committee receiving in due course an on-board export bill of lading or other documentary evidence of export satisfactory to the committee. The provisions of this subparagraph or of subparagraph (1) of this paragraph shall not be construed as prohibiting the dates packed in the prescribed cartons or containers from being placed in larger shipping containers.

* * * * *

It is further found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) This action relieves restrictions on handlers by authorizing an additional category of free date exports to be reclassified as restricted dates and permitting prompter crediting of all free date exports to the exporting handler's withholding obligation; (2) no advance preparation is required by handlers to comply with this action; and (3) handlers are aware of this action and no useful purpose would be served by postponing the effective time of this action beyond the date of publication in the FEDERAL REGISTER.

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

Dated January 20, 1972, to become effective upon publication in the FEDERAL REGISTER (1–26–72).

ARTHUR E. BROWNE,
Acting Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[FR Doc.72–1134 Filed 1–25–72;8:48 am]

Title 13—BUSINESS CREDIT AND ASSISTANCE

Chapter I—Small Business Administration

[Rev. 11, Amdt. 1]

PART 121—SMALL BUSINESS SIZE STANDARDS

Definition of Small "Concern" for the Purpose of Government Procurement

On October 28, 1971, there was published in the FEDERAL REGISTER (36 F.R. 20705) a notice that the Administrator of the Small Business Administration proposed to revise the definition of "concern" in § 121.3–2(i) of Part 121, Chapter 1, Title 13 of the Code of Federal Regulations to require that a "concern," for the purpose of Part 121, have in the United States, a place of business which makes a significant contribution to the U.S. economy.

The only comment received concerning the proposal suggested that the wording be clarified. This has been accomplished in the amendment set forth below.

Part 121 of Chapter 1 of Title 13 of the Code of Federal Regulations is hereby amended by revising the definition of concern in § 121.3–2(i) to read as follows:

§ 121.3–2 Definition of terms used in this part.

* * * * *

(i) "Concern" means any business entity organized for profit with a place of business located in the United States and which makes a significant contribution to the U.S. economy through payment of taxes and/or use of American products, material and/or labor, etc. "Concern" includes but is not limited to an individual, partnership, corporation, joint venture, association, or cooperative. For the purpose of making affiliation findings (see paragraph (a) of this section) any business entity, whether organized for profit or not, and any foreign business entity, i.e., any entity located outside the United States, shall be included.

* * * * *

Effective date. This amendment shall become effective 30 days after publication in the FEDERAL REGISTER, but shall apply only to procurements issued on or after that date.

Dated: January 19, 1972.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.72–1093 Filed 1–25–72;8:45 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 11417, Amdt. 39–1386]

PART 39—AIRWORTHINESS DIRECTIVES

SIAI-Marchetti Models S.205 and S.208 Airplanes

A proposal to amend Part 39 of the Aviation Regulations to include an airworthiness directive requiring modification of the fuselage frame 2BIS, P/N 205–1–043–01, and periodic inspections pending modification, on SIAI-Marchetti Models S.205 and S.208 airplanes was published in the FEDERAL REGISTER (36 F.R. 18800).

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SIAI-MARCHETTI. Applies to Model S.205, Serial Nos. 001 through 003, 101 through 104, 106 through 108, 110 through 339, 4–101 through 4–104, 4–106 through 4–133, 4–135 through 4–165, 4–167 through 4–202, 4–204 through 4–206, 4–208 through 4–235, 4–237 through 4–252, 4–256 through 4–268, 4–271, 4–273, 4–274, 4–277 through 4–282, 4–285, 5–302, and 5–303; and to Model S.208, Serial Nos. 001 through 003, 1–03 through 1–12, 1–14, 1–15, 2–16 through 2–19, 2–48 through 2–50, 3–100, and 4–51 airplanes.

Compliance required as indicated.

To prevent structural failure of the wing front spar attachments to the fuselage frame, accomplish the following:

(a) For airplanes with 500 or more hours' time in service on the effective date of this AD, within the next 100 hours' time in service after the effective date of this AD comply with paragraph (c).

(b) For airplanes with less than 500 hours' time in service on the effective date of this AD—

(1) Within the next 100 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 100 hours' time in service from the last inspection, until modified in accordance with paragraph (c), visually inspect, using a magnifying glass of at least 5 powers, the wing front spar attachments to the fuselage frame 2BIS, P/N 205–1–043–01, for cracks in accordance with SIAI-Marchetti Service Bulletin No. 205B28, dated May 11, 1971, or an FAA-approved equivalent. If cracks are found during an inspection required by this paragraph, before further flight comply with paragraph (c).

(2) Before the accumulation of 600 hours' time in service comply with paragraph (c).

(c) Modify both sides of the fuselage frame No. 2BIS, P/N 205-1-043-01, in accordance with SIAI-Marchetti Service Bulletin No. 205B28, dated May 11, 1971, or an FAA-approved equivalent.

This amendment becomes effective February 25, 1972.

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

Issued in Washington, D.C., on January 18, 1972.

WILLIAM G. SHREVE, Jr.,
Acting Director,
Flight Standards Service.

[FR Doc.72-1092 Filed 1-25-72;8:45 am]

[Airspace Docket No. 71-GL-14]

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

Alteration of Federal Airway Segment

On November 19, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 22071) stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would realign VOR Federal airway No. 92 segment between Mansfield, Ohio, and Bellaire, Ohio.

Interested persons were afforded an opportunity to participate in the proposed 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., March 30, 1972, as hereinafter set forth.

In § 71.123 (37 F.R. 2009) V-92 is amended by deleting "Briggs, Ohio;" and substituting "Tiverton, Ohio; Newcomerstown, Ohio;" 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 Washington, D.C., on January 19, 1972.

T. MCCORMACK,
Acting Chief, Airspace and
Air Traffic Rules Division.

[FR Doc.72-1088 Filed 1-25-72;8:45 am]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 19332; FCC 72-64]

PART 73—RADIO BROADCAST SERVICES

Television Broadcast Stations in Parsons, Kans.

Report and order. In the matter of amendment of § 73.606, *Table of Assignments,* Television Broadcast Stations (Parsons, Kans.), Docket No. 19332, RM-1736.

1. In response to a petition of the Parsons District Schools (Parsons Educators), filed on January 13, 1971, the Commission adopted, on October 14, 1971, a notice of proposed rule making, released October 19, 1971 (FCC 71-1072) in the above-entitled matter, which proposed to assign Channel *39 to Parsons, Kans., as a noncommercial educational television channel. Interested parties were afforded an opportunity to comment on or before November 30, 1971, and to reply to such comments on or before December 10, 1971. The only filing received was a supporting comment of petitioner. No oppositions were presented.

2. Parsons, population 13,015, is the county seat of Labette County, Kans. (25,775 residents).[1] The community has no commercial or educational television assignment at this time. However, according to petitioner, it is served by a community antenna system (American Television and Communications Corp.) which has in excess of 2,450 subscribers.

3. Petitioner wishes the assignment of Channel *39 to Parsons not only to serve that community but in addition to give first educational service to nine southeast Kansas counties with a total population of 190,299.[2] The following statement is made by Parsons Educators to indicate the economic status and educational needs of the area:

> The project area is generally described as "the Balkans" of Kansas. The population of the area consists of a high incidence of first generation Americans, with families coming to a large extent from the Balkan countries of Europe to work as a common labor force in both strip and shaft mining operations in the area. Modern mining methods have recently left the area with a high incidence of unemployment (in excess of 10 percent). Three counties have been designated within the last month as eligible for Public Assistance Grants due to their high rate of unemployment. There is also a high level of general rural deprivation (in excess of 25 percent of all families have under $3,000 income level), a typically low verbal/language facility (documented from college entrance and school achievement patterns), and a high incidence of general educational deprivation (40 percent of adult population have not completed schooling beyond grade 7).

4. Parsons Educators note that schools and homes in the project area will be able to receive programing directly from Channel *39 and that there are 27 CATV systems within 60 miles of Parsons that would be able to carry the proposed Channel *39 educational programs. These systems have a potential of 270,000 viewers. In other words, the television facility contemplated will give the educational interests in southeast Kansas a substantial capability for making an impact on the area described in the previous paragraph.

5. With respect to the approach of petitioner: Initially, petitioner proposes 2 hours of daytime telecasting and 3 hours of evening telecasting 5 days a week with 11½ hours programed on Saturdays. The programing is to be directed not only to preschool, elementary school, and high school but also to junior college and adult education. Petitioner remarks that "* * * It is planned to develop programs for young adults and adult vocational education, as well as to broadcast NET, CPB, and NAEB programs. * * *"

6. We have carefully considered the facts and proposal presented by Parsons Educators in this proceeding and have come to the judgment that it is in the public interest to assign Channel *39 to Parsons, Kans. as a noncommercial educational television channel. The nine-county area to be served by the proposed television station clearly requires, and can benefit from, an imaginative first educational service. We think that it is important that petitioner wishes not only to supplement in-school education, but desires also to provide educational and informational programing (from a variety of sources, national and local) to the young adults and adults residing in southeast Kansas. The vehicle petitioner contemplates can be an effective tool to raise the level of education in southeast Kansas and thereby ultimately provide the potential for developing the economy of the area.

7. Authority for the action taken herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

8. *Accordingly, it is ordered,* That effective March 3, 1972, that the Television Table of Assignments in § 73.606 of the Commission's rules is amended, insofar as the city listed below is concerned, to read as follows:

City	*Channel No.*
Parsons, Kans.	*39

9. *It is further ordered,* That this proceeding (Docket No. 19332, RM-1736) is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

Adopted: January 19, 1972.

Released: January 21, 1972.

FEDERAL COMMUNICATIONS COMMISSION,[3]
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-1142 Filed 1-25-72;8:49 am]

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[1] Population figures cited in this instrument are from the 1970 U.S. Census unless otherwise specified.

[2] The nine Kansas' counties petitioner proposes to provide with educational television are: Montgomery, Labette, Cherokee, Wilson, Neosho, Crawford, Bourbon, Allen, and Woodson.

[3] Commissioners Bartley and H. Rex Lee absent.

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release No. IC-6935]

PART 270—RULES AND REGULATIONS, INVESTMENT COMPANY ACT OF 1940

Size of Type Used in Registration Statements and Reports

On October 29, 1971, the Securities and Exchange Commission published notice (Investment Company Act Release No. 6785, and in the FEDERAL REGISTER issue of November 17, 1971 (36 F.R. 21897)) that it had under consideration the amendment of Rule 8b–12 (17 CFR 270.8b–12) under the Investment Company Act of 1940 (Act) and invited all interested persons to comment on the proposal. The Commission has considered the comments received and has determined to adopt the amendment in the form set forth below. Adoption of the amendment is made pursuant to the authority granted the Commission in section 38(a) of the Act (15 U.S.C. 80a–37(a)).

Section 38(a) of the Act authorizes the Commission to make, issue and amend such rules as are necessary or appropriate to the exercise of the powers conferred upon the Commission, including rules prescribing the form or forms in which information required in registration statements and reports to the Commission shall be set forth.

Paragraph (c) of Rule 8b–12 has required that the body of all printed registration statements and reports be in roman type at least as large as 10-point modern type. The rule contained an exception for financial statements and other statistical or tabular data and the notes thereto which, to the extent necessary for convenient presentation, were permitted to be in roman type at least as large as 8-point modern type.

On April 30, 1971, the Commission adopted amendments to rules under the Securities Act of 1933 and the Securities Exchange Act of 1934 to require that notes to financial statements shall be set forth in 10-point type. (Securities Act Release No. 5145, Exchange Act Release No. 9151.) (36 F.R. 8935) The amendment of paragraph (c) of Rule 8b–12 makes this requirement applicable as well to registration statements and reports filed under the Investment Company Act.

The amendment as adopted differs from that originally proposed by adding the words "included therein" after the words "tabular data" in the first sentence of paragraph "(c)" of Rule 8b–12.

Commission action:

Section 270.8b–12 of Chapter II of Title 17 of the Code of Federal Regulations is amended as indicated below:

a. The first sentence of paragraph (c) is amended by adding after the word "reports" the following language, "and all notes to financial statements and other tabular data included therein."

b. The second sentence of paragraph (c) is amended by adding after the words "tabular data," the following language, "including tabular data in notes," and by adding after the phrase "as large" the following language, "and as legible."

As amended, § 270.8b–12 reads as follows:

§ 270.8b–12 Requirements as to paper, printing and language.

(a) Registration statements and reports shall be filed on good quality, unglazed, white paper, approximately 8½ by 11 inches or approximately 8½ by 13 inches in size, insofar as practicable. However, tables, charts, maps and financial statements may be on larger paper if folded to that size.

(b) The registration statement or report and, insofar as practicable, all papers and documents filed as a part thereof, shall be printed, lithographed, mimeographed, or typewritten. However, the registration statement or report or any portion thereof may be prepared by any similar process which, in the opinion of the Commission, produces copies suitable for a permanent record. Irrespective of the process used, all copies of any such material shall be clear, easily readable and suitable for repeated photocopying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies.

(c) The body of all printed registration statements and reports and all notes to financial statements and other tabular data included therein shall be in roman type at least as large as 10-point modern type. However, to the extent necessary for convenient presentation, financial statements and other statistical or tabular data, including tabular data in notes, may be set in type at least as large and as legible as 8-point modern type. All types shall be leaded at least 2 points.

(d) Registration statements and reports shall be in the English language. If any exhibit or other paper or document filed with a registration statement or report is in a foreign language, it shall be accompanied by a translation into the English language.

The foregoing action shall be effective with respect to any materials filed with the Commission or sent to security holders on or after February 21, 1972.

(Sec. 38(a), 54 Stat. 841, 15 U.S.C. 80a–37(a))

By the Commission.

[SEAL] RONALD F. HUNT, *Secretary.*

JANUARY 17, 1972.

[FR Doc.72–1118 Filed 1–25–72;8:47 am]

Title 18—CONSERVATION OF POWER AND WATER RESOURCES

Chapter I—Federal Power Commission

SUBCHAPTER A—GENERAL RULES

[Docket No. R–398]

PART 2—GENERAL POLICY AND INTERPRETATIONS

Implementation of the National Environmental Policy Act

JANUARY 19, 1972.

Order granting intervention, granting rehearing for the purpose of further consideration and amending Order No. 415–B for clarification.

On December 4, 1970, the Commission issued Order No. 415 (35 F.R. 18958, December 15, 1970) which prescribed §§ 2.80–2.82 of its General Policy and Interpretations (18 CFR 2.80–2.82) and various related amendments to the Commission's regulations under the Federal Power and Natural Gas Acts. On April 13, 1971, the Commission issued its Order No. 415–A (36 F.R. 7232, April 16, 1971) further clarifying the procedures in § 2.81 and § 2.82. Experience in applying these regulations, as amended, and the Final Guidelines of the Council on Environmental Quality (36 F.R. 7724) demonstrated the desirability of once again proposing revisions to the Commission's Regulations for Implementation of the National Environmental Policy Act of 1969 (83 Stat. 852).

Accordingly, on July 7, 1971 (36 F.R. 13040, July 13, 1971), the Commission issued a notice of proposed rule making to amend §§ 2.80–2.82 of its "Statement of General Policy to Implement Procedures for Compliance with the National Environmental Policy Act of 1969", and § 4.41 of the Commission's regulations under the Federal Power Act. All interested persons were invited to submit comments for consideration in connection with the proposed amendments on or before August 9, 1971.

On November 19, 1971, the Commission issued Order No. 415–B which was an order amending §§ 2.80, 2.81, 2.82, of the general rules and § 4.41 of the regulations under the Federal Power Act.

Separate petitions were filed in this docket by Phillips Petroleum Co. (Phillips) and the National Wildlife Federation (NWF) requesting distinctly different relief. However, both matters will be considered in this single order because of the common environmental policy involved.

On December 17, 1971, Phillips Petroleum Co. filed an application for reconsideration and clarification of Order 415–B. In this filing, Phillips referred to its comment of July 31, 1971, on the notice of proposed rule making (36 F.R. 13040, July 13, 1971). The effect of § 2.82 (a) as promulgated was to require that

an environmental impact statement accompany each application filed under section 7(c) of the Natural Gas Act. This was not the intent of the Commission. The Commission intended to require that an environmental impact statement accompany only each application for the construction of pipeline facilities under 7(c), except those filed pursuant to § 157.7 (b), (c), (d), and (e) of Commission regulations. Further, the Commission did not intend that producer applications for the sale of gas, filed under § 157.23–29 of Commission regulations require an environmental impact statement.

On December 20, 1971, the National Wildlife Federation (NWF) filed a petition to intervene for the purpose of applying for a rehearing and, separately, a petition for amendment or, in the alternative, application for rehearing with respect to the regulations promulgated in Order 415–B in this docket.

The Commission finds:

(1) The amendment prescribed herein is of a clarifying nature and represents matters of procedure which do not require notice of hearing under 5 U.S.C. 553.

(2) In view of the purpose, intent, and effect of the amendments herein ordered, good cause exists for making revisions in the Commission's general rules effective upon issuance of this order.

(3) The amendments adopted herein are necessary and appropriate for carrying out the provisions of the Natural Gas Act and the National Environmental Policy Act.

(4) It may be in the public interest to allow intervention for the purpose of applying for a rehearing by the National Wildlife Federation;

(5) It is appropriate and in the public interest in administering the provisions of the Federal Power Act, the Natural Gas Act, and the National Environmental Policy Act of 1969 that rehearing be granted for the purpose of further consideration of the petition for rehearing filed herein by NWF.

The Commission, acting pursuant to the provisions for the Natural Gas Act, particularly sections 7 and 16 (52 Stat. 824, 825, 830, 56 Stat. 83, 84, 61 Stat. 459; 15 U.S.C. 717f, 717o), and the National Environmental Policy Act of 1969, Public Law 91–190, approved January 1, 1970, particularly sections 102 and 103 (83 Stat. 853, 854) orders:

A. The statement of general policy to implement procedures for compliance with the National Environmental Policy Act of 1969 in Part 2—General Policy and Interpretations is revised to read as follows:

STATEMENT OF GENERAL POLICY TO IMPLEMENT PROCEDURES FOR COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

§ 2.82 Compliance with the National Environmental Policy Act of 1969 under the Natural Gas Act.

(a) A notice of all certificate applications filed under section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c)) for the construction of pipeline facilities, except abbreviated applications filed pursuant to § 157.7 (b), (c), (d), and (e) of the Commission regulations in this chapter, will be transmitted by the Commission to the Council on Environmental Quality and the Environmental Protection Agency. Notice of all certificate applications, including producer applications for the sale of gas filed pursuant to § 157.23–29 of the Commission's regulations in this chapter, will continue to be published as prescribed by law, and transmitted to other appropriate Federal and State governmental bodies.

* * * * *

B. The revisions adopted herein shall be effective upon issuance of this order.

C. Intervention for the purpose of applying for rehearing by the National Wildlife Federation in Docket R–398 is granted.

D. The application for rehearing by the National Wildlife Federation is granted for the purposes of further consideration of the petition for rehearing filed herein by NWF.

E. The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] MARY B. KIDD,
Acting Secretary.

[FR Doc.72–1106 Filed 1–25–72;8:47 am]

SUBCHAPTER B—REGULATIONS UNDER THE FEDERAL POWER ACT

[Docket No. R–431; Order 447]

PART 11—ANNUAL CHARGES

Substitution of Staff Estimates for Late or Unsubmitted Licensee's Statement Showing Gross Amount of Power Generated

JANUARY 20, 1972.

On November 24, 1971, the Commission issued a notice of proposed rule making in this proceeding (36 F.R. 22854, December 1, 1971) relating to the staff estimate of gross amount of power generated to be used in the computation of annual charge bills to be issued by the Commission.

Comments were invited from interested persons to be submitted by December 27, 1971. In response to this notice, the Commission has received comments from one respondent.[1] Respondent felt the proposed rule would tend to penalize the innocent and suggested three alternative solutions to the administrative problem which was set forth in the notice of rule making. Those alternative suggestions include: (1) In the event that the staff estimate is too low, reallocation of cost of administration to all licensees using the energy output as finally filed, refunding or charging appropriately all licensees the difference between the costs first allocated and as reallocated, and charge the late filing licensees with the entire cost of reallocation; (2) credit any overcharge paid by a licensee resulting from use of estimates by staff to those licensees to whom is was billed and make a charge for a commensurate amount in the ensuing year to those who have made the late filings in addition to the proper amount of annual charges for the second year; and (3) promulgate penalties for the late filings in amount which staff estimates would at least cover the administrative cost of the recalculation and billing caused by such late filings.

We do not concur in and have not adopted any of the alternative solutions recommended by the respondent. The first suggested alternative would result in such a prohibitive amount of time being consumed in the recalculation, preparation, and rebilling of licensees that it would unduly delay the receipt of moneys due the Federal Power Commission to defray the costs of administering part I of the Federal Power Act thus re-creating the situation which is now existent and highly undesirable. Alternative solution No. 2 would require, albeit in the year following the issuance of the annual charge bills, reallocation of the administrative costs, which recalculation and billing added on to the bill for the ensuing year, would be in excess of the dollars recovered thereby as is the current situation. Alternative solution No. 3 would require the Commission to recover the entire cost of reallocation from those licensees which are tardy in filing the reports required by § 11.20 of the Commission's regulations under the Federal Power Act rather than the small amount by which the staff estimate may exceed the annual energy output. Not only does section 10(e) of the Federal Power Act state that the licensee shall pay reasonable annual charges in an amount to be fixed by the Commission, but further instructs this Commission that in fixing such the Commission shall seek to avoid increasing the price to the consumers of power by such charges. We cannot justify the adoption of the respondent's third suggested solution in view of this language.

The Commission finds:

(1) The notice and opportunity to participate in this rule making proceeding with respect to the matters presently before this Commission through the submission in writing of data, views, and comments in the manner described above are consistent and in accordance with the procedural requirements of section 553 of title 5 of the United States Code.

(2) Since the amendment to the regulations under the Federal Power Act set forth in the notice of rule making and this order can best be accomplished if the staff is able to utilize the amendment to bill licensees for the annual charges covering the calendar year 1971, good cause exists for making this order effective upon issuance.

(3) The amendment to the regulations under the Federal Power Act herein prescribed is necessary and appropriate for the administration of the Federal Power Act.

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[1] Southern California Edison Co.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly section 309 thereof (49 Stat. 858; 16 U.S.C. 825h) orders:

(A) Paragraph (a)(4) of § 11.20, in Part 11, Subchapter B, Regulations Under the Federal Power Act, Chapter I, Title 18 of the Code of Federal Regulations is amended to read as follows:

§ 11.20 Cost of administration.

* * * * *

(a) * * *

(4) To enable the Commission to determine such charges annually, each licensee shall file with the Commission, on or before February 1 of each year, a statement under oath showing the gross amount of power generated (or produced by nonelectrical equipment) and the amount of power used for pumped storage pumping by the project during the preceding calendar year, expressed in kilowatt hours. If any licensee does not report the gross energy output of its project within the time specified above, the Commission's staff shall estimate the energy output which estimate will be used in lieu of any filings made by such licensee after February 1.

* * * * *

(B) The amendment ordered herein shall be effective immediately upon the issuance of this order.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-1105 Filed 1-25-72;8:46 am]

[Docket No. R-397; Order No. 446]

SUBCHAPTER F—ACCOUNTS, NATURAL GAS ACT

PART 201—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES (CLASS A AND CLASS B)

SUBCHAPTER G—APPROVED FORMS, NATURAL GAS ACT

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Gathering and Production Plant Facilities and Costs Relating to Leases

JANUARY 18, 1972.

Amendments to the Uniform System of Accounts for Class A and B Natural Gas Companies and FPC Form No. 2 to separate gathering and production plant facilities, and to separate costs relating to leases acquired October 7, 1969, and before and leases acquired October 8, 1969, and after.

On August 8, 1970, the Commission issued a notice of proposed rule making in this proceeding (35 F.R. 14139, September 5, 1970) proposing to amend certain accounts in the Uniform System of Accounts, for Class A and Class B, Natural Gas Companies, prescribed in Part 201, Chapter I, Title 18, CFR and certain schedule pages of FPC Form No. 2, Annual Report for Natural Gas Companies, prescribed by § 260.1, Chapter I, Title 18, CFR. The purpose of the amendments is to implement the accounting needs relative to the Commission's Opinion No. 568, Pipeline Production Area Rate Proceeding (phase 1), issued October 7, 1969, Docket No. RP66-24 (42 FPC 738; 34 F.R. 17803, November 5, 1969) and Opinion No. 568-A, issued December 5, 1969 (42 FPC 1089; 35 F.R. 1104, January 28, 1970).

Views and comments were invited from interested persons to be submitted on or before October 12, 1970. An extension of time to and including December 14, 1970, was granted for filing comments. (35 F.R. 15164, September 29, 1970) Further extensions were granted to and including January 15, 1971 (35 F.R. 19188, December 18, 1970) and February 15, 1971 (36 F.R. 945, January 20, 1971). The Commission received 12 responses.[1] Of those replying, seven respondents requested a conference on the rule making. Notice was given to interested parties and a conference with the staff was held on September 15, 1971.[2]

The respondents and conferees to the rule making generally were in agreement with the underlying principles involved in the proposed revisions.

The main thrust of the respondents and conferees comments, with wide variations, involved the concept of what should constitute "a production system" and "a gathering system" with emphasis on how these definitions would affect their particular company, service area, or area rate structure. Generally the need for establishing a definition for a gathering system and establishing a gathering plant function was questioned since it was believed that the provision of the Commission's Opinion No. 568 did not require this. The respondents did not believe that Opinion No. 568 necessitated that accounts relating to the separation of the gathering system, as was proposed, needed to be further subdivided by "old" and "new" leases. The feasibility of subdividing the gathering system to isolate related costs and expenses was also questioned in that this system carries intermingled gas from old and new leases. And finally, the proposal of specifically establishing a fixed, uniform definition for a "gathering system" was strongly opposed on the basis that because of practices peculiar to various pricing areas, it is not feasible to apply a uniform definition. Recognizing this problem, and considering the advice of the conferees, we have amended the definition for a "production system" from that originally proposed. The amended definition is believed to be flexible enough for companies to operate under without requiring a major reclassification within the plant, operation and maintenance expense accounts. In addition, this definition obviates the need for a specific definition for a "gathering system" and for plant reclassification. Essentially, what is being promulgated is a requirement for companies to subdivide the present Natural Gas Production and Gathering Plant accounts and the Natural Gas Production and Gathering Operation and Maintenance Expense accounts by: (1) "Old" leases (on or before October 7, 1969), (2) "new" leases (on or after October 8, 1969), and (3) gathering.

It was suggested that the term "affiliate" as used in Opinion No. 568 be defined. Provisions have been made for this in the definitions section of the Uniform System of Accounts by stating that the terms "affiliate" and "associate" are synonymous, for accounting purposes.

The respondents commented on the FPC Form No. 2, Gas Purchases, schedule pages 535 and 536. The comments related to columns (c) "Type of gas" and (j) "Date of contract." The information requested in column (c), it was maintained, was not available, as it is generally indeterminable, as such. Therefore, we are withdrawing the reporting requirement and have deleted it from the schedule. The objections to column (j) referred to the time involved in supplying the information. We believe that the instructions for this column, as revised, will supply the information necessary to our regulatory needs while meeting the main objections that were expressed.

Certain other constructive suggestions received from the respondents and conferees, such as limiting the number of account digits and eliminating certain reporting and recording requirements, have been included in the revisions to the Commission's Uniform System of Accounts and Annual Report Form No. 2, ordered herein.

The Commission finds:

(1) The notice and opportunity to participate in this rule making by submission, in writing and presentation at a conference held on September 15, 1971, of data, views, and comments in the manner described above are consistent and in accordance with the procedural requirements of section 553 of title 5 of the United States Code.

(2) The amendments to Part 201 of the Commission's Uniform System of Accounts under the Natural Gas Act and to FPC Annual Report Form No. 2 herein prescribed are necessary and appropriate

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[1] Arthur Andersen & Co., Arkansas Louisiana Gas Co., Colorado Interstate Gas Co., Columbia Gas System Service Corp., Consolidated Gas Supply Corp., El Paso Natural Gas Co., Humble Oil & Refining Co., Phillips Petroleum Co., Southern Natural Gas Co., Tennessee Gas Pipeline Co., United Gas Pipeline Co., Washington Gas Light Co.

[2] Colorado Interstate Gas Co., Columbia Gas System, Inc., Consolidated Gas Supply Corp., El Paso Natural Gas Co., Florida Gas Transmission Co., Michigan Wisconsin Pipe Line Co., Natural Gas Pipeline Co. of America, Northern Natural Gas Co., Panhandle Eastern Pipe Line Co., Phillips Petroleum Co., Southern Natural Gas Co., Tennessee Gas Pipeline Co., Transcontinental Gas Pipe Line Corp., United Gas Pipe Line Co.

for the administration of the Natural Gas Act.

(3) Since the revision to FPC Annual Report Form No. 2 are being prescribed for the reporting year 1972, good cause exists for making the amendments to the Uniform System of Accounts adopted herein effective as of January 1, 1972.

(4) Since the changes prescribed herein which were not included in the notice of the proceeding are of a minor nature, further notice and opportunity for comment is unnecessary.

The Commission, acting pursuant to the authority granted by the Natural Gas Act, as amended, particularly sections 8, 10, and 16 (52 Stat. 825, 826, 830; 15 U.S.C. 717g, 717i, 717o), orders:

(A) The Commission's Uniform System of Accounts for Class A and Class B Natural Gas Companies prescribed by Part 201, Chapter I, Title 18 of the Code of Federal Regulations is revised and amended as follows:

1. In the definitions section, definition "5A. Associated Companies," is revised. Immediately following definition "25. Premium," a new definition "26. Production, transmission, and distribution," is added and the remaining definitions "26. Property retired," "27A. Replacing," "27B. Research and development," "28. Retained earnings," "29. Retirement units," "30. Salvage value," "31. Service life," "32. Service value," "33. Unsuccessful exploration and development costs," "34. Utility," are redesignated as 27, 28A, 28B, 29, 30, 31, 32, 33, 34, and 35, respectively.

Revised definition 5A and new definition 26 read:

Definitions

* * * * *

5A. "Associated (affiliated) companies" means companies or persons that directly or indirectly, through one or more intermediaries, control, or are controlled by, or are under common control with the accounting company.

* * * * *

26. "Production, transmission, and distribution plant." For the purposes of this system of accounts:

A. "Production System" shall consist of plant and equipment used in the production of gas. It shall include producing lands and leaseholds, gas rights, other land rights, structures, drilling and clearing equipment, gas wells, well head equipment, separation and other facilities used in the production of natural gas. The production system ends where the gas enters a gathering system, transmission system or distribution system, as applicable, in accordance with the practices in the pricing area where such system is located.

B. "Transmission System" means the land, structures, mains, valves, meters, boosters, regulators, tanks, compressors, and their driving units and appurtenances, and other equipment used primarily for transmitting gas from a production plant, delivery point of purchased gas, gathering system, storage area, or other wholesale source of gas, to one or more distribution areas. The The transmission system begins at the outlet side of the valve at the connection to the last equipment in a manufactured gas plant, the connection to gathering lines to delivery point of purchased gas, and includes the equipment at such connection that is used to bring the gas to transmission pressure, and ends at the outlet side of the equipment which meters or regulates the entry of gas into the distribution system or into a storage area. It does not include storage land, structures or equipment. Pipeline companies, including those companies which measure deliveries of gas to their own distribution systems, shall include city gate and main line industrial measuring and regulating stations in the transmission function.

C. "Distribution System" means the mains which are provided primarily for distributing gas within a distribution area, together with land, structures, valves, regulators, services and measuring devices, including the mains for transportation of gas from production plants or points of receipt located within such distribution area to other points therein. The distribution system owned by companies having no transmission facilities connected to such distribution system begins at the inlet side of the distribution system equipment which meters or regulates the entry of gas into the distribution system and ends with and includes property on the customer's premises. For companies which own both transmission and distribution facilities on a continuous line, the distribution system begins at the outlet side of the equipment which meters or regulates the entry of gas into the distribution system and ends with and includes property on the customer's premises. The distribution system does not include storage land, structures, or equipment.

D. "Distribution Area" means a metropolitan area or other urban area comprising one or more adjacent or nearby cities, villages or unincorporated areas, including developed areas contiguous to main highways.

2. In the General Instructions section, a new general instruction 16 is added. As so amended, this portion of the General Instructions reads:

General Instructions

* * * * *

16. *Significance of Commission Opinions Nos. 568 and 568A on accounting.* On October 7, 1969, the Commission issued Opinion No. 568 (42 FPC 738; 34 F.R. 17803, November 5, 1969) amending Part 2, General Policy and Interpretations, Subchapter A, General Rules, Chapter I of Title 18 of the Code of Federal Regulations by adding a new § 2.66 entitled "Pricing of New Gas Produced by Pipelines and Pipeline Affiliates." Section 2.66 was further amended by Opinion No. 568A, issued December 5, 1969 (42 FPC 1089; 35 F.R. 1104, January 28, 1970). Paragraph (b) of 18 CFR 2.66 provides in part that pipelines acquiring production leases subsequent to the date of this opinion either on their own part or through affiliates should, where they have their own production, maintain separate subdivisions of their plant and expense accounts related to production properties and production activities, so as to show separately costs related to production from present leases and costs related to production from leases acquired on or after October 8, 1969. When making a rate filing, pipelines should provide additional detail in subdivisions within the production function, i.e., as between gas from present leases and gas from leases acquired on or after October 8, 1969, with respect to their own production and also with respect to any production of their affiliates.

Pursuant to the statement of policy in 18 CFR 2.66, as amended, subdivisions shall be maintained in the following accounts or any other accounts which may contain applicable lease costs so that production costs relating to leases acquired up to and including October 7, 1969, and costs relating to leases acquired as of October 8, 1969, and thereafter, and gathering costs can be readily identified. Where no production plant is owned or operated, no subdivision of these accounts need be made. However, these provisions do not apply if the leases were acquired, either directly or through intermediaries, from other pipelines or their affiliates which had held them prior to October 8, 1969. The accounts to which the foregoing instructions are applicable include, among others:

108	Accumulated Provisions for Depreciation of Gas Plant in Service.
111.1	Accumulated Provision for Amortization and Depletion of Producing Natural Gas Land and Land Rights.
325.1–338	Natural Gas Production and Gathering Plant.
403	Depreciation expense.
404.1	Amortization and depletion of producing natural gas land and land rights.
408.1	Taxes other than income taxes, utility operating income.
409.1	Income taxes, utility operating income.
750–769	Natural Gas Production and Gathering.

3. In the Gas Plant Instructions section, instruction "14. Transmission and distribution plant," is revoked and instructions "15. Employee villages and living quarters" and "16. Fees for applications filed with the Commission" are redesignated as 14 and 15., respectively. As so amended, that portion of the Gas Plant Instructions reads:

Gas Plant Instructions

* * * * *

14. [Revoked]

14. *Employee villages and living quarters.* * * *

15. *Fees for applications filed with the Commission.* * * *

* * * * *

(B) Effective for the reporting year 1972, FPC Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B) prescribed by § 260.1, Chapter I, Title 18 of the Code of Federal Regulations, is amended by revising schedule pages 535 and 536, entitled Gas Purchases (Accounts 800, 801, 802, 803, 804, and 805) and by adding new schedule pages 552, 553, 553A, and 553B, entitled Natural Gas Production and Gathering Statistics, all as set out in Attachment A hereto.[a]

(C) Effective January 1, 1972, paragraph (c) of § 260.1, in Subchapter G—Approved Forms, Natural Gas Act, Chapter I, Title 18 of the Code of Federal Regulations, is amended by adding a new schedule title, "Natural Gas Production and Gathering Statistics," immediately following schedule title "Natural Gas Reserves Available from Purchase Agreements." The amended portion of § 260.1 reads:

§ 260.1 Form No. 2, Annual Report for Natural Gas Companies (Class A and Class B).

* * * * *

(c) * * *

Natural Gas Production and Gathering Statistics

* * * * *

(D) The amendments ordered herein are effective as of January 1, 1972.

(E) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.72-1104 Filed 1-25-72;8:46 am]

Title 20—EMPLOYEES' BENEFITS

Chapter I—Bureau of Employees' Compensation, Department of Labor

SUBCHAPTER J—THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

PART 101—CRITERIA FOR DETERMINING WHETHER STATE WORKMEN'S COMPENSATION LAWS PROVIDE ADEQUATE COVERAGE FOR PNEUMOCONIOSIS

Redesignation of Part

In the transfer and redesignation of regulations appearing in Chapter XIII of Title 29 published at 36 F.R. 25158, December 29, 1971, and at 36 F.R. 25229, December 30, 1971, no disposition of Part 1520 was made. Therefore, in order to fully vacate Chapter XIII of Title 29, Part 1520 is hereby redesignated Part 101 of Subchapter J, the Federal Coal Mine Health and Safety Act of 1969, in Chapter I of Title 20 of the Code of Federal Regulations. The necessary renumbering of the part and its components is the only change in the part, as there is no change in the text.

Signed at Washington, D.C., this 19th day of January 1972.

HORACE E. MENASCO, *Administrator, Wage and Hour and Employment Standards Administration.*

[FR Doc.72-1097 Filed 1-25-72;8:45 am]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

Salt and Iodized Salt; Label Statements

In the FEDERAL REGISTER of February 31, 1971 (36 F.R. 2974), the Commissioner of Food and Drugs proposed that Subpart A of Part 3 (21 CFR Part 3) be amended (1) to require the labels of consumer packages of salt and iodized salt to prominently bear specified statements indicating whether the food contains the necessary nutrient iodide, (2) to restrict the prominence of label declarations describing the characteristics imparted by anticaking agents, and (3) to provide a reasonable period of time for manufacturers to bring labeling into compliance with these requirements.

Sixteen comments were received in response to the proposal. All endorsed the principle that packages of salt should be labeled so as to assist consumers in choosing between salt and iodized salt. In addition, there is general agreement that it would be desirable to have greatly increased human consumption of iodized salt. Units of the States of Indiana, North Dakota, and Washington support the proposal, but Oregon holds that product names such as "iodized salt" and "noniodized salt" would be sufficiently informative without the proposed supplementary statements. The principal additional comments and the Commissioner's conclusions based upon an evaluation of them, are as follows:

1. The statements following the name of the food calling attention to the presence or absence of iodide and the need for it as a nutrient would be meaningless or confusing to consumers and might tend to discourage the use of iodized salt by calling attention to the presence of an additive, and thus action on the proposal should be delayed to allow time for a survey of consumer reaction to the proposed statements. The Commissioner concludes that the label statement for packages of salt should be revised to read "This salt does not supply iodide, a necessary nutrient." This revision would increase consumers' understanding and would make the label consistent with the one for iodized salt.

2. The requirement that the label statements discussed in the proceding paragraph be in letters not less than one-third the height of the largest letter in the name of the food should be deleted. Instead, the statements should be in letters no smaller than those required for the declaration of net quantity of contents by § 1.8b (21 CFR 1.8b). The Commissioner agrees that the minimum letter size originally proposed would in some cases result in the statements' occupying an unreasonably large area on the label and that the requirements of § 1.8b will insure sufficient prominence. The suggestion has been adopted.

3. All table salt should be iodized. The matter is being explored with attention given to the possible need to make noniodized salt available to those individuals for whom the iodized product might be medically inadvisable or who may specifically desire the noniodized product for reasons of their own. The Government of Canada has required iodization of table salt (with the exception of salt sold to the housewife for pickling and canning) for about 20 years. The effect of that experience in reducing endemic goiter is being surveyed and is not likely to be known for at least 1 year. The results can then be compared with those which will become available after analysis of a 10-State nutrition survey conducted in the United States (where iodization of salt has been voluntary and where only approximately 50 percent of the table salt has been iodized) by the Center for Disease Control, Department of Health, Education, and Welfare. If such comparison indicates that mandatory iodization of salt would be desirable, the details of providing for that requirement, while at the same time providing for noniodized salt for those who may need or desire it, will require still additional time. In the meantime, the Commissioner concludes that the labeling requirements set forth below should be adopted to alert consumers to the necessity of including iodide in the diet.

4. There should be an exemption from the proposed labeling for animal feed. Since it is not intended that the regulation apply to animal feed, the Commissioner concurs, and this suggestion is adopted.

5. There should also be an exemption for labeling individual serving packages. The Commissioner recognizes that there may be insufficient space on very small packages for all of the proposed declarations and has provided an exemption in the regulation.

6. The proposed 18-month time period allowed for manufacturers to bring labeling into compliance with the proposed requirements should be increased to 2 years to allow orderly disposition of current inventories of labels. This suggestion is rejected since the Commissioner concludes that it would not be in the public interest to allow more than 18 months for manufacturers to dispose of existing stocks of labels and to complete

[a] Filed as part of the original document.

transition to the use of labeling complying with the statement of policy set forth below.

7. The term "consumer packages" should be defined to include only packages sold at retail. The Commissioner concurs in this comment and has changed the order to replace the words "consumer packages" with "packages intended for retail sale."

8. Statements from the Salt Institute request that packages containing more than 2½ pounds of salt be exempt from the declarations following the name of the food which call attention to the presence or absence of iodide and the need for it as a nutrient. The Institute states (1) that less than 5 percent of all salt purchased by consumers is in containers of more than 2½ pounds, (2) that such salt is purchased largely during the canning season and is used chiefly for home pickling and canning, and (3) that, since iodide may cause undesirable clouding in pickled and canned foods, it is not added to salt used for such purposes. The Commissioner recognizes that noniodized salt in large containers has a restricted food use in the household and has provided the requested exemption in the statement of policy. Further, in the event that mandatory iodization of salt may be required at some future date, this exemption would provide for the availability of noniodized salt for those individuals who might need or want it for whatever reason.

The Commissioner notes that if iodization of salt is eventually made mandatory the labeling under the proposed amendment would be compatible with such requirement.

Having considered the comments received and other relevant material, 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) and (f), 701(a), 52 Stat. 1047, 1055; 21 U.S.C. 343 (a) and (f), 371(a)) and under authority delegated to the Commissioner (21 CFR 2.120), Part 3 is amended in Subpart A by adding a new section, as follows:

§ 3.87 Salt and iodized salt; label statements.

(a) For the purposes of this section, the term "iodized salt" or "iodized table salt" is designated as the name of salt for human food use to which iodide has been added in the form of cuprous iodide or potassium iodide permitted by § 121.101(d)(5) of this chapter. In the labeling of such products, all words in the name shall be equal in prominence and type size. The statement "This salt supplies iodide, a necessary nutrient" shall appear on the label immediately following the name and shall be in letters which are not less in height than those required for the declaration of the net quantity of contents as specified in § 1.8b of this chapter.

(b) Salt or table salt for human food use to which iodide has not been added shall bear the statement, "This salt does not supply iodide, a necessary nutrient." This statement shall appear immediately following the name of the food and shall be in letters which are not less in height than those required for the declaration of the net quantity of contents as specified in § 1.8b of this chapter.

(c) Salt, table salt, iodized salt, or iodized table salt to which anticaking agents have been added may bear in addition to the ingredient statement designating the anticaking agent(s), a label statement describing the characteristics imparted by such agent(s) (for example, "free flowing"), providing such statement does not appear with greater prominence or in type size larger than the statements which immediately follow the name of the food as required by paragraphs (a) and (b) of this section.

(d) Individual serving-sized packages containing less than ½ ounce and packages containing more than 2½ pounds of a food described in this section shall be exempt from declaration of the statements which paragraphs (a) and (b) of this section require immediately following the name of the food. Such exemption shall not apply to the outer container or wrapper of a multiunit retail package.

(e) All salt, table salt, iodized salt, or iodized table salt in packages intended for retail sale shipped in interstate commerce 18 months after the date of publication of this statement of policy in the FEDERAL REGISTER, shall be labeled as prescribed by this section; and if not so labeled, the Food and Drug Administration will regard them as misbranded within the meaning of section 403 (a) and (f) of the Federal Food, Drug, and Cosmetic Act.

(Secs. 403 (a) and (f), 701(a), 52 Stat. 1047, 1055; 21 U.S.C. 343 (a) and (f), 371(a))

Dated: January 13, 1972.

CHARLES C. EDWARDS,
Commissioner of Food and Drugs.

[FR Doc.72-1163 Filed 1-24-72;10:06 am]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 27—CANNED FRUITS AND FRUIT JUICES

Canned Peaches, Canned Pears, and Canned Fruit Cocktail; Order Amending Standards of Identity

In the matter of amending the standards of identity for canned peaches, canned pears, and canned fruit cocktail (21 CFR 27.2, 27.20, and 27.40):

A notice of proposed rule making in the above-identified matter was published in the FEDERAL REGISTER of April 20, 1971 (36 F.R. 7467), based: (1) On a petition submitted by Libby, McNeill and Libby, 200 South Michigan Avenue, Chicago, IL 60604, to provide for the use of "slightly sweetened fruit juices from concentrates" as an optional packing medium; and (2) on a proposal by the Commissioner of Food and Drugs which invited comments regarding the optional use of packing media prepared from fruit juices from fruit other than the fruit being packed.

Four comments were received in response to the proposal. All comments favored the proposed changes suggested by the Libby petition and the proposal of the Commissioner. On the basis of information submitted in the petition, the comments received, and other relevant information, the Commissioner concludes that it will promote honesty and fair dealing and will be in the interest of consumers to amend the standards of identity for canned peaches (§ 27.2), canned pears (§ 27.20), and canned fruit cocktail (§ 27.40) to provide for the optional use of packing media prepared from a single fruit juice that is fresh, frozen, canned, or concentrated or a blend of two or more fruit juices, one of which may be that of the same fruit being packed, or all of which may be from different fruits.

Therefore, pursuant to the provision of the Federal Food, Drug, and Cosmetic Act (sec. 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). *It is ordered,* That Part 27 be amended, as follows:

1. In § 27.2 by amending paragraphs (c), (d), and (e) to read as follows:

§ 27.2 Canned peaches; identity; label statement of optional ingredients.

* * * * *

(c) (1) The optional packing media referred to in paragraph (a) of this section are:

(i) Water.
(ii) Fruit juice(s).
(iii) Slightly sweetened water.
(iv) Light sirup.
(v) Heavy sirup.
(vi) Extra heavy sirup.
(vii) Slightly sweetened fruit juice(s).
(viii) Light fruit juice(s) sirup.
(ix) Heavy fruit juice(s) sirup.
(x) Extra heavy fruit juice(s) sirup.

For the purposes of this section the term "fruit juice(s)" means single strength expressed juice(s) of sound, mature fruit(s). It may be fresh, frozen, canned, or made from concentrate(s). However, if it is made from concentrate(s), the juice(s) shall be reconstituted with water to the soluble solids that each fruit juice had before concentration. Fruit juice(s) may be used singly or in combination. If a fruit juice(s) is used that is regulated by a standard of identity of this chapter, it shall conform to the compositional requirements prescribed by such standard, prior to the addition of any sweetener which may be used. The term "water" means, in addition to water, any mixture of water and fruit juice(s), except that water used in preparing equivalent single strength juice(s) from concentrate(s) shall not be considered under the meaning of this term.

(2) Each of the packing media in subparagraph (1) (iii) to (x) of this paragraph, inclusive, is prepared with a liquid ingredient and a saccharine ingredient. Water is the liquid ingredient from which the packing

media in subparagraph (1) (iii) to (vi) of this paragraph, inclusive, are prepared, and fruit juice(s) as defined in subparagraph (1) of this paragraph is the liquid ingredient from which the packing media in subparagraph (1) (vii) to (x) of this paragraph, inclusive, are prepared. The saccharine ingredient from which the packing media in subparagraph (1) (iii) to (x) of this paragraph, inclusive, are prepared is one of the following: Sugar, invert sugar sirup; any combination of sugar or invert sugar sirup and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar or invert sugar sirup used; any combination of sugar or invert sugar sirup and corn sirup or glucose sirup in which the weight of the solids of the corn sirup or glucose sirup used is not more than one-third the weight of the solids of the sugar or invert sugar sirup used; or any combination of sugar or invert sugar sirup, dextrose, and corn sirup or glucose sirup in which twice the weight of the solids of the dextrose used added to three times the weight of the solids of the corn sirup or glucose sirup used is not more than the weight of the solids of the sugar or invert sugar sirup used; except that the packing media in subparagraph (1) (vii) to (x) of this paragraph, inclusive, are not prepared with any invert sugar sirup or with any corn sirup other than dried corn sirup or with any glucose sirup other than dried glucose sirup. A packing medium prepared with fruit juice(s) and any invert sugar sirup or corn sirup other than dried corn sirup or glucose sirup other than dried glucose sirup is considered to be prepared with water as the liquid ingredient.

(3) The respective densities of the packing media in subparagraph (1) (iii) to (x) of this paragraph, inclusive, as measured on the Brix hydrometer 15 days or more after the peaches are canned, are within the range prescribed for each in the following list:

Number of packing medium:	*Brix measurement*
(1) (iii)	Less than 14°.
(1) (vii)	10° or more but less than 14°.
(1) (iv) and (viii).	14° or more but less than 19°.
(1) (v) and (ix).	19° or more but less than 24°.
(1) (vi) and (x).	24° or more but not more than 35°.

(d) (1) The principal display panel of the label shall bear the name of the optional peach ingredient used, as specified in paragraph (b) of this section, and the name whereby the optional packing medium used is designated in paragraph (c) of this section, preceded by "In" or "Packed in," except that as regards the word "fruit": If the optional packing media in paragraph (c) (1) (ii), (vii) to (x) of this section, inclusive, are prepared with:

(i) A single fruit juice, the name of the juice shall be used in lieu of the word "fruit" in the name of the packing medium.

(ii) A combination of two or more fruit juices, the names of the juices in the order of predominance by weight shall either be used in lieu of the word "fruit" in the name of the packing medium or be declared on the label as specified in paragraph (e) (2) of this section.

(iii) A single fruit juice or a combination of two or more fruit juices any of which are made from concentrate(s), the words "from concentrate(s)" shall follow the word "juice(s)" in the name of the packing medium and in the name(s) of such juice(s) when declared as speicfied in paragraph (e) (2) of this section.

(2) When any of the optional ingredients permitted by one of the following specified subparagraphs of paragraph (a) of this section are used, the label shall bear the words set forth below after the number of such subparagraph:

(a) (1) "Spiced" or "Spice Added" or "With Added Spice," or in lieu of the word "Spice," the common name of the spice.

(2) "Flavoring Added" or "With Added Flavoring," or in lieu of the word "Flavoring," the common name of the flavoring.

(3) "Seasoned with Vinegar" or "Seasoned with _____ Vinegar," the blank being filled in with the word showing the kind of vinegar used.

(4) "Seasoned with Peach Pits."

(5) "Seasoned with Peach Kernels."

(6) "Ascorbic acid added _____," the blank being filled in with "to preserve color" or "to protect color."

When two or more of the optional ingredients specified in paragraph (a) (1), (2), (3), and (4) or (5) of this section are used, such words may be combined, as for example, "Seasoned with Cider Vinegar, Cloves, Cinnamon Oil, and Peach Kernels."

(e) (1) Wherever the name "peaches" appears on the label so conspicuously as to be easily seen under the customary conditions of purchase, the words and statements specified in paragraph (d) (2) of this section, showing the optional ingredients used, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the specific varietal name of the peaches may so intervene.

(2) Whenever the names of the fruit juices used do not appear in the name of the packing medium as provided for in paragraph (d) (1) (ii) of this section such names, and as specified in paragraph (d) (1) (iii) of this section, the words "from concentrate," shall appear together in an ingredient statement on the principal display panel or any appropriate information panel or panels in conspicuous and easily legible letters or boldface print of type the size of which shall be not less than one-half of that required by Part I of this chapter for the statement of net quantity of contents appearing on the label but in no case less than one-sixteenth of an inch in height.

2. In § 27.20 by amending paragraphs (c), (d), and (e) to read as follows :

§ 27.20 Canned pears; identity; label statement of optional ingredients.

* * * * *

(c) (1) The optional packing media referred to in paragraph (a) of this section are:

(i) Water.
(ii) Fruit juice(s).
(iii) Slightly sweetened water.
(iv) Light sirup.
(v) Heavy sirup.
(vi) Extra heavy sirup.
(vii) Slightly sweetened fruit juice(s).
(viii) Light fruit juice(s) sirup.
(ix) Heavy fruit juice(s) sirup.
(x) Extra heavy fruit juice(s) sirup.
(xi) Clarified juice.

For the purposes of this section, the term "fruit juice(s)" means single strength expressed juice(s) of sound, mature fruit(s). It may be fresh, frozen, canned or made from concentrate(s). However, if it is made from concentrate(s), the juice(s) shall be reconstituted with water to the soluble solids that each fruit juice had before concentration. Fruit juice(s) may be used be used singly or in combination. If a fruit juice(s) is used that is regulated by a standard of identity of this chapter, it shall conform to the compositional requirements prescribed by such standard, prior to the addition of any sweetener which may be used. The term "water" means, in addition to water, any mixture of water and fruit juice(s), or any mixture of water and clarified juice, except that water used in preparing equivalent single strength juice(s), from concentrate(s) shall not be considered under the meaning of this term. The term "clarified juice" means the liquid expressed wholly or in part from pear peelings, cores, or from pear flesh or parts thereof, which liquid is clarified and may be further refined or concentrated. Any substances used to aid in clarifying, refining, or concentrating the pear liquid are either substances that are not food additives within the meaning of section 201(s) of the Federal Food, Drug, and Cosmetic Act or they are food additives and are used in conformity with regulations established pursuant to section 409 of the act. In the case of concentrated clarified juice, if the concentration is such that the packing medium conforms to the density range for one of the sirups referred to in this subparagraph, such concentrated liquid is considered to be light sirup, heavy sirup, or extra heavy sirup, as the case may be.

(2) Except as concentrated clarified juice is considered to be a sirup packing medium as provided in this section, each of the packing media in subparagraph (1) (iii) to (x) of this paragraph, inclusive, is prepared with a liquid ingredient and a saccharine ingredient. Water is the liquid ingredient from which the packing media in subparagraph (1) (iii) to (vi) of this paragraph, inclusive, are prepared, and fruit juice(s) as defined in subparagraph (1) of this paragraph is the liquid ingredient from which the packing media in subparagraph (1) (vii) to (x) of this paragraph, inclusive,

are prepared. The saccharine ingredient from which the packing media in subparagraph (1) (iii) to (x) of this paragraph, inclusive, are prepared is one of the following: Sugar; invert sugar sirup; any combination of sugar or invert sugar sirup and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar or invert sugar sirup used; any combination of sugar or invert sugar sirup and corn sirup or glucose sirup in which the weight of the solids of the corn sirup or glucose sirup used is not more than one-third the weight of the solids of the sugar or invert sugar sirup used; or any combination of sugar or invert sugar sirup, dextrose, and corn sirup or glucose sirup in which twice the weight of the solids of the dextrose used added to three times the weight of the solids of the corn sirup or glucose sirup used is not more than the weight of the solids of the sugar or invert sugar sirup used; except that the packing media in subparagraph (1) (vii) to (x) of this paragraph, inclusive, are not prepared with any invert sugar sirup or with any corn sirup other than dried corn sirup or with any glucose sirup other than dried glucose sirup. A packing medium prepared with fruit juice(s) and any invert sugar sirup or corn sirup other than dried corn sirup or glucose sirup other than dried glucose sirup is considered to be prepared with water as the liquid ingredient.

(3) The respective densities of the packing media in subparagraph (1) (iii) to (x) of this paragraph, inclusive, as measured on the Brix hydrometer 15 days or more after the pears are canned, are within the range prescribed for each in the following list:

Number of packing medium:	*Brix measurement*
(1) (iii)	Less than 14°.
(1) (vii)	10° or more but less than 14°.
(1) (iv) and (viii).	14° or more but less than 18°.
(1) (v) and (ix)	18° or more but less than 22°.
(1) (vi) and (x)	22° or more but not more than 35°.

(d) (1) The principal display panel of the label shall bear the name of the optional pear ingredient used, as specified in paragraph (b) of this section, and the name whereby the optional packing medium used is designated in paragraph (c) of this section, preceded by "In" or "Packed in," except that as regards the word "fruit": if the optional packing media in paragraph (c) (1) (ii), (vii) to (x) of this section, inclusive, are prepared with:

(i) A single fruit juice, the name of the juice shall be used in lieu of the word "fruit" in the name of the packing medium.

(ii) A combination of two or more fruit juices, the names of the juices in the order of predominance by weight shall either be used in lieu of the word "fruit" in the name of the packing medium or be declared on the label as specified in paragraph (e) (2) of this section.

(iii) A single fruit juice or a combination of two or more fruit juices any of which are made from concentrate(s), the words "from concentrate(s)" shall follow the word "juice(s)" in the name of the packing medium and in the name(s) of such juice(s) when declared as specified in paragraph (e) (2) of this section.

(2) When any of the optional ingredients permitted by one of the following specified subparagraphs of paragraph (a) of this section are used, the label shall bear the words set forth after the number of such subparagraph:

(a) (1) "Spiced" or "Spice Added" or "With Added Spice," or in lieu of the word "spice," the common name of the spice.

(2) "Flavoring Added" or "With Added Flavoring," or, in lieu of the word "Flavoring," the common name of the flavoring.

(3) "Seasoned with Vinegar" or "Seasoned with _____ Vinegar," the blank being filled in with the word showing the kind of vinegar used.

(4) "With Added Flavoring and Artificial Coloring" or "Flavoring and Artificial Coloring Added." The word "Flavoring" may be replaced by "Mint Flavoring," "Spice Flavoring," or "spice," as is appropriate, or by the common or usual name of the flavoring or ing Added." The word "Flavoring" may be named as "Artificial Green Coloring" or "Artificial Red Coloring," as the case may be.

When two or more of the optional ingredients specified in paragraph (a) (1), (2), (3), and (4) of this section are used, such words may be combined, as for example, "With Added Cloves and Cinnamon Oil, Artificial Red Coloring, and Seasoned with Cider Vinegar."

(e) (1) Wherever the name "pears" appears on the label so conspicuously as to be easily seen under the customary conditions of purchase, the words and statements specified in paragraph (d) (2) of this section showing optional ingredients used, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter, except that the specific varietal name of the pears may so intervene.

(2) Whenever the names of the fruit juices used do not appear in the name of packing medium as provided for in paragraph (d) (1) (ii) of this section such names, and as specified in paragraph (d) (1) (iii) of this section the words "from concentrates," shall appear together in an ingredient statement on the principal display panel or any appropriate information panel or panels in conspicuous and easily legible letters of boldface print or type the size of which shall be not less than one-half of that required by Part I of this chapter for the statement of net quantity of contents appearing on the label but in no case less than one-sixteenth of an inch in height.

3. In § 27.40 by amending paragraphs (c), (d), and (e) to read as follows:

§ 27.40 Canned fruit cocktail, canned cocktail fruits, canned fruits for cocktail; identity; label statement of optional ingredients.

* * * * *

(c) (1) The optional packing media referred to in paragraph (a) of this section are:

(i) Water.
(ii) Fruit juice(s).
(iii) Slightly sweetened water.
(iv) Light sirup.
(v) Heavy sirup.
(vi) Extra heavy sirup.
(vii) Slightly sweetened fruit juice(s).
(viii) Light fruit juice(s) sirup.
(ix) Heavy fruit juice(s) sirup.
(x) Extra heavy fruit juice(s) sirup.

(2) Each of the packing media in subparagraph (1) (iii), (iv), (v), and (vi) of this paragraph is prepared with water as its liquid ingredient, and each of the packing media in subparagraph (1) (vii), (viii), (ix), and (x) of this paragraph is prepared with fruit juice(s) as defined in paragraph (d) (1) of this section as its liquid ingredient. Except as provided in paragraph (d) (3) of this section, each of the packing media in subparagraph (1) (iii) to (x) of this paragraph, inclusive, is prepared with any one of the following saccharine ingredients: Sugar; invert sugar sirup; any combination of sugar or invert sugar sirup and dextrose in which the weight of the solids of the dextrose used is not more than one-half the weight of the solids of the sugar or invert sugar sirup used; any combination of sugar or invert sugar sirup and corn sirup or glucose sirup in which the weight of the solids of the corn sirup or glucose sirup used is not more than one-third the weight of the solids of the sugar or invert sugar sirup used; or any combination of sugar or invert sugar sirup, dextrose, and corn sirup or glucose sirup in which the weight of the solids of the dextrose used multiplied by two, added to the weight of the solids of the corn sirup or the glucose sirup used multiplied by three, is not more than the weight of the solids of the sugar or invert sugar sirup used. The respective densities of the packing media in subparagraph (1) (iii) to (x) of this paragraph, inclusive, as measured on the Brix hydrometer 15 days or more after the fruit cocktail is canned are within the range prescribed for each in the following list:

Number of packing medium:	*Brix measurement*
(1) (iii)	Less than 14°.
(1) (vii)	10° or more but less than 14°.
(1) (iv) and (viii).	14° or more but less than 18°.
(1) (v) and (ix).	18° or more but less than 22°.
(1) (vi) and (x).	22° or more but not more than 35°.

(d) For the purposes of this section:

(1) The term "fruit juice(s)" means single strength expressed juice(s) of sound, mature fruit(s). It may be fresh, frozen, canned or made from concentrate(s). However, if it is made from concentrate(s), the juice(s) shall be reconstituted with water to the soluble solids that each fruit juice had before concentration. Fruit juice(s) may be used singly or in combination. It may be strained or filtered. If a fruit juice(s) is used that is regulated by a standard of identity of this chapter, it shall conform

to the compositional requirements prescribed by such standard prior to the addition of any sweetener which may be added.

(2) The term "water" means, in addition to water, any mixture of water and fruit juice(s) except that water used in preparing equivalent single strength juice(s) from concentrate(s) shall not be considered under the meaning of this term.

(3) When the optional packing medium is prepared with fruit juice(s) as defined in subparagraph (1) of this paragraph and invert sugar sirup or corn sirup other than dried corn sirup or glucose sirup other than dried glucose sirup, it shall be considered to be slightly sweetened water, light sirup, heavy sirup, or an extra heavy sirup, as the case may be, and not a slightly sweetened fruit juice(s), light fruit juice(s) sirup, heavy fruit juice(s) sirup, or an extra heavy fruit juice(s) sirup.

(4) The term "light sirup," "heavy sirup," or "extra heavy sirup" includes a sirup which conforms in all other respects to the provisions of this section in the preparation of which there is used the liquid drained from any fruit ingredient previously canned in a packing medium consisting wholly of the liquid and saccharine ingredients of a light sirup, heavy sirup, or extra heavy sirup.

(5) Except as provided in subparagraph (3) of this paragraph, the term "slightly sweetened fruit juice(s)", "light fruit juice(s) sirup," "heavy fruit juice(s) sirup," "heavy fruit juice(s) sirup," or "extra heavy fruit juice(s) sirup" includes a packing medium which conforms in all other respects to the provisions of this section, in the preparation of which there may be used fruit juice(s) as defined in subparagraph (1) of this paragraph or the liquid drained from any fruit ingredients previously canned in a packing medium consisting wholly of the liquid and saccharine ingredients of slightly sweetened fruit juice(s), light fruit juice sirup, heavy fruit juice sirup, or extra heavy fruit juice sirup.

(e) (1) The name of the food is "fruit cocktail," "cocktail fruits," or "fruits for cocktail." The principal display panel of the label shall bear the name of the food and the name whereby the optional packing medium used is designated in paragraph (c) of this section preceded by "In" or "Packed in" except that as regards the word "fruit": if the optional packing media in paragraph (c) (1) (ii), (vii) to (x) of this section, inclusive, are prepared with:

(i) A single fruit juice, the name of the juice shall be used in lieu of the word "fruit" in the name of the packing medium.

(ii) A combination of two or more fruit juices, the names of the juices in the order of predominance by weight shall be used either in lieu of the word ""fruit" in the name of the packing medium or be declared on the label as specified in paragraph (f) (2) of this section.

(iii) A single fruit juice or a combination of two or more fruit juices any of which are made from concentration(s), the words "from concentrate(s)" shall follow the word "juice(s)" in the name of the packing medium and, the name(s) of such juice(s) when declared as specified in paragraph (f) (2) of this section.

(2) When the optional cherry ingredients specified in paragraphs (b) (5) (ii) and (iii) of this section are used, the label shall bear the names whereby each is so specified.

(f) (1) Whenever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words specified in paragraph (e) (2) of this section showing the optional ingredients used shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter.

(2) Whenever the names of the fruit juices used do not appear in the name of the packing medium as provided for in paragraph (e) (1) (ii) of this section such names, and as specified in paragraph (e) (1) (iii) of this section the words "from concentrate," shall appear together in an ingredient statement on the principal display panel or any appropriate information panel or panels in conspicuous and easily legible letters of boldface print or type the size of which shall be not less than one-half of that required by Part 1 of this chapter for the statement of net quantity of contents appearing on the label but in no case less than one-sixteenth of an inch in height.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 6-88, 5600 Fishers Lane, Rockville, Md. 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective 60 days after its date of publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be given by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: January 12, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-1129 Filed 1-25-72;8:48 am]

SUBCHAPTER C—DRUGS

PART 135b—NEW ANIMAL DRUGS FOR IMPLANTATION OR INJECTION

Cephaloridine Injection

The Commissioner of Food and Drugs has evaluated a new animal drug application (46-417V) filed by Elanco Products Co., Post Office Box 1750, Indianapolis, Ind. 46206, proposing the safe and effective use of cephaloridine injection in dogs and cats for the treatment of certain bacterial infections of the urinary bladder. 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.45 Cephaloridine injection.

(a) *Specifications.* Cephaloridine injection is sterile; each cubic centimeter contains 100 milligrams of cephaloridine activity.

(b) *Sponsor.* See code No. 014 in § 135.501(c) of this chapter.

(c) *Conditions of use.* (1) It is intended for use in dogs and cats for the treatment of bacterial infection of the urinary bladder (cystitis) due to cephaloridine-sensitive organisms.

(2) It is administered by intramuscular or subcutaneous injection at a dosage level of 5 milligrams per pound of body weight. It is administered twice a day. Treatment should not exceed 7 days without reassessment of diagnosis.

(3) 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 (1-26-72).

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

Dated: January 11, 1972.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc.72-1121 Filed 1-25-72;8:48 am]

PART 135c—NEW ANIMAL DRUGS IN ORAL DOSAGE FORMS

Pyrantel Tartrate Powder

The Commissioner of Food and Drugs has evaluated a new animal drug application (42-888V) filed by Pfizer, Inc., 235 East 42d Street, New York, N.Y. 10017, proposing the safe and effective use of pyrantel tartrate as an anthelmintic in horses and ponies. 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 135c is amended by adding the following new section:

§ 135c.59 Pyrantel tartrate powder.

(a) *Specifications.* Pyrantel tartrate powder contains 11.3 percent of pyrantel tartrate.

(b) *Sponsor.* See code No. 030 in § 135.501(c) of this chapter.

(c) *Conditions of use.* (1) It is used in horses and ponies for the removal and control of infections from the following mature parasites:

(i) Large strongyles (*Strongylus vulgaris, Strongylus edentatus, Strongylus equinus*),

(ii) Small strongyles (*Trichonema spp., Triodontophorus*),

(iii) Pinworms (*Oxyuris*), and

(iv) Large roundworms (*Parascaris*).

(2) It is administered as a single dose at 0.57 grams of pyrantel tartrate per 100 pounds of body weight mixed with the usual grain ration.

(3) It is recommended that severely debilitated animals not be treated with this drug. Do not administer by stomach tube or dose syringe. The drug should be used immediately after it is opened.

(4) Warning: Not for use in horses and ponies to be slaughtered for food purposes.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER (1–26–72).

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

Dated: January 11, 1972.

C. D. VAN HOUWELING,
Director,
Bureau of Veterinary Medicine.

[FR Doc.72–1122 Filed 1–25–72;8:48 am]

PART 144—ANTIBIOTIC DRUGS; EXEMPTIONS FROM LABELING AND CERTIFICATION REQUIREMENTS

Revocation of Exemption of Sulfaquinoxaline; Correction

In F.R. Doc. 71–17901 appearing at page 23293 in the FEDERAL REGISTER of December 8, 1971, the amendment to § 144.26 *Animal feed containing certifiable antibiotic drugs* is corrected so that only the parenthetical phrase in paragraph (b)(1)(i) is revoked and not the entire subdivision.

Dated: January 12, 1972.

SAM D. FINE,
Associate Commissioner
for Compliance.

[FR Doc.72–1120 Filed 1–25–72;8:48 am]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 673—FOOD AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to sections 5 and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 208) and Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and by means of Administrative Order No. 618 (36 F.R. 7686), the Secretary of Labor appointed and convened Industry Committee No. 105 for the Food and Related Products Industry in Puerto Rico, referred to the Committee the question of the minimum rate or rates of wages to be paid under section 6(c) of the Act to employees in the industry, and gave notice of a hearing to be held by the Committee.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee has filed with the Administrator of the Wage and Hour Division of the Department of Labor a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950, and 29 CFR 511.18, the recommendations of Industry Committee No. 105 are hereby published, amending subparagraphs (3), (4), and (7) of paragraph (a); subparagraphs (5), (6), and (7) of paragraph (b) and paragraph (c) of § 673.2 of Title 29, Code of Federal Regulations.

As amended, § 673.2 reads as follows:

§ 673.2 Wage rates.

* * * * *

(a) *Pre-1961 Coverage Classifications.* (1) The classifications for pre-1961 coverage apply to all activities in the industry to which section 6 of the Fair Labor Standards Act would have applied prior to the Fair Labor Standards Amendments of 1961.

* * * * *

(3) [Reserved.]

(4) *Citron brining and fruit, vegetable, nut, and green coffee packing classification.* (i) The minimum wage for this classification is $1.45 an hour.

* * * * *

(7) *General classification.* (i) The minimum wage for this classification is $1.60 an hour.

(b) * * *

(5) *Canning and preserving of food products; packing of frozen fish; the bottling or canning of olives, capers, and oils; the manufacture of alimentary pastes; and workers other than chauffeurs in the manufacture of ice cream, ices, and similar frozen products classification.* (i) The minimum wage for this classification is $1.60 an hour.

(ii) This classification is defined as the canning and preserving of food products; packing of frozen fish; the bottling or canning of olives, capers, and oils; the manufacture of alimentary pastes; and workers other than chauffeurs in the manufacture of ice cream, ices, and similar frozen products.

(6) *Coffee roasting.* (i) The minimum wage for this classification is $1.60 an hour.

(ii) This classification is defined as the roasting of coffee, and the manufacture of coffee concentrates and extracts in powdered, liquid, and frozen form.

(7) *General classification.* (i) The minimum wage for this classification is $1.50 an hour.

(c) *1966 coverage classification.* (i) The minimum wage for this classification is $1.60 an hour.

(Secs. 5, 6, 8, 52 Stat. 1062, 1064 as amended; 29 U.S.C. 205, 206, 208)

Effective date. This amendment shall become effective upon the expiration of 15 days after the date of publication.

Signed at Washington, D.C., this 19th day of January 1972.

HORACE E. MENASCO,
Administrator, Wage and Hour Division, U.S. Department of Labor.

[FR Doc.72–1098 Filed 1–25–72;8:45 am]

PART 694—MINIMUM WAGE RATES IN INDUSTRIES IN THE VIRGIN ISLANDS

Wage Order

Pursuant to sections 5 and 8 of the Fair Labor Standards Act of 1938 (52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 208) and Reorganization Plan No. 6 of 1950 (3 CFR 1949–53 Comp., p. 1004), and by means of Administrative Order No. 620 (36 F.R. 13099), the Secretary of Labor appointed and convened Special Industry Committee No. 13 for the Virgin Islands, referred to the Committee the question of the minimum rate or rates of wages to be paid under section 6(c) of the Act to employees in the industry, and gave notice of a hearing to be held by the Committee.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee has filed with the Administrator of the Wage and Hour Division of the Department of Labor a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938, Reorganization Plan No. 6 of 1950, and 29 CFR 511.18, the recommendations of Special Industry Committee No. 13 are hereby published in this order amending § 694.1 of Title 29, Code of Federal Regulations.

In § 694.1, subdivision (i) of subparagraph (3) of paragraph (b) is amended to read as follows:

§ 694.1 Wage rates.

* * * * *

(b) * * *

(3) *Laundry and cleaning classification.* (i) The minimum wage rate for this classification is $1.60 an hour.

* * * * *

(Secs. 5, 6, 8, 52 Stat. 1062, 1064, as amended; 29 U.S.C. 205, 206, 208)

Effective date. This amendment shall become effective upon the expiration of 15 days after the date of publication.

Signed at Washington, D.C., this 19th day of January 1972.

HORACE E. MENASCO,
Administrator, Wage and Hour Division, U.S. Department of Labor.

[FR Doc.72-1099 Filed 1-25-72;8:45 am]

Chapter XIII—Bureau of Labor Standards, Department of Labor

PART 1520—CRITERIA FOR DETERMINING WHETHER STATE WORKMEN'S COMPENSATION LAWS PROVIDE ADEQUATE COVERAGE FOR PNEUMOCONIOSIS

Redesignation of Part

In the transfer and redesignation of regulations appearing in this chapter, published at 36 F.R. 25158, December 29, 1971, and at 36 F.R. 25229, December 30, 1971, no disposition of Part 1520 was made. Therefore, in order to fully vacate this chapter, Part 1520 is hereby redesignated Part 101 of Title 20 of the Code of Federal Regulations and accordingly Chapter XIII of this Title 29 is hereby vacated.

Signed at Washington, D.C., this 19th day of January 1972.

HORACE E. MENASCO,
Administrator, Wage and Hour and Employment Standards Administration.

[FR Doc.72-1096 Filed 1-25-72;8:45 am]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 101—Federal Property Management Regulations

SUBCHAPTER F—TELECOMMUNICATIONS AND PUBLIC UTILITIES

PART 101-35—TELECOMMUNICATIONS

Subpart 101-35.3—Utilization and Ordering of Telecommunications Services

SURVEYS OF INSTALLATION AND USE OF TELEPHONE STATION EQUIPMENT

This amendment requires that agencies make periodic surveys of the installation and use of telephone station equipment and certify to GSA that the surveys were conducted.

The table of contents for Part 101-35 is amended by the addition of the following new entries:

Sec.
101-35.307-1 Agency surveys.
101-35.307-2 Deviations from standards.

Section 101-35.307 is revised to read as follows:

§ 101-35.307 Control of telephone station equipment.

§ 101-35.307-1 Agency surveys.

Each agency shall establish a program of systematic survey of its installed telephone station equipment. Agencies shall establish internal regulations that require (a) compliance with §§ 101-35.307 and 101-35.308; (b) control of the installation and use of telephone station equipment at all levels of activity to insure that only station equipment necessary to carryout assigned missions is provided; (c) periodic surveys of installed equipment; and (d) correction of any deficiencies found. Agencies shall conduct the initial survey not later than June 30, 1972. Subsequent reviews shall be made at least annually. Additional surveys shall be made soon after the establishment, reorganization, or major move of any agency or subordinate activity. Copies of agency regulations shall be furnished to the General Services Administration (TC), Washington, DC 20405. In addition, each agency shall certify annually to GSA that the required surveys have been conducted.

§ 101-35.307-2 Deviation from standards.

The standards provided in § 101-35.308 are applicable to the ordering of such equipment except where the head of an agency or his authorized designee determines, in writing, that deviation is essential to the effective execution of agency responsibilities or is required by operational needs (to be specified). Orders for equipment deviating from the standards and placed through GSA facilities shall be accompanied by a copy of the written determination. When orders for such equipment are placed directly with commercial common carriers, the determination shall be retained in the agency's file.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Effective date. This regulation is effective upon publication in the FEDERAL REGISTER (1-26-72).

Dated: January 19, 1972.

ROD KREGER,
Acting Administrator of General Services.

[FR Doc.72-1151 Filed 1-25-72;8:50 am]

Title 49—TRANSPORTATION

Chapter I—Department of Transportation

SUBCHAPTER B—OFFICE OF PIPELINE SAFETY

[Amdt. 191-2; Docket No. OPS-17]

PART 191—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE: REPORTS OF LEAKS

Elimination of Annual Report Requirement for Small Petroleum Gas Distribution Systems

The purpose of this amendment to the leak reporting requirements of Part 191 is to relieve the operators of petroleum gas systems serving less than 100 customers of the requirement of making a 1971 annual report. The amendment is made in response to a petition by the National LP-Gas Association.

In the petition and other related correspondence, several contentions are made in support of the requested relief. The Association points out that, in contrast to most natural gas distribution companies, LP gas operators are relatively small businesses, frequently involving only one or two employees. Thus the requirement for preparing an annual report imposes a much greater burden on these small operators. In addition, since the annual report was prepared on the basis of experience with the larger, natural gas distribution companies, many of the information items on the report are not appropriate for small, isolated petroleum gas systems.

Due to these factors it appears that much of the information received will be misleading, incorrectly stated, and of very little value in the data processing system the Department has established for these reports. To avoid the continuation of this burden which does not provide a commensurate benefit, the Department is amending the annual report requirements for the operators of small petroleum gas systems.

The 1971 annual report will not be required from any operator whose systems serve less than 100 customers from a single source. An operator with one or more systems serving 100 or more customers is still required to report, but only with respect to those large systems.

The Department plans at an early date to begin action aimed at developing new reporting requirements and forms which will be more appropriate for petroleum gas systems and small operators. In developing these new requirements, the Department will consider also the situation of operators of small natural gas systems, since they may have similar difficulties. This further action in developing new requirements will be carried out through formal rule making in which all interested parties have an opportunity to comment on proposed regulations.

Due to the imminence of the February 15 reporting deadline, good cause is found for making this amendment effective immediately.

In consideration of the foregoing § 191.11 of Title 49 of the Code of Federal Regulations is amended to read as follows, effective immediately.

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

§ 191.11 Distribution system: Annual report.

(a) Except as provided in paragraph (b) of this section, each operator of a distribution system shall submit an annual report on Department of Transportation Form DOT F 7100.1–1. This report must be submitted not later than February 15 for the preceding calendar year.

(b) The annual report required by paragraph (a) of this section need not be submitted with respect to petroleum gas systems which serve less than 100 customers from a single source.

Issued in Washington, D.C., on January 21, 1972.

JOSEPH C. CALDWELL,
Acting Director,
Office of Pipeline Safety.

[FR Doc.72–1241 Filed 1–24–72;5:00 pm]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 719]

RECONSTITUTION OF FARMS, ALLOTMENTS, AND BASES

Notice of Proposed Rule Making

Notice is hereby given of a proposal to amend the regulations governing the reconstitution of farms, allotments, and bases (36 F.R. 11271 and 11802) issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), the Agricultural Act of 1949, as amended (7 U.S.C. 1441 et seq.), section 124 of the Soil Bank Act (7 U.S.C. 1812), section 602 of the Food and Agriculture Act of 1965 (7 U.S.C. 1838), and the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590 g–q).

The proposed amendment includes the following:

(a) Revision of the definitions of the words "landlord" and "owner" in § 719.2.

(b) In § 719.3, deletion of the term "nearby and easily accessible" and substitution of the term "single farming unit" in determining the land to be included in a farm; removal of the prohibition against including land of unequal productivity under different ownership in a farm; and addition of a prohibition against including a farm which has been declared ineligible to participate in a set-aside program.

(c) In § 719.4, deletion of the term "nearby and easily accessible" and addition of a definition of the term "single farming unit."

(d) In § 719.8: (1) Removal of the requirement for concurrence by the Deputy Administrator in applying the estate method of dividing allotments and bases where the part of the farm from which ownership is being transferred was owned for less than 3 years and (2) making such method inapplicable to all cases involving Burley tobacco.

Interested persons are invited to submit written data, views, or arguments regarding the proposed changes to the Director, Commodity Stabilization Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Room 3629–South, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than 20 days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.).

The proposed amendment is as follows:

1. In § 719.2, paragraphs (m) and (p) are revised to read as follows:

§ 719.2 Definitions.

* * * * *

(m) *Landlord.* A person who rents or leases farmland to another person.

* * * * *

(p) *Owner.* A person who has legal ownership of farmland, including a person who is buying farmland under a purchase agreement.

* * * * *

2. In § 719.3, paragraph (b) and paragraphs (c)(2) and (d)(1) are revised to read as follows:

§ 719.3 Farm constitution.

* * * * *

(b) *Farms constituted for the first time or reconstituted hereafter.* With respect to the constitution and identification of land as a farm for the first time or the reconstitution of farms made hereafter, a farm shall include all land operated by one person as a single farming unit except that it shall not include land under any of the following conditions:

(1) Land under separate ownership unless the owners agree in writing;

(2) Field-rented tracts under a short-term agreement of 1 year or less (such tracts shall remain with the farm of which they are a part);

(3) Federally owned land under a restrictive lease.

(4) Federal- and State-owned wildlife land unless the former owner has possession of the land under a leasing agreement.

(5) Land covered by a whole farm conservation reserve contract unless all the other land included in the farm is also covered by a whole farm conservation reserve contract;

(6) Land covered by a whole farm cropland conversion program agreement unless all the other land included in the farm is also covered by a whole farm cropland conversion program agreement;

(7) Land covered by a cropland adjustment or cropland conversion program agreement unless (i) the specific commodity diverted under the agreement is also diverted under a cropland adjustment or cropland conversion program agreement covering the other land and having the same expiration date, or (ii) the other land does not have an allotment or base of the same commodity, or (iii) the farm operator agrees to a zero permitted acreage for the commodity under agreement.

(8) Land constituting a farm which is declared ineligible to participate in a set-aside program under the regulations governing the program.

(c) *Location of farm for administrative purposes.* * * *

(2) If the land in the farm is located in more than one county, the farm shall be administratively located in either of such counties as the county committee of the receiving county and the farm operator agree. The receiving county is the county in which the farm operator requests that the farm be located. If the agreement can be reached, the farm shall be administratively located in the county (i) where the principal dwelling is situated, or (ii) where the major portion of the farm is located, if there is no dwelling.

* * * * *

(d) *Required reconstitutions.* * * *

(1) A change has occurred in the operation of the land after the last constitution or reconstitution and as a result of such change the farm does not meet the conditions for constitution of a farm as set forth in paragraph (b) of this section: *Provided,* That no reconstitution shall be made if the county committee determines that the primary purpose of the change in operation is to establish eligibility to transfer allotments subject to sale or lease;

* * * * *

3. Section 719.4 is revised to read as follows:

§ 719.4 Guides for determining the land constituting a farm.

(a) *General.* In determining the constitution of a farm, consideration shall be given to provisions such as ownership and operation. A brief explanation of these provisions is outlined in this section to assist committees in properly determining what land is to be included in a farm.

(b) *Ownership.* The county committee shall require specific proof where there is doubt as to ownership.

(c) *Family members.* Land owned by different members of an immediate family living in the same household and operated as a single farming units shall be considered as being under the same ownership in determining a farm.

(d) *Parent corporations and subsidiaries.* All land which is operated as a single farming unit and which is owned and operated by a parent corporation and subsidiary corporations of which the parent corporation owns more than 50 percent of the value of the outstanding stock (or which is owned and operated by such subsidiary corporations) shall be constituted as one farm.

(e) *Single farming unit.* Land which the committee determines is being operated by one person with cropping practices, equipment, labor, accounting system, and management substantially separate from that of any other unit shall

be considered to constitute a single farming unit.

(f) *Operation.* In determining the constitution of a farm, the county committee shall satisfy itself that the operator will be in general control of the farming operations on the farm for the program year.

4. In § 719.8, paragraphs (b) (4) and (5) are revised to read as follows:

§ 719.8 Rules for determining allotments and bases where reconstitution is made by division.

* * * * *

(b) *Designation of allotments and bases by landowner.* * * *

(4) Where the part of the farm from which the ownership is being transferred was owned for a period of less than 3 years, the provisions of this paragraph shall not be applicable to such transfer unless the State committee finds that the primary purpose of the ownership transfer was not to retain or sell an allotment or base. In the absence of such a finding, and if the farm contains land which has been owned for a period less than 3 years, that part which has been owned for less than 3 years shall be considered as a separate farm and the allotments and bases shall be assigned to that part using the rules in paragraphs (c) through (f) of this section, as applicable. Such apportionment shall be made prior to any designation of allotments and bases with respect to the part which has been owned for 3 years or more.

(5) This method is not applicable to Burley tobacco.

* * * * *

Signed at Washington, D.C., on January 18, 1972.

KENNETH E. FRICK,
Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.72-1133 Filed 1-25-72;8:48 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 130]

OVER-THE-COUNTER DRUGS

Proposal Establishing Rule Making Procedures for Classification; Correction

In F.R. Doc. 72-147 appearing at page 85 in the January 5, 1972, issue of the FEDERAL REGISTER, proposed § 130.301(a)(2) is corrected by changing the sentence immediately preceding the outlined information to read, "To be considered, eight copies of the data and/or views on any marketed drug within the class must be submitted in the following format:".

Dated: January 14, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-1123 Filed 1-25-72;8:47 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 121]

[Docket No. 11675; Notice 72-1]

UNAUTHORIZED OPERATORS

Proposed Applicability of Operating Rules

The Federal Aviation Administration is considering an amendment to Part 121 of the Federal Aviation Regulations to make those rules of Part 121 which currently apply to persons certificated under Part 121 apply as well to persons who engage in a Part 121 operation without obtaining the appropriate certification required by that part.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, GC-24, 800 Independence Avenue SW., Washington, DC 20591. All communications received on or before March 29, 1972, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments in the Rules Docket for examination by interested persons.

Part 121 of the Federal Aviation Regulations prescribes the certification and operations requirements for domestic, flag, and supplemental air carriers and for commercial operators of large aircraft. Currently, the operating rules of the regulations in Part 121 applicable to certificate holders under that part do not apply to persons who engage in activities governed by Part 121 without the appropriate certificate and operations specifications required. As a consequence, while a Part 121 certificate holder may be subject to a $1,000 civil penalty for each operating rule in Part 121 that he violated, an uncertificated operator engaging in operations regulated under Part 121 may be subject to a civil penalty solely for violation of the certificate and operations specifications requirements of § 121.3.

In order to deter persons from engaging in operations governed by Part 121 without compliance with that part, it is proposed to add a new § 121.4 titled "Applicability of rules to unauthorized operators" immediately after § 121.3 which will make the rules of Part 121 applicable to certificate holders apply to any person who engages in Part 121 operations without the appropriate certificate and operations specifications required by that part.

In consideration of the foregoing, it is proposed to amend Part 121 of the Federal Aviation Regulations by adding a new § 121.4 immediately after § 121.3 in Subpart A of Part 121 to read as follows:

§ 121.4 Applicability of rules to unauthorized operators.

The rules in this part which refer to a person certificated under § 121.3 apply also to any person who engages in an operation governed by this part without the appropriate certificate and operations specifications required by § 121.3.

This notice of proposed rule making is issued under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on January 19, 1972.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[FR Doc.72-1090 Filed 1-25-72;8:45 am]

Office of Pipeline Safety

[49 CFR Part 192]

[Notice 72-2; Docket No. OPS-15]

FEDERAL SAFETY STANDARDS FOR GAS PIPELINES

Qualifications for Pipe

The Department of Transportation is considering several amendments to Part 192 to provide greater flexibility in qualifying pipe. An amendment to § 192.55 would permit the use of steel pipe manufactured before November 12, 1970, in compliance with an unlisted edition of a specification included in section I of Appendix B. An amendment to § 192.65 would permit the use of certain pipe transported by railroad before November 12, 1970, not in accordance with API RP5L1. Finally, amendments to Appendices A and B would add the 1971 editions to the lists of API pipe specifications.

Many operators have stockpiled a large amount of steel pipe which was manufactured before the effective date of Part 192. Most of this pipe was made in accordance with a specification included in section I of Appendix B, although not to an edition of that specification that has been accepted by the Department. It is estimated that approximately $28 million worth of pipe fall within this category.

Under § 192.55, pipe not manufactured in compliance with an accepted edition of a specification included in section I of Appendix B may be used only if (1) it meets the requirements of section II of

Appendix B, (2) the allowable operating stress in the pipe is drastically reduced, or (3) in the case of pipe not previously used, it is employed for replacement purposes in a pipeline constructed of pipe manufactured to the same specification as the replacement pipe.

Early editions of specifications included in section I of Appendix B that have not been accepted by the Department contain the major requirements of the accepted editions and are equally worthy from a safety standpoint. Under these circumstances, it is unnecessary to use the alternative requirements to qualify pipe made according to an early edition. To alleviate the situation, a new paragraph (f) would be added to § 192.55. Under this new paragraph, new or used steel pipe made before November 12, 1970, in accordance with an early edition of a specification which has not been accepted by the Department would qualify for use if (1) the pipe can pass an inspection test, (2) its seams have been nondestructively inspected, and (3) it has chemical and physical properties that meet the requirements of an accepted edition of that specification.

Operators are faced with a second problem which has prevented the use of a large amount of stockpiled pipe. Under § 192.65, certain pipe that is transported by railroad may not be used unless the transportation is carried out in accordance with API RP5L1. It is estimated that roughly $13 million worth of this pipe cannot be used because it was shipped by rail prior to the effective date of Part 192, and operators are unable to verify that the pipe moved according to the API recommended practice.

To prevent a considerable waste of pipe, § 192.65 would be amended to permit the use of certain pipe shipped before November 12, 1970, not in accordance with API RP5L1, provided it can withstand a hydrostatic test of at least 90 percent of SMYS.

The purpose of the API recommended practice is to eliminate fatigue cracks which sometimes occur during rail transit. However, fatigue cracks which are present in the pipe would leak or break out when subjected to a high level hydrostatic test. Therefore, the proposed amendment would not reduce the level of safety provided by § 192.65.

Subsequent to the issuance of Part 192 and the amendments of November 10, 1970, the 1971 editions of several API specifications were published. The new editions to API specifications 5A, 5L, 5LS, and 5LX have been reviewed by the Department and are proposed for inclusion in Appendices A and B.

Interested persons are invited to participate by submitting written comments on the proposals contained in this notice. Communications should identify the regulatory docket and notice numbers and be submitted in duplicate to the Office of Pipeline Safety, Department of Transportation, Washington, D.C. 20590. Communications received before March 15, 1972, will be considered before taking final action on the notice. All comments will be available for examination by interested persons at the Office of Pipeline Safety before and after the closing date for comments. The proposal contained in this notice may be changed in the light of comments received.

In consideration of the foregoing, it is proposed to amend Part 192 of Title 49 of the Code of Federal Regulations as set forth below.

1. It is proposed to add a new paragraph (f) to § 192.55 to read as follows:

§ 192.55 Steel pipe.

* * * * *

(f) New or used steel pipe manufactured before November 12, 1970, in accordance with a specification of which a later edition is listed in section I of Appendix B is qualified for use under this part if—

(1) The pipe meets the requirements of paragraph II–C of Appendix B to this part; and

(2) The edition of the specification to which the pipe was manufactured and any later edition of that specification listed in section I of Appendix B contain substantially the same requirements with respect to—

(i) Nondestructive inspection of the full thickness of welded seams over their entire length, and standards for the acceptance or rejection and repair of welded seams;

(ii) Physical properties of pipe, including yield and tensile strength, elongation, and yield to tensile ratio, and testing requirements to verify the physical properties; and

(iii) Chemical properties of pipe and testing requirements to verify the chemical properties.

2. It is proposed to amend § 192.65 to read as follows:

§ 192.65 Transportation of pipe.

In a pipeline to be operated at a hoop stress of 20 percent or more of SMYS, no operator may use pipe having an outer diameter wall thickness ratio of 70 to 1, or more, that is transported by railroad unless—

(a) The transportation was performed in accordance with API RP5L1; or

(b) In the case of pipe transported before November 12, 1970, the pipe is hydrostatically tested to at least 90 percent of SMYS.

3. In section II–A of Appendix A, it is proposed to amend items 1, 2, 3, and 5 to read as follows:

APPENDIX A—INCORPORATED BY REFERENCE

* * * * *

II. Documents incorporated by reference.

A. American Petroleum Institute.

1. API Standard 5L "API Specification for Line Pipe" (1967, 1970, 1971 editions).

2. API Standard 5LS "API Specification for Spiral-Weld Line Pipe" (1967, 1970, 1971 editions).

3. API Standard 5LX "API Specification for High-Test Line Pipe" (1967, 1970, 1971 editions).

* * * * *

5. API Standard 5A "API Specification for Casing, Tubing, and Drill Pipe" (1968, 1971 editions).

* * * * *

4. It is proposed to amend section I of Appendix B to read as follows:

APPENDIX B—QUALIFICATION OF PIPE

I. *Listed Pipe Specifications.* Numbers in parentheses indicate applicable editions.

API 5L—Steel and iron pipe (1967, 1970, 1971).

API 5LS—Steel pipe (1967, 1970, 1971).

API 5LX—Steel pipe (1967, 1970, 1971).

* * * * *

This notice is issued under the authority of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1671, et seq.), § 1.58(d) of the Regulations of the Office of the Secretary of Transportation (49 CFR 1.58(d)), and the redelegation of authority to the Director, Office of Pipeline Safety, dated November 6, 1968 (33 F.R. 16488).

Issued in Washington, D.C., on January 19, 1972.

JOSEPH C. CALDWELL,
Acting Director,
Office of Pipeline Safety.

[FR Doc.72-1132 Filed 1-25-72;8:48 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 180]

CARBOFURAN

Proposed Tolerance for Pesticide Chemical in or on Raw Agricultural Commodity

FMC Corp., 100 Niagara Street, Middleport, NY 14105, submitted a petition (PP 2E1205) proposing establishment of a tolerance for negligible residues of the insecticide carbofuran (2,3-dihydro-2,2-dimethyl-7-benzofuranyl *N*-methylcarbamate) and its metabolite 2,3-dihydro-2,2 - dimethyl-3-hydroxy-7-benzofuranyl *N*-methylcarbamate in or on bananas at 0.1 part per million.

Based on consideration given the data submitted, and other relevant material, it is concluded that:

1. The pesticide is useful for the purpose for which the tolerance is proposed.

2. The proposed usage is not reasonably expected to result in residues of the insecticide in eggs, meat, milk, and poultry. The usage is classified in the category specified in § 180.6(a)(3).

3. The proposed tolerance will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(e), 68 Stat. 514; 21 U.S.C. 346a(e)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated by the Administrator to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), it is proposed that § 180.254 be amended by adding a new paragraph before the paragraph "0.1 part per million * * *", as follows:

§ 180.254 Carbofuran; tolerances for residues.

* * * * *

0.1 part per million (negligible residue) in or on bananas.

* * * * *

Any person who has registered or submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing any of the ingredients listed herein may request, within 30 days after publication hereof in the FEDERAL REGISTER, that this proposal be referred to an advisory committee in accordance with section 408(e) of the act.

Interested persons may, within 30 days after publication hereof in the FEDERAL REGISTER, file with the Objections Clerk, Environmental Protection Agency, Room 3175, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, DC 20460, written comments (preferably in quintuplicate) regarding this proposal. Comments may be accompanied by a memorandum or brief in support thereof.

Dated: January 20, 1972.

WILLIAM M. UPHOLT,
Deputy Assistant Administrator for Pesticides Programs.

[FR Doc.72-1087 Filed 1-25-72;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 19330]

FM BROADCAST STATIONS IN CHICO, CALIF.

Order Extending Time for Filing Reply Comments

In the matter of amendment of § 73.202, *Table of Assignments*, FM Broadcast Stations. (Chico, Calif.), Docket No. 19330, RM-1621.

1. The notice of proposed rule making in the above-entitled proceeding was adopted October 14, 1971, released October 19, 1971, and published in the FEDERAL REGISTER October 23, 1971, 36 F.R. 20534. The date for filing comments has expired and the date for filing reply comments is presently designated as January 18, 1972.

2. On January 13, 1972, Odyssey Radio Inc. (Odyssey), filed a request for an extension of time to and including February 15, 1972 in which to file reply comments. Odyssey indicates that it will not be possible to prepare reply comments by the deadline date.

3. We are of the view that the requested extension is warranted and would serve the public interest. *Accordingly, it is ordered*, That the time for filing reply comments in the above docket, RM-1621, is extended to and including February 15, 1972.

4. This action is taken pursuant to authority found in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and § 0.281(d)(8) of the Commission's rules and regulations.

Adopted: January 17, 1972.

Released: January 19, 1972.

[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.72-1137 Filed 1-25-72;8:49 am]

[47 CFR Part 73]

[Docket No. 19404; FCC 72-63]

TELEVISION BROADCAST STATIONS

Table of Assignments in Fredericksburg, Va.

In the matter of amendment of § 73.606, *Table of Assignments*, Television Broadcast Stations (Fredericksburg, Va.), Docket No. 19404, RM-1798.

1. On May 18, 1971, Charles McDaniel and Jerry Leonard filed a petition requesting that Channel 66 be assigned to Fredericksburg, Va., as the first commercial assignment to that city. The only assignment to Fredericksburg is educational Channel 53 for which a construction permit has been granted. No other revisions in our Table of Assignments were proposed and there were no comments filed in respect to this petition.

2. The petitioners set forth considerable data supporting their request for a first commercial channel to Fredericksburg, Va. No short spacings will be involved as to Channel 66 and the assignment will conform to all the Commission's technical rules. The city of Fredericksburg shows a population of 14,450 according to the Advance Reports of the U.S. Census for 1970. It is situated astride Stafford and Spotsylvania counties and is not located in an urbanized area or a Standard Metropolitan Statistical Area (SMSA). Fredericksburg is located between Richmond, Va., and Washington, D.C., about 50 miles from each. It is claimed that the city together with the four surrounding counties has an area of 1,500 square miles and a population of about 100,000. The Advance Census indicates a population for those four counties of Stafford (24,587), Spotsylvania (16,424), Caroline (13,925), and King George (8,039) that total 62,975. The economic base of the area is mixed in that there is industry, agriculture, and tourism throughout the area. American Viscose has a plant in Fredericksburg that employs 1,600 persons and it is the largest plant in the world making cellophane. Other industries include clothing, electrical products, and various building materials.

3. In the claimed 100,000 population area, there are about 500 retail firms that gross $80 million, 286 of which are in Fredericksburg and in 1963 they grossed $51,489,000. Wholesale businesses number 36 and grossed $26,319,000 in 1963. Selective services brought in $5,244,000 and tourism brings about $17.5 million. A bank and a savings and loan association had, for 1964, deposits of $34,001,000. Principal highways serve the area as well as major railroads. Fredericksburg is a port (12-foot channel) on the Rappahannock River for shallow draft carriers. There is ample power, both electric and water, to the area. There are six high schools and Mary Washington College of the University of Virginia located in Fredericksburg. There are numerous recreation and cultural facilities in the city and the area.

4. There is a daily (except Sunday) newspaper (The Free Lance-Star) with a circulation of 16,490. Radio Stations WFLS(AM) (1350 kHz, 1 kw., Day, Class III); WFLS-FM (Class B); WFVA(AM) (1230 kHz, 250 w., 1 kw.-LS-U, Class IV) and WFVA-FM (Class B) are operating stations assigned to Fredericksburg. The city does not receive a grade A television signal, but is on the outer edges of the Grade B signals from Richmond and Harrisonburg in Virginia and Washington, D.C. According to Television Factbook for 1971-72, the city of Fredericksburg is served by a 12-channel cable television system that brings in WBAL-TV and WJZ-TV, Baltimore, Md., WTVR-TV and WWBT-TV, Richmond, Va., WXEX-TV, Petersburg, Va., and WRC-TV, WMAL-TV, WETA, WTTG, WDCA-TV and WTOP-TV, Washington, D.C., and does time and weather originations.

5. We have considered the data presented by the petitioners, as well as other data, and are of the opinion that based on the intent of the Communications Act of 1934, as amended, and existing Commission policies and priorities, that a rule making proceeding should be instituted to explore the question of making a first commercial assignment to Fredericksburg, Va. However, we can't agree with the petitioners that Channel 66 would be the most efficient assignment to the area. Channel 66 would no doubt be a feasible assignment to Fredericksburg, but an independent examination by the Commission indicates that Channel 66 is the last available television assignment for heavily populated Northern Virginia-Washington, D.C., area and that Channel 69 would be feasible assignment for the Fredericksburg area. Since Commission procedures are controlled by section 307(b) of the Communications Act, we are constrained to deny petitioners' request for Channel 66 and substitute, on our own motion, Channel 69 as the more fair, efficient and equitable distribution of television assignments as the proposed channel in the rule making proceeding. Commenting parties should file comments explaining the prospective use of and need for Channel 69 at Fredericksburg as well as any other public interest considerations.

6. With the above material before us, we propose to consider the following revision in our Television Table of Assignments (§ 73.606 of our rules) with respect to the city listed below:

City	Channel No.	
	Present	Proposed
Fredericksburg, Va.	*53	*53, 69

7. Authority for the action proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

8. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules and regulations, interested parties may file comments on or before March 3, 1972, and reply comments on or before March 14, 1972. All submissions by parties to this proceeding or persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

9. In accordance with the provisions of § 1.419 of the Commission's rules and regulations, an original and 14 copies of all written comments, reply comments, pleadings, briefs, or other documents, shall be furnished the Commission.

10. All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its Headquarters in Washington, D.C. (1919 M Street NW.).

Adopted: January 19, 1972.

Released: January 21, 1972.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-1138 Filed 1-25-72;8:49 am]

[1] Commissioners Bartley and H. Rex Lee absent.

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

CANNED BARTLETT PEARS FROM AUSTRALIA

Antidumping Proceeding Notice

JANUARY 24, 1972.

On December 2, 1971, information was received in proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that canned Bartlett pears, from Australia are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the Bureau of Customs is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

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

Approved:

EUGENE T. ROSSIDES,
Assistant Secretary of the Treasury.

[FR Doc.72-1253 Filed 1-25-72;9:42 am]

Office of the Secretary

[T.D. Order No. 170-12]

SPECIAL ASSISTANT TO THE SECRETARY (DEBT MANAGEMENT)

Transfer of Functions

By virtue of the authority vested in the Secretary of the Treasury, including the authority of Reorganization Plan No. 26 of 1950, I hereby transfer as of this date responsibility for supervision of the Director, Office of Debt Analysis, from the Assistant Secretary (Economic Policy) to the Special Assistant to the Secretary (Debt Management).

Dated: January 15, 1972.

[SEAL] JOHN B. CONNALLY,
Secretary of the Treasury.

[FR Doc. 72-1145 Filed 1-25-72;8:50 am]

VINYL ASBESTOS FLOOR TILE FROM CANADA

Notice of Tentative Negative Determination

JANUARY 24, 1972.

Information was received on March 15, 1971, that vinyl asbestos floor tile from Canada was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER on May 5, 1971, on page 8407.

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

Statement of reasons on which this tentative determination is based. Sales to the United States were made to unrelated parties within the meaning of section 207 of the Act (19 U.S.C. 166).

Based on the available information, it was determined that sufficient quantities of such or similar merchandise were sold in the home market to furnish an adequate basis for fair value comparisons.

Accordingly, for fair value purposes, purchase price was compared with the price at which such or similar merchandise was sold in the home market.

Purchase price was calculated by deducting from the c.i.f. delivered duty-paid price for exportation to the United States the cash discount, costs for freight and duty, plus an addition for the appropriate Canadian sales tax which was not collected by reason of exportation to the United States.

Home market price was calculated on the basis of the f.o.b. Montreal price, less cash discount. No adjustments were made from this price for packing or freight equalization because both were the same in each market.

Comparison of purchase price with the adjusted home market price revealed that purchase price was higher than the adjusted home market price.

In accordance with § 153.33(b), Customs Regulations (19 CFR 153.33(b)), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, DC 20226, in time to be received by his office not later than 10 calendar days from the date of publication of this notice in the FEDERAL REGISTER.

Any writen views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 153.33 of the Customs Regulations (19 CFR 153.33).

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

[FR Doc.72-1254 Filed 1-25-72;9:42 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Notice 38]

ANCHORAGE LAND DISTRICT, ALASKA

Notice of Filing of Protraction Diagram

Notice is hereby given that effective with this publication, the following protraction diagram is officially filed of record in the Anchorage Land Office, 555 Cordova Street, Anchorage, AK 99501. In accordance with 43 CFR 3101.1-4 this protraction will become the basic record for the description of oil and gas lease offers, State selection applications under 43 CFR 2627, and other authorized uses filed at and subsequent to 10 a.m., on the 31st day after the publication of this notice.

ALASKA PROTRACTION DIAGRAM (UNSURVEYED)

SEWARD MERIDIAN

Sec. 24-10, T. 37 S., R. 33 W.

Copies of this diagram are for sale at two dollars ($2) per sheet by the Anchorage Land Office, Bureau of Land Management, mailing address: 555 Cordova Street, Anchorage, AK 99501.

CLARK R. NOBLE,
Land Office Manager.

[FR Doc.72-1131 Filed 1-25-72;8:47 am]

[OR 8761 (Wash.)]

WASHINGTON

Notice of Proposed Withdrawal and Reservation of Land

Correction

In F.R. Doc. 71-19108, appearing at page 25239, in the issue of Thursday, December 30, 1971, the bracket should read as set forth above.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

[FSP No. 1971-1]

FOOD STAMP PROGRAM

Participation of State Agencies and Eligible Households

Notice FSP No. 1971-1, which is a part of Subchapter C—Food Stamp Program, under Title 7, Chapter II, Code of Federal Regulations, is revised to amend the uniform national standards of eligibility with respect to the maximum allowable income levels for nonpublic assistance households and to reduce the purchase requirements for certain households.

In view of the need for placing the following amendment into effect at the earliest possible date, it is hereby determined that it is impracticable and contrary to the public interest to give notice of proposed rule making with respect to this amendment. Notice FSP No. 1971-1 is, therefore, revised to read as follows:

MAXIMUM MONTHLY ALLOWABLE INCOME STANDARDS AND BASIS OF COUPON ISSUANCE: 48 STATES AND DISTRICT OF COLUMBIA

As provided in § 271.3(b), households in which all members are included in the federally aided public assistance or general assistance grant shall be determined to be eligible to participate in the program while receiving such grants without regard to the income and resources of the household members.

The maximum allowable income standards for determining eligibility of all other applicant households, including those in which some members are recipients of federally aided public assistance or general assistance, in any State other than Alaska or Hawaii or in the District of Columbia, shall be the higher of:

(1) The maximum allowable monthly income standards for each household size which were in effect in such State or the District of Columbia prior to July 29, 1971, or

(2) The following maximum allowable monthly income standards which were established on July 29, 1971:

Household Size:	*Maximum allowable monthly income standards—48 States and District of Columbia*
One	$170
Two	222
Three	293
Four	360
Five	427
Six	493
Seven	547
Eight	600
Each additional member	+53

"Income" as the term is used in the notice is as defined in paragraph (b) of § 271.3 of the Food Stamp Program Regulations.

Pursuant to section 7 (a) and (b) of the Food Stamp Act, as amended (7 U.S.C. 2016, Public Law 91-671), the face value of the monthly coupon allotment which State agencies are authorized to issue to any household certified as eligible to participate in the program and the amount charged for the monthly coupon allotment in the 48 States and the District of Columbia are as follows:

MONTHLY COUPON ALLOTMENTS AND PURCHASE REQUIREMENTS—48 STATES AND DISTRICT OF COLUMBIA

Monthly net income	For a Household of—							
	1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons	7 Persons	8 Persons
	The monthly coupon allotment is—							
	$32	$60	$88	$108	$128	$148	$164	$180
	And the monthly purchase requirement is—							
$0-$19.99	0	0	0	0	0	0	0	0
$20-$29.99	1	1	0	0	0	0	0	0
$30-$39.99	4	4	4	4	5	5	5	5
$40-$49.99	6	7	7	7	8	8	8	8
$50-$59.99	8	10	10	10	11	11	12	12
$60-$69.99	10	12	13	13	14	14	15	16
$70-$79.99	12	15	16	16	17	17	18	19
$80-$89.99	14	18	19	19	20	21	21	22
$90-$99.99	16	21	21	22	23	24	25	26
$100-$109.99	18	23	24	25	26	27	28	29
$110-$119.99	20	26	27	28	29	31	32	33
$120-$129.99	22	29	30	31	33	34	35	36
$130-$139.99	22	31	33	34	36	37	38	39
$140-$149.99	22	34	36	37	39	40	41	42
$150-$169.99	22	36	40	41	42	43	44	45
$170-$189.99	22	40	46	47	48	49	50	51
$190-$209.99		40	52	53	54	55	56	57
$210-$229.99		40	58	59	60	61	62	63
$230-$249.99			64	65	66	67	68	69
$250-$269.99			70	71	72	73	74	75
$270-$289.99			70	74	78	79	80	81
$290-$309.99			70	78	84	85	86	87
$310-$329.99				82	86	91	92	93
$330-$359.99				82	90	96	98	99
$360-$389.99				84	94	100	106	106
$390-$419.99					98	104	110	110
$420-$449.99					100	108	114	114
$450-$479.99						112	118	118
$480-$509.99						116	122	122
$510-$539.99							126	126
$540-$569.99							128	130
$570-$599.99								134
$600-$629.99								138
$630-$659.99								140

FOR ISSUANCE TO HOUSEHOLDS OF MORE THAN EIGHT PERSONS USE THE FOLLOWING FORMULA:

A. *Value of the total allotment.* For each person in excess of eight, add $16 to the monthly coupon allotment for an eight-person household.

B. *Purchase requirement.* 1. Use the purchase requirement shown for the eight-person household for households with incomes of $599.99 or less per month.

2. For households with monthly incomes of $600 or more, use the following formula: For each $30 worth of monthly income (or portion thereof) over $599.99, add $4 to the monthly purchase requirement shown for an eight-person household with an income of $599.99.

3. Maximum monthly purchase requirements for households of more than eight persons are: Nine persons $152, 10 persons $164, and add $12 for each person over 10.

Effective date. The provisions of this notice shall become effective in accordance with the provisions of § 271.1(s).

RICHARD LYNG,
Assistant Secretary.

JANUARY 21, 1972.

[FR Doc.72-1150 Filed 1-25-72;8:49 am]

Office of the Secretary

ECONOMIC RESEARCH SERVICE AND FOREIGN ECONOMIC DEVELOPMENT SERVICE

Proposed Transfer of Assignments of Functions and Delegations of Authority

In accordance with Reorganization Plan No. 2 of 1953, and in order to afford interested persons and groups an opportunity to place before the Department their views with respect to the proposed action, the Department is giving advance public notice of a proposed transfer of assigned functions and delegations of authority.

1. *General.* The U.S. Department of Agriculture supports the international assistance efforts of the U.S. Government through reimbursable arrangements with AID and the Peace Corps. In this way the agricultural expertise of the Department is utilized in the training programs and technical assistance programs of these agencies. These departmental activities have been coordinated and administered by the Foreign Economic Development Service, reporting to the Secretary through the Director of Agricultural Economics.

2. *Functions to be transferred.* In a continuing effort to more effectively carry out these activities, and adjust them to changes in U.S. assistance programs and advancements in the lower income countries, as well as to coordinate them more fully with complementary economic activities of the Department, we are proposing to merge the functions and authorities of the Foreign Economic Development Service with those of the Economic Research Service. Responsibility for these functions and authorities would continue to be vested in the Director of Agricultural Economics, with authority to delegate them to the Administrator of the Economic Research Service.

This proposed action covers the general administration and coordination of the Department's responsibilities and activities in foreign development assistance and training programs including those under sections 301 and 302 of the U.S. Information and Educational Exchange Act of 1948 (22 U.S.C. 1451–1452); the Foreign Assistance Act of 1961, Public Law 87–195, as amended (22 U.S.C. 2161–2169, 2171–2178, 2211–2213, 2241–2242, 2357, 2387, 2388); the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451–2458);

Section 109 of the Agricultural Trade and Development Assistance Act of 1954, as amended (7 U.S.C. 1709); and in developing and maintaining effective relationships with international and U.S. organizations in planning and carrying out such programs which include the following:

(1) Providing leadership in the formulation of current and long-range policies and plans for carrying out technical assistance and agricultural development responsibilities abroad, including nutrition and other related activities.

(2) Developing and maintaining effective relationships with the Agency for International Development, Peace Corps and other appropriate public and private U.S. and international organizations, with respect to planning and carrying out development assistance and training programs.

(3) Coordinating the resources of the Department and expedition of the applications of these resources in the planning, review, evaluation, and operation of country or regional agricultural development projects and activities for which the Department is given responsibility, including the orientation of U.S. personnel and the training of foreign nationals.

(4) Coordinating the recruitment, assignment, and direction, of Department personnel on detail or loan to the Agency for International Development, Food, and Agriculture Organization, and other agencies and organizations under agreements relating to development assistance.

(5) Providing a focal point of contact within the Department for private organizations seeking cooperation with the Department in technical assistance and agricultural development activities.

(6) Coordinating of the implementation of Government-sponsored agricultural exchange programs.

3. *Management support activities.* Management support activities such as accounting, budget, personnel, and other administrative service for the functions proposed to be transferred will continue to be provided by the Office of Management Services.

In order to be considered, views and comments of interested persons and groups must be received by the Secretary not later than February 4, 1972.

All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Done at Washington, D.C., this 24th day of January 1972.

EARL L. BUTZ,
Secretary.

[FR Doc.72–1206 Filed 1–25–72;8:51 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

CERTAIN PREPARATIONS CONTAINING HEXACHLOROPHENE

Drugs for Human Use; Drug Efficacy Study Implementation; Correction

In F.R. Doc. 71–17776 appearing at page 23330 in the FEDERAL REGISTER of December 8, 1971, DESI 6270, the following corrections are made:

1. In item B, 3, b, on page 23330, the reference to "(a)(3)(ii)" is changed to read "(a)(3)(iii)".

2. In item C, 4, on page 23331, the entry "Original abbreviated new-drug applications (identify as such): Drug Efficacy Study Implementation Project Office (BD–60), Bureau of Drugs" should be changed to read "Original new-drug applications: Office of Scientific Evaluation (BD–100), Bureau of Drugs."

Dated: January 12, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72–1126 Filed 1–25–72;8:47 am]

[Docket No. FDC–D–894; NADA No. 7–477V]

M & M LIVESTOCK PRODUCTS CO.

M & M Noctol 600; Notice of Withdrawal of Approval of New Animal Drug Application

A notice of opportunity for a hearing proposing to withdraw approval of NADA (new animal drug application) No. 7–477V for the drug M & M Noctol 600 was published in the FEDERAL REGISTER of November 9, 1971 (36 F.R. 21419). M & M Livestock Products Co., Eagle Grove, Iowa 50533, holder of said NADA, did not file a written appearance of election regarding whether or not they wished to avail themselves of the opportunity for a hearing within the 30-day period provided for such filing in said notice. This is construed as an election by said firm not to avail themselves of the opportunity for a hearing.

Based on the grounds set forth in said notice and the response to said notice, the Commissioner of Food and Drugs concludes that approval of said NADA 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 the authority delegated to the Commissioner (21 CFR 2.120), approval of NADA No. 7–477V, including all amendments and supplements thereto, is hereby withdrawn effective on the date of publication of this document.

Dated: January 11, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72–1119 Filed 1–25–72;8:48 am]

[DESI 7659]

OTC METHAPYRILENE-CONTAINING DRUGS FOR RELIEF OF INSOMNIA

Drugs for Human Use; Drug Efficacy Study Implementation; Postponement of Deadline for Submitting Data

In an announcement (DESI 7659) published in the FEDERAL REGISTER of

July 31, 1971 (36 F.R. 14228), the Commissioner of Food and Drugs invited suppliers of OTC methapyrilene-containing drugs for relief of insomnia to submit to the Food and Drug Administration, within 180 days following the date of publication of the announcement in the FEDERAL REGISTER, (1) the quantitative composition and complete labeling for the drug and (2) the best available evidence (as prescribed in the notice) supporting both the safety and effectiveness of the drug.

Subsequently, in the FEDERAL REGISTER of January 5, 1972 (37 F.R. 85), the Commissioner proposed to establish procedures for rule making which will result in classifying some OTC drugs as generally recognized among qualified experts as safe and effective and not misbranded under prescribed, recommended, or suggested conditions of use.

In view of the proposal of January 5, 1972, and in consideration of his having been advised that additional clinical trials with methapyrilene-containing drugs are now in progress, the Commissioner concludes that the 180-day deadline prescribed by the announcement of July 31, 1971, should be and is hereby postponed. Compilation of the safety and effectiveness data both on methapyrilene and on similar ingredients, in the form contained in the proposal of January 5, 1972, should be continued in preparation for a future notice requesting submission of this data.

Dated: January 14, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-1125 Filed 1-25-72;8:48 am]

OVER-THE-COUNTER ANTIBACTERIAL INGREDIENTS IN DRUG PRODUCTS FOR REPEATED DAILY HUMAN USE

Request for Data and Information Regarding Safety and Efficacy Review; Correction

In F.R. Doc. 72-210 appearing at page 235 in the January 7, 1972, issue of the FEDERAL REGISTER, the sentence immediately preceding the outlined information is corrected to read "To be considered, eight copies of the data and/or views must be submitted in the following format:".

Dated: January 14, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-1128 Filed 1-25-72;8:47 am]

SAFETY AND EFFICACY REVIEW OF OVER-THE-COUNTER ANTACID DRUG PRODUCTS

Request for Data and Information; Correction

In F.R. Doc. 72-148 appearing at page 102 in the January 5, 1972, issue of the FEDERAL REGISTER, the sentence immediately preceding the outlined information is corrected to read "To be considered, eight copies of the data and/or views must be submitted in the following format:".

Dated: January 14, 1972.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.72-1127 Filed 1-25-72;8:47 am]

ATOMIC ENERGY COMMISSION

[Docket No. 27-47]

CHEM-NUCLEAR SERVICES, INC.

Notice of Receipt of Application for Land Burial of Radioactive Waste

Please take notice that Chem-Nuclear Services, Inc., Post Office Box 918, Wenatchee, WA 98801, has filed an application for amendment to License No. 46-13536-01 which requests authority to possess up to 850 grams of uranium-235 and to dispose of uranium-235 by land burial at its facility located at Barnwell, S.C.

A copy of the application is available for public inspection in the Atomic Energy Commission's Public Document Room located at 1717 H Street NW., Washington, DC.

Dated at Bethesda, Md., January 18, 1972.

For the Atomic Energy Commission.

S. H. SMILEY,
Director,
Division of Materials Licensing.

[FR Doc.72-1130 Filed 1-25-72;8:48 am]

[Docket No. 50-244]

ROCHESTER GAS AND ELECTRIC CORP.

Notice of Proposed Issuance of Amendment to Provisional Operating License

The Atomic Energy Commission (the Commission) is considering the issuance of an amendment to Provisional Operating License No. DPR-18 which presently authorizes the Rochester Gas and Electric Corporation to possess, use and operate the R. E. Ginna Nuclear Power Plant Unit No. 1 located on the south shore of Lake Ontario in Wayne County, N.Y., at steady state power levels up to a maximum of 1,300 megawatts (thermal). The amendment would authorize Rochester Gas and Electric to operate its R. E. Ginna Nuclear Power Plant Unit No. 1 at steady state power levels up to a maximum of 1,520 megawatts (thermal) in accordance with Rochester's application notarized February 2, 1971, and subsequent amendments thereto.

The Commission has found that the application, as amended, for the amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations published in 10 CFR Ch. I. The license amendment will be issued after the Commission makes the findings relating to its review of the application, which are set forth in the proposed amendment, and concludes that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within 30 days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the Commission's rules of practice in 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the application for license amendment notarized February 2, 1971, Amendments 1 through 4 thereto, notarized February 17, September 30, October 7, and November 18, 1971, respectively; (2) the Report of the Advisory Committee on Reactor Safeguards dated December 17, 1971; (3) the proposed amendment to the provisional operating license; and (4) a related Safety Evaluation prepared by the Division of Reactor Licensing, all of which are available for public inspection at the Commission's Public Document Room at 1717 H Street NW., Washington, DC. A copy of each of items (3) and (4) above may be obtained upon request sent to the U.S. Atomic Energy Commission, Washington, D.C. 20545, Attention: Director of Reactor Licensing. As soon as they are available, and prior to issuance of the license amendment, a copy of the proposed revised Technical Specifications will be made available for public inspection at the Commission's Public Document Room.

Dated at Bethesda, Md., this 20th day of January 1972.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[FR Doc.72-1215 Filed 1-25-72;8:51 am]

CIVIL SERVICE COMMISSION

MUSEUM SPECIALIST (ART), SMITHSONIAN INSTITUTION, WASHINGTON, D.C.

Manpower Shortage; Notice of Listing

Under provisions of 5 U.S.C. 5723, the Civil Service Commission found on January 4, 1972, a manpower shortage for a single position of Museum Specialist (Art), GS-1016-12, National Portrait

Gallery, Smithsonian Institution, Washington, D.C.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

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

[FR Doc.72-1116 Filed 1-25-72;8:47 am]

MUSIC SPECIALIST (JAZZ), SMITHSONIAN INSTITUTION, WASHINGTON, D.C.

Manpower Shortage; Notice of Listing

Under provisions of 5 U.S.C. 5723, the Civil Service Commission found on January 18, 1972, a manpower shortage for a single position of Music Specialist (Jazz), GS-1051-12, Division of Performing Arts, Smithsonian Institution, Washington, D.C.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

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

[FR Doc.72-1115 Filed 1-25-72;8:47 am]

COMMISSION ON HIGHWAY BEAUTIFICATION

HIGHWAY BEAUTIFICATION

Change of Starting Time of Initial Public Hearing

JANUARY 24, 1972.

The Commission on Highway Beautification hereby gives notice that its initial public hearing in Atlanta on January 31, 1972, is now scheduled to start at 10 a.m., instead of 10:30 a.m., at the Regency Hyatt House, 265 Peachtree Street NE.

The Notice of Initial Public Hearing was published in the FEDERAL REGISTER on January 12, 1972, at 37 F.R. 495.

LEO A. BYRNES,
Staff Director and Counsel.

[FR Doc.72-1274 Filed 1-25-72;10:21 am]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 19260; FCC 72-66]

HANDLING OF PUBLIC ISSUES UNDER FAIRNESS DOCTRINE AND PUBLIC INTEREST STANDARDS

Order Extending Time

1. After the date for receipt of reply comments for Part III of the above-captioned notice relating to access to the broadcast media as a result of carriage of product commercials, the Commission received initial comments from the Federal Trade Commission, Students for Fair Access to the Media, Kool Radio Television, Inc., Physicians for Automotive Safety and the Southern Broadcasting Co.

2. While we do not normally favor late-filed comments, we believe that the importance of this proceeding warrants full consideration of these comments, and therefore other interested parties should be afforded an opportunity to reply to issues raised therein. We stress, however, that there is no need to file additional reply comments if prior filings have already addressed the points raised in these late-filed comments.

3. In view of the foregoing: *It is ordered:* That the above late-filed comments wll be accepted for consideration, and that time for filing reply comments to them is extended 20 days from the date of release of this order.

Adopted and released: January 20, 1972.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-1140 Filed 1-25-72;8:49 am]

[FCC 72-62]

STANDARDS PROGRAM FOR INTERCONNECTION OF TELEPHONE DIALERS AND ANSWERING DEVICES

Establishment of Advisory Committee

JANUARY 19, 1972.

On December 16, 1971, the Chief, Common Carrier Bureau addressed a letter to the American Telephone and Telegraph Co. raising certain questions concerning the lawfulness of the tariff provisions and practices of the telephone companies insofar as they have been applied to customer-provided automatic dialers (e.g., the "Magicall") and to customer-provided automatic recording and answering devices (e.g., the "Code-a-Phone"). By letter of January 6, 1972, A.T. & T., responded to the staff's letter of December 16, 1971, and stated, among other things, that the Bell System again renews its offer, in parallel with the PBX effort, "to continue to assist the Commission, the NARUC, and other interested parties in the exploration of a standards and certification program for application to these devices as a possible alternative to the present tariff approach."

As a result of informal conferences held by the staff with interested parties, drafts of proposed standards have been submitted by the makers of "Magicall" and "Code-a-Phone" devices that could be used as a basis for a standards and certification program for all such devices. The objectives of such program would be to help us resolve the questions of unlawfulness raised in the aforementioned letter of December 16, 1971, to A.T. & T. and to provide to the public meaningful options of obtaining automatic dialers and answering and recording devices from sources other than the telephone company for use in connection with the telephone system under reasonable protective provisions.

In furtherance of the aforementioned objectives, the Commission, pursuant to the provisions of Executive Order 11007, February 26, 1962, has determined that the formation of an advisory committee to function as a task force for the purposes noted above is in the public interest in connection with the performance of the Commission's duties under the Communications Act of 1934. Accordingly, the Commission is establishing such a task force to be composed of representatives from the Commission, the National Association of Regulatory Utility Commissioners, the Rural Electrification Administration, communications common carriers, domestic manufacturers, suppliers, distributors of automatic telephone dialers and automatic telephone recording and answering devices, and consumer groups.

This advisory committee will be expected to develop recommended standards and a recommended program of enforcement thereof that would give to customers the aforementioned options of obtaining their automatic telephone dialers and recording and answering devices from sources other than the telephone companies for use in direct connection with the facilities of common carriers. The recommended standards and enforcement program should be the minimum deemed essential by the committee to protect the telephone company facilities from (a) excessive voltages, (b) improper network signaling and (c) line imbalance. We believe that, in view of the preparatory work already done in this area, the committee should be able to submit its report and recommendations at an early date.

The names of the persons appointed to this advisory committee task force and the appointment of a chairman will be announced later.

An organizational meeting will be held in the offices of the Commission in Washington, D.C. on February 1, 1972, at 10 a.m. Persons interested in serving on this committee are invited to attend.

Action by the Commission January 19, 1972.[1]

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72-1073 Filed 1-25-72;8:49 am]

[1] Commissioner H. Rex Lee.

[1] Commissioners Burch (chairman), Robert E. Lee, Johnson, Reid, and Wiley.

[Docket Nos. 18559, etc.; FCC 72R-17]

UNITED TELEVISION CO., INC., ET AL.

Memorandum Opinion and Order Modifying Issue

In regard application of United Television Co., Inc. (WFAN-TV), Washington, D.C., for renewal of license, Docket No. 18559, File No. BRCT-585; United Television Co., Inc. (WFAN-TV), Washington, D.C., for consideration permit, Docket No. 18561, File No. BPCT-3917; United Broadcasting Co., Inc., Washington, D.C., for renewal of license, Docket No. 18562, File No. BR-1104; Washington Community Broadcasting Co., Washington, D.C., Docket No. 18563, File No. BP-17416.

1. This proceeding involves, inter alia, the applications for renewal of licenses of television broadcast Station WFAN-TV and standard broadcast Station WOOK, Washington, D.C., licensed to United Television Co., Inc. and United Broadcasting Co., Inc., respectively (collectively referred to as "United"), and the application of Washington Community Broadcasting Co. (Community) for the frequency now occupied by Station WOOK. By Memorandum Opinion and Order, 18 FCC 2d 363, 16 RR 2d 621 (1969), the Commission designated these applications for hearing on various issues. The Review Board, by Memorandum Opinion and Order, 19 FCC 2d 1060, 17 RR 2d 467 (1969), added a § 1.65 issue against United. Presently before the Board is an appeal, filed October 22, 1971, by United from an adverse ruling of the Hearing Examiner or, in the alternative, a motion to enlarge the § 1.65 issue specified in this proceeding.[1]

2. During the course of a hearing session held on October 14, 1971, United requested the Hearing Examiner to rule that evidence adduced at hearing of additional failures of Community to report business and professional interests of its principals is encompassed within the § 1.65 issue added by the Review Board. The Examiner refused to so rule, stating that he read the issue framed by the Board as limited to a particular Community principal, Dr. Phillip C. Brooks, and not including failures to disclose business interests of other members of the applicant. The Examiner declared that the basis for his ruling was that Community had no notice that the matter of failure to disclose business interests of other members of the applicant was going to be tried. The instant appeal ensued.[2]

3. In support of its appeal, United states that testimony adduced during the comparative phase of the hearing revealed that Community had failed to report instances in which its principals had acquired "a 25 percent or greater interest or any official relationship" (officer or director) in a business or financial enterprise as is required by table II, section II of Form 301. For example, United submits, the testimony shows that a Theodore R. Hagans, Jr., listed as Community's assistant treasurer, had become a director of Public National Bank; that Community's president, Marjorie Lawson, had become a director of the National Bank of Washington; and that two of Community's stockholders failed to report that they were directors of a corporation which had applied for a CATV franchise in the District of Columbia.[3] Furthermore, United states, Mrs. Lawson conceded that she had misunderstood the necessity of reporting such information. United alleges that none of the testimony referred to above was objected to by Community. Absent such objection, United contends, the "notice" basis of the Examiner's ruling was erroneous. Therefore, United states, a ruling that the § 1.65 issue encompasses the newly discovered material would not entail further proceedings beyond the filing of Community's aforementioned amendment.[4] United concludes that the sole purpose of its pleading is to have the issues construed or framed to encompass the evidence already adduced.

4. In opposition, Community sets forth relevant portions from the Board's order specifying the § 1.65 issue in this proceeding, and argues that these excerpts clearly show that the Board intended the inquiry to be limited to Dr. Brooks. Community points out that United's request of the Examiner was made shortly before the agreed upon termination of the hearing; therefore, it argues, there was no advance notice, and the request was properly denied as untimely. Community attaches to its pleading a letter from Mr. Hagans which recites that on December 18, 1969, he became a director of the Public National Bank (and has since resigned), that he has been serving on the board of Pepco since February 8, 1971, and that he acquired a 50 percent interest in W & H Investment Co. in April 1967, and a 50 percent interest in Park Monroe Associates in June 1968. Community posits that United presumably learned of these interests through contemporaneous press announcements, and, as such, United should have sought enlargement of the § 1.65 issue shortly after the aforementioned dates, rather than at the close of the hearing. Furthermore, Community argues, the omissions were inadvertent, did not reflect major changes in the current business status of the relevant parties, and do not therefore necessitate additional hearing, citing Greenfield Broadcasting Corp., 30 FCC 2d 774, 22 RR 2d 497 (1971). Mrs. Lawson's intention to submit an amendment setting forth all changes relating to all stockholders did not constitute consent to enlargement of the issues, Community states. Once the amendment is submitted, the Examiner will have all relevant facts before him, Community urges, and there would be no need to unduly delay the proceedings by the adduction of new evidence.[5] Thus, Community concludes that the Examiner correctly construed the § 1.65 issue and that the motion to enlarge at the time of the hearing was untimely.

5. In its comments, the Broadcast Bureau argues that, although it believes the wording of the § 1.65 issue to be sufficiently broad to permit consideration of the matters raised by United, Community was not given proper notice that these matters would be explored at hearing. The Bureau would therefore have us deny the appeal. As to the alternative request to enlarge issues, the Bureau submits that it is unclear as to when United first learned of the matters raised in its appeal. As such, the Bureau concludes that, absent a showing of good cause justifying enlargement at this time, the request should be denied.

6. In reply, United first reiterates its contention that the notice grounds relied upon by the Examiner and by Community is rebutted by Community's failure to object to the admission of the evidence in question. United submits that, contrary to the positions taken by Community and the Bureau, it did not learn of the "significant omissions" at issue until the hearing sessions which commenced on October 6, 1971. Community's "cooperative stance," United alleges, is dictated by its president's admission that she did not understand the § 1.65 requirements. United argues that the significance of the matters it is raising goes beyond Mr. Hagans' business interests and includes, for example, Mrs. Lawson's association with the National Bank of Washington, which bank, United states, is providing the entire financing for Community's proposal.

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[1] Related pleadings before the Board are: (a) Motion to accept late-filed pleading, filed Oct. 22, 1971, by United; (b) opposition to United's appeal/motion to enlarge, filed Nov. 8, 1971, by Community; (c) comments on United's petition, filed Nov. 8, 1971, by the Broadcast Bureau; (d) reply, filed Nov. 18, 1971, by United; and (e) request for leave to file additional statement concerning appeal, filed Jan. 13, 1972, by United. The motion to accept late-filed pleading is unopposed and recites good cause; the appeal will therefore be considered on its merits.

[2] Permission to file this appeal was granted orally by the Examiner at the Oct. 14, 1971, hearing session.

[3] United states that Mrs. Lawson agreed to obtain further information regarding the business interests of Community's principals in order to bring its application up to date. United further states that Community stipulated that information regarding Mr. Hagans' unreported interests would be furnished the Commission by way of an amendment, but that no such amendment has yet been filed.

[4] United points out that the § 1.65 issue in this proceeding is comparative only and argues that evidence of Community's stockholders' application for CATV facilities is relevant to its integration proposal, as is evidence of business interests held by Mr. Hagans.

[5] On Nov. 15, 1971, Community submitted an amendment which, in part, sets forth changes in interests and offices of Community shareholders since the filing of its original application.

United alleges that Community delayed, without explanation, 11 months after addition of a financial issue against it before submitting this bank loan as part of its financial plan. This, in United's view, reflects Community's attitude toward its obligations to the Commission and adds further reason, United concludes, for examination of Community's "conduct" through enlargement of the issues.

7. The Review Board concurs in the Hearing Examiner's judgment that adequate notice was not afforded Community at the hearing and will affirm his ruling. A fundamental requisite of fair procedure is that of reasonable notice to the parties of the issues to be tried. Both the language of the § 1.65 issue specified by the Board as well as the underlying discussion made clear that the issue was limited in scope to one of Community's principals, Dr. Phillip C. Brooks. The Examiner so read the issue and therefore could not allow allegations of reporting omissions on the part of other Community principals to be tried. Accordingly, we shall deny the appeal from adverse ruling. However, we believe that the request to enlarge issues should be granted. Contrary to Community's position, this request was not initially raised before the Examiner but was placed before the Board on appeal when the Examiner refused to consider the disputed matters under the designated issue. The alleged unreported interests of several members of Community listed in United's appeal pleading as well as those interests listed in the letter from one of these individuals submitted with United's opposition, raise a substantial question as to the applicant's compliance with § 1.65.[6] Because these matters are not encompassed within the scope of the Board's earlier order, the existing § 1.65 issue will be appropriately modified. Also, since it appears that most of the facts upon which the enlargement request is based were not known to United until the October 6, 1971, hearing session, and the petition has been filed within a reasonable time after that date, we believe that good cause for its acceptance has been shown. Snake River Valley Television, Inc., 18 FCC 2d 70, 16 RR 2d 442 (1969); Chapman Radio and Television Corp., 7 FCC 2d 557, 9 RR 2d 831 (1967).[7] Finally, we point out that, despite United's language in its reply, nothing before us warrants any broader inquiry into the circumstances surrounding the financial issue specified against Community or regarding Community's "conduct" in general.[8]

8. *Accordingly, it is ordered,* That the motion to accept late-filed pleading, filed October 22, 1971, by United Television Co., Inc. (WFAN–TV) and United Broadcasting Co., Inc., is granted; and

9. *It is further ordered,* That the appeal from the presiding officer's adverse ruling or, in the alternative, motion to enlarge issues, filed October 22, 1971, by United Television Co., Inc. (WFAN–TV) and United Broadcasting Co., Inc., is granted to the extent indicated below, and is denied in all other respects; and that the request for leave to file additional statement concerning appeal, filed January 13, 1972, by United, is denied; and

10. *It is further ordered,* That the issue added by the Review Board by Memorandum Opinion and Order, 19 FCC 2d 1060, 17 RR 2d 467, released October 1, 1969, is modified to read as follows:

To determine whether Washington Community Broadcasting Co., its principal, Dr. Phillip C. Brooks, or any of its other principals, failed to keep its application up to date as required by § 1.65 of the rules; and if so, whether the failure reflects adversely on the applicant's comparative qualifications.

FEDERAL COMMUNICATIONS COMMISSION,[9]
[SEAL] BEN F. WAPLE,
Secretary.

[FR Doc.72–1139 Filed 1–25–72;8:49 am]

[6] The applicant's failure to amend to report substantial changes in the status of its members in this case is, in our view, readily distinguishable from the situation in Greenfield Broadcasting Corp., supra. There, among other things, in the only two omissions of significance, the Commission was "fully aware" of one interest and the involved principal had resigned his unreported office with respect to the other. Also, that case, unlike this one, was a single applicant proceeding and did not allow for an issue assessing the impact of the omissions on the applicant's comparative qualifications.

[7] Community offers no substantiation for its allegation that United actually learned of the unreported interests through press announcements at the time of their occurrence and should have therefore acted sooner.

[8] On Jan. 13, 1972, United submitted a request for leave to file additional statement concerning appeal. Having examined the content of this pleading, and finding it unnecessary to our determination herein, the Board will deny it as cumulative.

[9] Board Member Berkemeyer absent, and Board Member Pincock abstaining.

FEDERAL POWER COMMISSION

[Docket No. CP72–174]

CITIES SERVICE GAS CO.

Notice of Application

JANUARY 19, 1972.

Take notice that on January 7, 1972, Cities Service Gas Co. (applicant), Post Office Box 25128, Oklahoma City, OK 73125, filed in Docket No. CP72–174 an application pursuant to section 7 (c) and (b) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction, installation, and operation of certain natural gas facilities and for permission of and approval to replace and abandon certain natural gas facilities to be reclaimed, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to install and operate one 2,000 horsepower unit at each of its existing North Ulysses Compressor Stations in Kearny County, Kans., and Sublette Compressor Station in Haskell County, Kans.; one 2,400 horsepower unit at its existing Blackwell Compressor Station in Kay County, Okla.; and to abandon by reclaiming approximately 10.8 miles of 18-inch obsolete and inadequate pipeline in Washington County, Okla.; and Montgomery County, Kans., and to replace it with a 16-inch pipeline. The total cost of the proposed facilities is estimated at $3,050,000 which applicant plans to finance from treasury cash.

Applicant states that the proposed project will enhance its ability to meet its customers' demands for natural gas under peak day and summer conditions, will permit operational flexibility, and will create needed reserve capacity.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 14, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurdisdiction 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 and permission and approval for the proposed abandonment are 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,
Secretary.

[FR Doc.72–1107 Filed 1–25–72;8:46 am]

[Docket No. CP72–170]

COLORADO INTERSTATE GAS CO.

Notice of Application

JANUARY 18, 1972.

Take notice that on December 30, 1971, Colorado Interstate Gas Co. (applicant), Post Office Box 1087, Colorado Springs, CO 80901, filed in Docket No. CP72–170 an application pursuant to section 7(c)

of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of facilities to expand its transmission system capacity, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to increase its transmission system peak day sales capacity by an additional 46,200 Mcf of natural gas to a total of 1,304,500 Mcf by the construction and operation of the following facilities: a 2,000 horsepower addition at the existing Rawlins Compressor Station near Rawlins, Wyo.; a total of approximately 38.6 miles of 24-inch pipeline loop on applicant's Wyoming transmission line to be installed at three locations; three new gas storage wells to be drilled and connected at the Fort Morgan Storage Field in Morgan County, Colo.; approximately 21.2 miles of 20-inch pipeline loop on its Fort Morgan-to-Watkins storage pipeline; and a 3,300 horsepower addition to the existing Mocane Compressor Station in Beaver County, Okla. The estimated cost of all the proposed facilities is $8,415,835 which applicant plans to finance from working funds on hand, funds from operations, short-term borrowings, or issuance of long-term debt securities.

Applicant states the purpose of the proposed facilities is to provide sufficient capacity to permit it to take the maximum prudent volume of natural gas supplies in Wyoming, to enable it to take an additional 8,000 Mcf of natural gas per day from El Paso Natural Gas Co. into its system, to enable it to meet increasing peak day requirements of its resale firm customers, and to offset declining reservoir pressures. Applicant states that no new gas supplies will be attached but that increased volumes from existing supplies will be utilized.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 7, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission 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,
Secretary.

[FR Doc.72-1108 Filed 1-25-72;8:46 am]

[Docket No. CP72-173]

COLUMBIA GAS TRANSMISSION CORP. ET AL.

Notice of Joint Application

JANUARY 18, 1972.

Take notice that on January 5, 1972, Columbia Gas Transmission Corp. (Columbia), 20 Montchanin Road, Wilmington, DE 19807, Consolidated Gas Supply Corp. (Consolidated), 445 West Main Street, Clarksburg, WV 26301, and Texas Eastern Transmission Corp. (Texas Eastern), Post Office Box 2521, Houston, TX 77001, filed in Docket No. CP72-173 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale, exchange and transportation of natural gas and the construction and operation of certain natural gas facilities in Pennsylvania, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicants state that Columbia and Consolidated have entered into an agreement whereby Columbia will exchange certain natural gas production properties and facilities in the Benezetee Field, Cameron, Clearfield, and Elk Counties, Pa., in return for certain production properties and facilities of Consolidated in the Artemas Field, Bedford County, Pa.; and Columbia, Consolidated and Texas Eastern have entered into an agreement for the exchange and transportation of the subject gas which supercedes three existing exchange agreements between the companies. Applicants seek authorization for the exchange of the remaining natural gas reserves of 2,082,000 Mcf in the Benezetee Field and 214,000 Mcf in the Artemas Field, for the resale by Consolidated of the difference in transferred gas reserves to Columbia at a price of 27.5 cents per Mcf plus a transportation charge of 9.5 cents, for the transportation of the subject gas as provided for in the exchange agreements, and for the construction and operation of a new delivery point by Consolidated. Cost to Consolidated of the delivery point is estimated to be $8,216 which it plans to finance from cash on hand. Applicants expect no other costs by reason of the proposed exchange of properties.

Applicants state that the proposed exchange is necessary in order for Columbia to proceed with the development and activation of the Artemas Storage Field which it requires in order to minimize its contract demand obligations with its suppliers, improve its overall operational load factor provide peak-day deliverability, and eliminate substantial mainline construction.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 8, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the 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 Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1109 Filed 1-25-72;8:46 am]

[Project 2524]

GRAND RIVER DAM AUTHORITY

Notice of Application for Amendment of License for Partially Constructed Project

JANUARY 19, 1972.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by the Grand River Dam Authority (correspondence to Q. B. Boydstun, Consulting Attorney, Post Office Box 444, Fort Gibson, OK 74434) for amendment of license for partially constructed Project No. 2524, located on Chimney Rock Hollow and Little Saline Creek, in Mayes and Wagoner Counties, Okla.

The application seeks to delete from Article 30, paragraphs c and d, of the license, the commencement date of April 1, 1972, and the completion date of July 1, 1974, for Stage 3, and the commencement date of April 1, 1975, and completion date July 1, 1977, for Stage 4. Applicant wishes to amend Article 30 (c and d) to extend the commencement and completion dates of Stage 3 to April 1, 1974 and July 1, 1976, and for Stage 4, to April 1, 1977 and July 1, 1979.

Applicant states that the changes are necessary and desirable because the bonding authorization is insufficient at present for construction of Stages 3 and 4, and no increase from the Oklahoma legislature will be possible until after January 1972. Applicant states that it can fulfill its electric power requirements until 1976, the proposed date of completion for Stage 3.

Any person desiring to be heard or to make any protest with reference to said application should on or before February 26, 1972, file with the Federal Power Commission, in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1110 Filed 1-25-72;8:46 am]

[Docket No. RP72-98]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Application for Rate Change

JANUARY 20, 1972.

Take notice that on January 14, 1972, Texas Eastern Transmission Corp. (Texas Eastern) filed in Docket No. RP72-98 an application for an increase in its resale rates of approximately $32,830,000 annually.

The nature of the filing is set out in the Company's transmittal letter as follows: (1) Composed of Third Revised Volume No. 1 and Eighth Revised Sheets Nos. 232 and 235; (2) proposed to be effective as of February 13, 1972, which follows the end of the moratorium period established in Docket No. RP70-29; (3) includes a purchased gas adjustment clause; and (4) reflects an overall rate of return of 8.5 percent.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 441 G Street NW., Washington, DC 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before February 3, 1972. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. The Company's application is on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1111 Filed 1-25-72;8:46 am]

[Docket No. CI71-615]

TRIDENT OIL AND GAS CORP.[1]

Order Setting Matter for Hearing, Prescribing Procedure, and Granting Intervention

JANUARY 17, 1972.

On March 1, 1971, Trident Oil and Gas Corp. (Trident) filed an application for permission to abandon sales of natural gas to Texas Gas Transmission Corp. (Texas Gas) from acreage in the Monroe Field, Union, Ouachita, and Morehouse Parishes, North Louisiana.

In support of the proposed abandonment, Trident states that the volume of gas available from the dedicated acreage has declined to the point that continued operation of the wells and related gathering and compression facilities has become economically unfeasible. It is further stated that production from the forty wells involved has declined to an average of less than 20 Mcf per day per well.

On April 19, 1971, Texas Gas filed for leave to intervene in opposition to the proposed abandonment. In its petition, Texas Gas requests that the Commission set the matter for formal hearing for a determination of whether or not the dedicated reserves of natural gas have been depleted and other relevant issues.

Inherent in Texas Gas' stated opposition and issues to be delved into during the course of this proceeding are (1) whether the continuation of the service is uneconomical, (2) whether the available supply of gas is depleted to the extent that continuation of service is unwarranted, and depleted to the extent that no further production can be obtained, (3) whether the proposed abandonment is consistent with the contract terms, (4) whether relief available under section 4 of the Natural Gas Act has been sought, (5) what size rate increase, if any, is necessary to make the sale and delivery of gas economically feasible, and (6) whether the present or future public convenience and necessity permit such abandonment.

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 on the matters presented in Trident's application to abandon service.

(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) Participation of the above-named petitioner (Texas Gas) may be in the public interest.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act particularly sections 7, 15, and 16 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act, a public hearing shall be held commencing February 8, 1972, at 10 a.m., e.s.t. in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, DC 20426.

(B) After the hearing has commenced and testimony submitted, the presiding examiner shall recess the proceedings in favor of a prehearing conference between the parties in order to facilitate the resolution of any issues and other related matters. If the parties are unable to reach an agreement then cross-examination shall proceed immediately.

(C) On or before February 1, 1972, Trident shall prepare and file with the Commission and serve, on the presiding examiner, the Commission's Staff, and Texas Gas, its direct testimony and exhibits in support of the application for abandonment of service.

(D) On or before February 1, 1972, Texas Gas shall file and serve, on the presiding examiner, the Commission staff, and Trident, prepared written testimony in support of its position.

(E) The above-named party, which has filed a petition to intervene herein, is hereby permitted to become an intervenor in this proceeding subject to the rules and regulations of the Commission: *Provided, however,* That the participation of said intervenor shall be limited to matters affecting asserted rights and interests specifically set forth in its petition for leave to intervene: *And provided, further,* That the admission of said intervenor shall not be construed as recognition by the Commission that it might be aggrieved because of any order or orders of the Commission entered in this proceeding.

(F) A presiding Examiner to be designated by the Chief Examiner for that purpose shall preside at the hearing in this proceeding pursuant to the Commission rules of practice and procedure.

(G) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1112 Filed 1-25-72;8:46 am]

[1] Trident Oil and Gas Corp., successor to H&H Oil and Gas Corp., received a small producer certificate in Docket No. CS71-513 which authorized it to continue sales previously made by H&H.

[Docket No. CP71-166]

UNITED GAS PIPE LINE CO. AND SOUTHERN NATURAL GAS CO.

Notice of Petition To Amend

JANUARY 19, 1972.

Take notice that on January 10, 1972, United Gas Pipe Line Co. (United), 1500 Southwest Tower, Houston, Tex. 77002, and Southern Natural Gas Co. (Southern), Post Office Box 2563, Birmingham, AL 35202, filed in Docket No. CP71-166 a petition to amend the order of the Commission issued in subject docket on May 3, 1971, by authorizing two additional delivery points in Iberia and Plaquemines Parishes, La., and the exchange of certain volumes of gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Petitioners propose to exchange gas at an existing delivery point where CRA International, Inc., delivers gas to United in the Iberia Field, Iberia Parish, La., and at an existing delivery point in the Bastian Bay Field, Plaquemines Parish, La. The gas would be delivered by CRA to United for the account of Southern and by Phillips to Southern for the account of United. Petitioners state that the additional exchange points will assist in the operation of each company's system and provide added flexibility of operation and continuity of service to both.

Any person desiring to be heard or to make any protest with reference to said petition to amend should on or before February 14, 1972, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) and the regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.72-1113 Filed 1-25-72;8:46 am]

[Docket No. RP72-6]

EL PASO NATURAL GAS CO.

Notice of Availability of Environmental Statement for Inspection

JANUARY 21, 1972.

Notice is hereby given that on January 21, 1972, in view of the Presiding Examiner's indication of the applicability of the procedures outlined by § 2.82(b) of the Commission regulations under Order No. 415-B (36 F.R. 22738, November 30, 1971) a draft environmental statement containing information comparable to an agency draft statement pursuant to section 7 of the Guidelines of the Council on Environmental Quality (36 F.R. 7724, April 23, 1971) was placed in the public files of the Federal Power Commission. This statement deals with proposed revised tariff sheets to El Paso Natural Gas Co., FPC Gas Tariff Original Volume 1. These proposed revised tariff sheets were submitted pursuant to Commission Order No. 431 in Docket No. R-418. This statement is available for public inspection in the Commission's Office of Public Information, Room 2523, General Accounting Office, 441 G Street NW., Washington, DC. Copies will be available from the National Technical Information Service, Department of Commerce, Springfield, Va. 22151.

The revised environmental statement prepared by El Paso Natural Gas Co. pursuant to the wishes of the Presiding Examiner in the proceeding in Docket No. RP72-6 as stated in orders dated October 27, 1971, and November 23, 1971, pertains to a proposal by El Paso Natural Gas Co. to establish for its Southern Division Mainline System a curtailment policy necessitated by a present pipeline capacity limitation and possible future natural gas supply shortage. The proposal involves the establishment of a daily volumetric entitlement for its customers based on a maximum reliable capacity of the system and the procedure for curtailment in the event of a natural gas supply shortage.

Any person desiring to present evidence regarding environmental matters in this proceeding must file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene together with a detailed statement of the nature of the evidence to be submitted; written comments by persons not wishing to intervene may be filed for the Commission's consideration by March 6, 1972. The Commission will consider all responses to the statement.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 72-1233 Filed 1-25-72;8:51 am]

FEDERAL RESERVE SYSTEM

MERCANTILE BANCORPORATION INC.

Order Approving Acquisition of Bank

Mercantile Bancorporation Inc., St. Louis, Mo., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval under section 3(a)(3) of the Act (12 U.S.C. 1842(a)(3)) to acquire up to 100 percent of the voting shares of County Bank of St. Charles, St. Charles, Mo. (Bank).

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and finds that:

Applicant, the largest banking organization and largest bank holding company in Missouri on the basis of deposits, has five subsidiary banks with aggregate deposits of $1.12 billion, representing 9.8 percent of the total commercial bank deposits in the State. (All banking data are as of June 30, 1971, adjusted to reflect holding company acquisitions and formations approved by the Board through November 30, 1971.) Consummation of the proposal herein would increase Applicant's share of commercial bank deposits in the State by less than 0.1 percentage point.

Bank ($9.7 million of deposits) is one of the smaller banks operating in the St. Louis banking market, and is the smallest of four banks in Bank's primary service area, which is approximated by St. Charles and the immediate surrounding area. The St. Charles area has enjoyed substantial population growth in the past, and the prospects for the area's economic growth appear highly favorable. Two of applicant's subsidiary banks, including its lead bank ($966 million deposits), are located in downtown St. Louis approximately 23 miles from Bank. While there appears to be some competition between Bank and applicant's subsidiaries in the St. Louis area, or some potential therefor, consummation of the proposed acquisition is not likely to substantially lessen competition nor to have any significant effect on competition in any relevant area. In light of the facts of record, notably the large number of banks in the St. Louis banking market (over 100), the existence of geographical barriers and the distance separating applicant's subsidiaries and Bank, and Missouri's restrictive branching laws, there seems to be little prospect for the development of significant competition between Bank and applicant's subsidiaries. Furthermore, consummation of the proposal herein is not likely to have any adverse effects on Bank's competitors nor would it raise any significant barriers to entry by others into the area; rather it would enable Bank to compete more effectively with the larger banks in its service area.

The financial and managerial resources and prospects of Applicant, its subsidiaries, and Bank are all regarded as satisfactory and consistent with approval of the application. Applicant proposes to assist Bank in enlarging its mortgage lending services and in establishing additional services such as trust and bond services. The addition and expansion of such services should enhance Bank's ability to meet the expanding needs of its service area. Thus, considerations relating to the convenience and needs of the communities to be served lend weight in support of approval of the application. It is the Board's judgment that consummation of the proposed acquisition would be in the public interest, and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th

calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of St. Louis pursuant to delegated authority.

By order of the Board of Governors,[1] January 18, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1094 Filed 1-25-72;8:45 am]

SOCIETY CORP.

Order Approving Acquisition of Bank

Society Corp., Cleveland, Ohio, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's prior approval under section 3(a)(3) of the Act (12 U.S.C. 1842 (a)(3)) to acquire 100 percent (less directors' qualifying shares) of the voting shares of The 1st State Bank & Trust Co., Columbus, Ohio (Bank).

Notice of receipt of the application has been given in accordance with section 3(b) of the Act, and the time for filing comments and views has expired. The Board has considered the application and all comments received in the light of the factors set forth in section 3(c) of the Act (12 U.S.C. 1842(c)) and finds that:

Applicant controls 11 banks with aggregate deposits of approximately $1,147 million, representing 5.2 percent of the total commercial bank deposits in Ohio and is the fifth largest banking organization in the State. (All banking data are as of June 30, 1971, and reflect holding company formations and acquisitions approved by the Board through November 30, 1971.) Consummation of the acquisition of Bank ($19 million deposits) would add less than 0.1 percent to applicant's percentage share of deposits and would not change its rank.

Though Bank is the ninth largest of 40 banking organizations in the Columbus area, it controls less than 1 percent of the area deposits. Applicant's acquisition of Bank would constitute its initial entry in the Columbus area. Applicant's nearest subsidiary to Bank is located over 25 miles away, and there is little existing competition between this subsidiary or any other of applicant's subsidiaries and Bank. Moreover, due to the distances involved and Ohio's branching law, and other facts of record, there appears to be only a slight possibility of substantial potential competition developing between any of applicant's subsidiaries, or applicant itself and Bank. On the other hand, applicant's acquisition of Bank should make the latter a stronger competitor in the Columbus area, which is dominated by three large holding companies. On the basis of the record before it, the Board considers that consummation of the proposal would not adversely affect competition in any relevant area.

The financial and managerial resources and future prospects of applicant, its subsidiaries, and Bank appear to be satisfactory and consistent with approval of the application. Considerations relating to the convenience and needs of the community to be served lend some weight toward approval of the application, since applicant proposes to expand Bank's trust services; to provide participation lending arrangements; and to institute a credit card program. It is the Board's judgment that the proposed acquisition would be in the public interest and that the application should be approved.

On the basis of the record, the application is approved for the reasons summarized above. The transaction shall not be consummated (a) before the 30th calendar day following the date of this order or (b) later than 3 months after the date of this order, unless such period is extended for good cause by the Board, or by the Federal Reserve Bank of Cleveland pursuant to delegated authority.

By order of the Board of Governors,[1] January 18, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1095 Filed 1-25-72;8:45 am]

WYOMING BANCORPORATION

Acquisition of Banks

Wyoming Bancorporation, Cheyenne, Wyo., has applied in three separate applications, as set forth below, for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)):

(1) To acquire 58 percent or more of the voting shares of The First National Bank of Lander, Lander, Wyo.;

(2) To acquire 59 percent or more of the voting shares of The First National Bank of Rawlins, Rawlins, Wyo.; and

(3) To acquire 84 percent or more of the voting shares of Stockmans National Bank of Lusk, Lusk, Wyo.

The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The applications may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the applications should submit his views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than February 21, 1972.

Board of Governors of the Federal Reserve System, January 18, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1114 Filed 1-25-72;8:47 am]

[1] Voting for this action: Chairman Burns and Governors Mitchell, Daane, Maisel, Brimmer, and Sheehan. Absent and not voting: Governor Robertson.

[1] Voting for this action: Chairman Burns and Governors Mitchell, Daane, Maisel, Brimmer, and Sheehan. Absent and not voting: Governor Robertson.

GENERAL SERVICES ADMINISTRATION

[Wildlife Order 93; I-NY-671]

CAPE VINCENT NATIONAL FISH HATCHERY, CAPE VINCENT, N.Y.

Transfer of Property

Pursuant to section 2 of Public Law 537, 80th Congress, approved May 19, 1948 (16 U.S.C. 667c), notice is hereby given that:

1. By deed from the United States of America dated December 29, 1971, the property known as the Cape Vincent National Fish Hatchery, Cape Vincent, N.Y., consisting of 31.98 acres of land with water and sewage line easement and improvements, and more particularly described in the deed, has been transferred from the United States to the State of New York.

2. The above described property was transferred for fish and wildlife purposes in accordance with the provisions of section 1 of said Public Law 537 (16 U.S.C. 667b).

Dated: January 17, 1972.

RICHARD W. AUSTIN,
Assistant Commissioner,
Office of Real Property.

[FR Doc.72-1146 Filed 1-25-72;8:50 am]

[Federal Property Management Regs.; Temporary Reg. F-132]

SECRETARY OF DEFENSE

Delegation of Authority

1. *Purpose.* This regulation delegates authority to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government in an electric service rate proceeding.

2. *Effective date.* This regulation is effective immediately.

3. *Delegation.* a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, particularly sections 201(a)(4) and 205(d) (40 U.S.C. 481(a)(4) and 486(d)), authority is delegated to the Secretary of Defense to represent the consumer interests of the executive agencies of the Federal Government before the State Corporation Commission of Kansas in a proceeding (Docket No. 92,581-U) involving the application of the Kansas Gas and Electric Co. for a rate increase.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the policies, procedures, and controls prescribed by the General Services Administration, and, further, shall be exercised in cooperation with

the responsible officers, officials, and employees thereof.

ROD KREGER,
Acting Administrator of General Services.

JANUARY 19, 1972.

[FR Doc.72-1148 Filed 1-25-72;8:49 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 72-1]

FINAL ENVIRONMENTAL IMPACT STATEMENT

Public Notice Regarding Availability

Notice is hereby given of the public availability of the final Environmental Impact Statement for the Pioneer F/G Program of the National Aeronautics and Space Administration.

Comments on the draft Environmental Statement for the Pioneer F/G Program were previously solicited from State and local agencies and members of the public through a notice in the FEDERAL REGISTER of August 25, 1971.

Copies of the draft statement were sent to the Office of Management and Budget, the Council on Environmental Quality, and the Environmental Protection Agency.

Copies of the final statement will be furnished to the Office of Management and Budget and the Council on Environmental Quality.

Copies of the final statement may be purchased (price $1 each) or examined at any of the following locations:

(a) National Aeronautics and Space Administration, Public Documents Room (Room 126), Independence Avenue SW., Washington, DC 20546.

(b) Ames Research Center, NASA (Building 201, Room 17), Moffett Field, Calif. 94035.

(c) Flight Research Center, NASA (Building 4800, Room 1017), Post Office Box 273, Edwards, CA 93523.

(d) Goddard Space Flight Center, NASA (Building 8, Room 150), Greenbelt, Md. 20771.

(e) John F. Kennedy Space Center, NASA (Headquarters Building, Room 1207), Kennedy Space Center, Fla., 32899.

(f) Langley Research Center, NASA (Building 1219, Room 304), Hampton, Va. 23365.

(g) Lewis Research Center, NASA (Administration Building, Room 120), 2100 Brookpark Road, Cleveland, OH 44135.

(h) Manned Spacecraft Center, NASA (Building 1, Room 136), Houston, Tex. 77058.

(i) George C. Marshall Space Flight Center, NASA (Building 4200, Room G-11), Huntsville, Ala. 35812.

(j) Mississippi Test Facility, NASA (Building 1100, Room A-213), Bay St. Louis, Miss. 39520.

(k) NASA Pasadena Office (Jet Propulsion Laboratory, Building 180, Room 600), 4800 Oak Grove Drive, Pasadena, CA 91103.

(l) Wallops Station, NASA (Library Building, Room E-105), Wallops Island, Va. 23337.

Done at Washington, D.C., this 17th day of January 1971.

By direction of the Administrator.

HOMER E. NEWELL,
Associate Administrator, National Aeronautics and Space Administration.

[FR Doc.72-1100 Filed 1-25-72;8:46 am]

SECURITIES AND EXCHANGE COMMISSION

[70-5129]

COLUMBIA GAS SYSTEM, INC.

Notice of Proposed Issue and Sale of Installment Notes to Holding Company

JANUARY 20, 1972.

Notice is hereby given that the Columbia Gas System, Inc. (Columbia), 20 Montchanin Road, Wilmington, DE 19807, a registered holding company, and its wholly-owned subsidiary companies listed above have filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6(a), 6(b), 7, 9, 10, and 12(f) of the Act and Rule 43 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

The subsidiary companies have outstanding unsecured promissory notes payable to Columbia, maturing February 25, 1972, and issued during 1969 and 1970 to provide funds for construction, as follows:

Columbia Gas Transmission Corp	$32,600,000
Columbia Gas of Kentucky, Inc.	1,030,000
Columbia Gas of Virginia, Inc.	655,000
Columbia Gas of Ohio, Inc.	7,540,000
The Ohio Valley Gas Co.	1,035,000
The Preston Oil Co.	1,040,000
Columbia Gas of Pennsylvania, Inc	2,785,000
Columbia Gas of New York, Inc.	275,000
Columbia Gas of Maryland, Inc.	505,000
Columbia Gulf Transmission Co	40,795,000
The Inland Gas Co., Inc.	50,000
Columbia Gas of West Virginia, Inc	1,060,000
Columbia Gas Development Corp	10,630,000
Total	100,000,000

It is now proposed that the above-mentioned unsecured promissory notes be repaid from the proceeds of the issuance and sale to Columbia of a like amount of 25-year installment promissory notes, divided equally by each subsidiary company into two series designated A and B. The notes will be nonregistered and dated the date of their issue. The principal amount will be due in 25 equal annual installments on May 31 of each of the years 1973 to 1997, inclusive. Interest is to be paid semiannually on May 31 and November 30 on the unpaid principal thereof, commencing on May 31, 1972. Initially, the interest rate will be the minimum commercial lending rate in effect from time to time at Morgan Guaranty Trust Co. of New York (Morgan), which is equal to the interest rate on Columbia's proposed short-term bank loans (File No. 70-5124). With respect to the above-mentioned Series A notes, the minimum commercial lending rate at Morgan will be in effect from the date of their issue to May 25, 1972; and with respect to the Series B notes, the minimum commercial lending rate at Morgan will be in effect from the date of their issue to January 25, 1973. Such periods coincide with the dates of Columbia's obligation to repay the aforementioned proposed short-term bank loans. The proposed installment promissory notes, both the Series A and Series B notes, will, after May 25, 1972, and January 25, 1973, respectively, each bear interest at a rate equal to Columbia's cost of money on its last sale of debentures prior to said dates decreased by an amount necessary in order that the interest rate be a multiple of $\frac{1}{10}$ of 1 percent.

The application-declaration states that expenses to be incurred by Columbia and its subsidiary companies in connection with the proposed transactions are estimated at $75 and $750, respectively, and that $550 of these aggregate expenses are for services, at cost, to be provided by Columbia Gas System Service Corp.

It is further stated that authorizations of the sale of securities are required from the Public Service Commission of West Virginia, the Kentucky Public Service Commission, the State Corporation Commission of Virginia, the Public Utilities Commission of Ohio, the Pennsylvania Public Utility Commission, and the New York Public Service Commission, and that no other State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than February 14, 1972, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as

provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] RONALD F. HUNT, *Secretary.*

[FR Doc.72-1117 Filed 1-25-72;8:47 am]

VETERANS ADMINISTRATION

STATEMENT OF ORGANIZATION

Miscellaneous Amendments

The VA (Veterans Administration) statement of organization (32 F.R. 9767, 34 F.R. 14406) is amended to read as follows:

1. In section 1, *General,* paragraph (b)(2) is amended to read as follows:

SECTION 1. *General.* * * *

(b) *General description of organization.* * * *

(2) The VA is organizationally divided as follows: (i) *The Central Office.* The Central Office of the VA consists of the following staff offices and departments:

STAFF OFFICES

Information Service.
Office of the Controller.
Office of the General Counsel.
Office of Management and Evaluation.
Contract Compliance Service.
Office of Construction.
Office of Personnel.
Office of Administrative Services.

DEPARTMENTS

Department of Medicine and Surgery.
Department of Veterans Benefits.
Department of Data Management.

(ii) *The Field stations.* This term applies to Veterans Administration installations located in the field, and includes the following:

Insurance centers.
Regional offices.
Veterans Benefits Office—District of Columbia.
Hospitals.
VA centers.
Domiciliaries.
Outpatient clinics.
VA offices.
Supply depots.
Marketing center.
Forms and publications depot.
Data processing centers.

2. In section 2, *Central Office,* paragraph (a), subparagraphs (3) and (4) are amended and subparagraphs (6) and (8) are revoked as follows:

SEC. 2. *Central Office*—(a) *Office of the Administrator.* * * *

(3) *Associate Deputy Administrator.* (i) The Associate Deputy Administrator assists the Administrator and the Deputy Administrator in the overall administration of the VA. He has primary responsibility in the areas of construction and administrative services. He is responsible for coordination of the VA construction function and for relations external to the agency dealing with construction. He acts for the Deputy Administrator in the latter's absence and for the Administrator in the absence of both the Administor and the Deputy Administrator.

(ii) The Assistant Administrator for Construction and the Manager, Administrative Services, report to the Administrator and the Deputy Administrator through the Associate Deputy Administrator.

(4) *Assistant Deputy Administrator.* (i) The Assistant Deputy Administrator, as full assistant to the Administrator and the Deputy Administrator, participates in high-level policy discussions and contributes recommendations regarding solutions of problems and decisions to be made on all programs administered by VA. As directed, he represents the Administrator with the Congress, and other Federal agencies. He is responsible for the VA's emergency planning functions. He also acts for the Associate Deputy Administrator in the latter's absence and for the Deputy Administrator in the absence of both the Deputy Administrator and the Associate Deputy Administrator.

(ii) The Director, Contract Compliance Service, reports to the Administrator and Deputy Administrator through the Assistant Deputy Administrator.

* * * * *

(6) *Office of the Executive Assistant.* [Revoked]

* * * * *

(8) *Administrator's Advisory Council.* [Revoked]

* * * * *

3. In section 2, *Central Office,* paragraph (b), subparagraphs (2)(vii), (4), (5), and (6)(viii) are amended and subparagraph (3)(xv), (xvi), and (xviii) is added so that the amended and added material reads as follows:

(b) *Staff offices.* * * *

(2) *Office of the Controller.* The Controller: * * *

(vii) Conducts surveys and reviews, and prepares analyses of recommendations on financial management problems in current and long-range plans, agency-wide.

* * * * *

(3) *Office of the General Counsel.* The General Counsel: * * *

(xv) As the designee of the Administrator, makes the agency decision on formal complaints of discrimination filed by VA employees or qualified applicants for employment.

(xvi) Represents the VA during proceedings in cases coming within the purview of title VI of the Civil Rights Act of 1964, after a determination that compliance cannot be secured by voluntary means.

(xvii) Prepares the Government defense in case of appeals of contractors from decisions of VA contracting officers under construction, architect-engineer, and supply contracts, in Central Office and at field stations. Represents the VA contracting officers before the VA Contract Appeals Board and provides counsel to represent the Government in appeals under supply contracts.

(4) *Office of Management and Evaluation.* The Assistant Administrator for Management and Evaluation: (i) Formulates and recommends to the Administrator general policies and plans of VA-wide application pertaining to the following activities:

(*a*) Management engineering (including specific programs such as manpower utilization and systematic reviews of programs and operations).

(*b*) Internal audits and program reviews.

(*c*) Fiscal audits.

(*d*) Appraisal programs.

(*e*) Paperwork management.

(*f*) Investigation.

(*g*) Security.

(ii) Seeks out new ideas, new skills, new methods, and technologies in the field of management engineering and in collaboration with the departments and staff offices selectively facilitates their implementation in the VA, through programs of education, demonstration, and use.

(iii) Directs the conduct of necessary studies and research to determine policy requirement in the above areas.

(iv) Directs the conduct of systems analysis studies, surveys, and special studies authorized by the Administrator, Deputy Administrator, or Associate Deputy Administrator of Veterans Affairs.

(v) Formulates criteria for the development and operation of management and operating standards systems.

(vi) Provides needed technical staff management engineering assistance to department and staff office heads.

(vii) Conducts internal audits of all activities and elements and reviews all programs of VA as a basis for protective and constructive service to management.

(viii) Conducts fiscal audits of all activities and elements of VA.

(ix) Conducts administrative investigations covering all activities of the VA as well as of individuals and organizations having dealings with the VA.

(x) Operates a technical laboratory for the examination, analysis, identification, and classification of handwriting, typewriting, questioned documents, fingerprints, and other material subject to laboratory analysis.

(xi) Conducts a VA-wide personnel and document security program.

(xii) Submits appraisals and reports for the use of the Administrator, Deputy Administrator, or Associate Deputy Administrator of Veterans Affairs; disseminates information from these reports to the heads of departments and other top officials; and maintains controls to assure that corrective action is accomplished by the responsible officials in accordance with instructions of the Administrator.

(xiii) Furnishes advice, guidance, and assistance to the Administrator, department heads, and top staff officials in connection with the above activities.

(xiv) Appraises and evaluates the effectiveness and economy of the above activities for the Administrator.

(xv) Maintains liaison and acts in cooperation with the officials of other offices and agencies of the Government on these matters.

(xvi) Coordinates review and evaluation of General Accounting Office reports concerning VA matters, including summary reports to the Office of Management and Budget.

(xvii) Provides staff leadership for such programs as cost reduction, management improvement, and Federal Executive Board activities.

(5) *Contract Compliance Service.* The Director: (i) Formulates and recommends to the Administrator basic policies, plans and procedures pertaining to the following activities:

(*a*) Contract compliance program under Executive Order 11246.

(*b*) Title VI (Public Law 88–352) compliance Survey program as it relates to proprietary schools and other specified training institutions.

(*c*) Coordination of agency's other title VI programs.

(ii) Serves as an advisor to the Administrator on civil rights matters relating to veterans benefits and medical programs administered by the VA.

(iii) Directs the conduct of necessary studies, surveys, and analyses needed to determine policy requirements in the above areas.

(iv) Furnishes advice and guidance to department heads and top staff officials in connection with the above activities.

(v) Maintains liaison with officials of departments and other agencies of the Government in connection with the above activities.

(vi) Serves as VA Contract Compliance Officer.

(vii) Serves as Agency Coordinator for title VI programs.

(6) *Office of Construction.* The Assistant Administrator for Construction: * * *

(viii) Acts as duly authorized representative of the Administrator under provisions of contracts related to assigned activities except hearing and decision appeals from the decisions of the VA Contracting Officers.

* * * * *

4. In section 2, *Central Office,* paragraph (c), subparagraph (1) is revised to read as follows:

(c) *Departments*—(1) *Department of Medicine and Surgery.* The Chief Medical Director has jurisdiction over and is responsible to the Administrator for the proper conduct of the activities of the Department of Medicine and Surgery; insures complete medical and hospital service for the medical care and treatment of veterans as prescribed by the Administrator of Veterans Affairs pursuant to title 38, United States Code, and other statutory authority and regulations. Formulates and recommends to the Administrator general policies and plans of VA-wide application pertaining to accident prevention, fire prevention, and fire protection.

The Deputy Chief Medical Director serves as the immediate and full assistant to the Chief Medical Director and, as delegated by him or in his absence, performs any statutory or other duty which he is required or authorized to perform with respect to the department.

The Associate Deputy Chief Medical Director serves as an assistant to the Chief Medical Director and the Deputy Chief Medical Director.

The Executive Assistant assists the Chief Medical Director and the Deputy Chief Medical Director in the discharge of their duties; serves as their principal staff advisor and representative on administrative matters in the field of hospital, clinic, and domiciliary administration. Provides leadership and advice at all echelons of the organization on management problems relating to the mission and operation of the department; provides general guidance to adjunct staff elements.

The Associate Deputy Chief Medical Director for Field Operations exercises direct line supervision from the Office of the Chief Medical Director to the field station Directors through the Regional Medical Directors for the overall operation of Department of Medicine and Surgery field stations. Works in close collaboration with the Assistant Chief Medical Directors in directing and coordinating systemwide departmental field operations.

(i) *Office of the Assistant Chief Medical Director for Professional Services.* The Assistant Chief Medical Director for Professional Services: (*a*) Is responsible to the Chief Medical Director for the clinical and clinical support programs of the Department of Medicine and Surgery.

(*b*) Advises and assists the Chief Medical Director and his staff (including Regional Medical Directors) on all clinical and clinical support matters.

(*c*) Provides leadership and direction toward the attainment of a high quality of care and treatment in VA health care facilities.

(*d*) Provides support, guidance, and coordinated direction for the Directors of Professional Services and Special Staffs in carrying out their assigned responsibilities and evaluates performance.

(*e*) Recommends policies, plans, and objectives pertaining to Administrative Assistants to the Chiefs of Staff.

(ii) *Office of the Assistant Chief Medical Director for Research and Education in Medicine.* The Assistant Chief Medical Director for Research and Education in Medicine: (*a*) Formulates and recommends policies and plans of departmentwide application pertaining to programs of research and education in medicine.

(*b*) Develops and administers a coordinated research program.

(*c*) Develops and coordinates programs of medical, paramedical, and medical administrative education.

(*d*) Appraises the effectiveness of policies and plans pertaining to research and education in medicine activities.

(*e*) Collects and disseminates information of a purely professional, scientific or technical, nondirective nature to research and education staffs in hospitals, domiciliaries, clinics, and restoration centers.

(iii) *Office of the Assistant Chief Medical Director for Dentistry.* The Assistant Chief Medical Director for Dentistry: (*a*) Formulates and recommends policies, plans and professional standards, of departmentwide application, pertaining to a program of dental care.

(*b*) Develops and recommends standards governing kinds and quality of staff, facilities, equipment, and supplies needed for an integrated program of dental care. Collaborates with the Assistant Chief Medical Directors and other elements of the Chief Medical Director's staff in developing and maintaining unified planning and operations.

(*c*) Appraises the effectiveness of policies and plans pertaining to the dental service, and the validity of professional standards.

(*d*) Collects and disseminates information of a purely professional, nondirective nature, dealing with clinical and scientific matters, to professional staffs of hospitals, domiciliaries, clinics, and restoration centers.

(*e*) Maintains liaison with dental activities in other Federal agencies and dental organizations.

(*f*) To the extent delegated by the Chief Medical Director has jurisdiction over and responsibility for the conduct of the dental activities.

(iv) *Office of the Assistant Chief Medical Director for Administration and Facilities.* The Assistant Chief Medical Director for Administration and Facilities: (*a*) Is assigned responsibility for the supervision and management of departmental activities relating to health care facilities, building management, canteen, engineering, medical administration, supply, safety and fire protection, management analyst program, and emergency planning coordination.

(*b*) Takes independent action on the field activation and deactivation instructions and coordination of their implementation, which does not require the personal attention of the Chief Medical Director.

(v) *Office of the Assistant Chief Medical Director for Planning and Evaluation.* The Assistant Chief Medical Director for Planning and Evaluation: (*a*) Manages a staff activity relating to departmentwide planning, design of evaluation and quality control techniques, health systems research and development, sharing programs and data management liaison.

(*b*) Coordinates clinical and clinical support services with operating and research activities to achieve unified planning and consistent policies and objectives for a total program of medical care, education, training, and research.

(*c*) Assists in the development of professional standards for the kinds and quality of staff, facilities, equipment, and supplies needed by the approved medical program.

(*d*) Appraises departmentwide medical operations for conformance with

established policies, standards, and objectives.

(e) Collects and disseminates pertinent professional and technical information relating to his areas of responsibility.

(f) Maintains close rapport with non-VA professional and allied health care groups, agencies, and individuals.

(g) Recommends policies and develops techniques, programs, and plans concerning audits and surveys conducted by elements internal and external to the VA of the department's programs and activities in Central Office and field installations. These audits and surveys evaluate policies, management, operations, quality of care, organization and manpower utilization. Evaluates effectiveness of survey techniques and methodologies used by the department.

(h) Responsible for departmental coordination and liaison with the Department of Data Management on all matters relating to developmental activities effecting operating programs and changes in health care delivery systems.

(i) As required, reviews proposed facility modernization and alteration plans to assure that they incorporate the most effective and economical design, systems, and equipment for accomplishment of mission objectives.

(j) Develops facility evaluation criteria with the advice and assistance of concerned program officials.

(vi) *Regional Medical Directors.* The director: (a) Is responsible to the Associate Deputy Chief Medical Director for Field Operations for the supervision of field stations within assigned geographical boundaries.

(b) Participates with field station management and Central Office staff in the establishment and revision of station missions.

(c) Participates with Central Office staff in evaluating and establishing priorities for all special medical treatment programs and facilities.

(d) Appraises and evaluates the management effectiveness of field station operations and quality of medical care programs through the use of intra-VA and extra-VA specialty consultants. Conducts comprehensive surveys and special visits to evaluate policies, management, operations, and manpower utilization.

(e) Provides the Associate Deputy Chief Medical Director (for Field Operations) with current and objective information on the total operation of individual field stations.

(f) Coordinates effective working relationships between field stations and affiliated training and health care institutions.

(g) Assures that all approved recommendations regarding operations of field stations made by Internal Audit, General Accounting Office and the Joint Commission on Accreditation of Hospitals are implemented by management.

5. In section 2, *Central Office*, paragraph (c), subparagraph (3), subdivisions (iv) (a) and (d) and (vi) (a) are amended to read as follows:

(c) *Departments*—(3) *Department of Veterans Benefits.* * * *

(iv) *Program Planning and Budgeting Service.* The Director, Program Planning and Budgeting Service: (a) Formulates, upon consultation with staff officials, and recommends to the Chief Benefits Director, policies, plans, and procedures pertaining to the following activities of the department:

(1) Budgetary programs.

(2) Planning-Programing-Budgeting system.

(3) Adequacy, efficiency and quality of finance field operations.

(4) ADP input—Compensation, Pension, and Education systems.

(5) Internal Management Program.

(6) Establishment and maintenance of standards: Work measurement, quality, management, and evaluation.

(7) Management improvement and manpower utilization programs.

(8) Research activities.

* * * * *

(d) Responsible for the continuing development and support of the Planning-Programing-Budgeting system in the department, and presenting the program and financial plans and program memorandums, including systematic analysis of programs and special analytic studies.

* * * * *

(vi) *Veterans Assistance and Administrative Service.* The Director, Veterans Assistance and Administrative Service: (a) Formulates and recommends to the Chief Benefits Director policies, plans, regulations, procedures, and standards of departmentwide application within the limitations of VA-wide policies and plans pertaining to the following activities:

(1) A Veterans assistance program at regional offices/centers, hospitals, veterans assistance centers, VA offices, and other locations to furnish information, advice, and assistance relating to rights, benefits, and the preparation and development of claims under laws affecting veterans administered by the VA or other agencies; a departmentwide program of social service activities; and a program of special telephone (foreign exchange and wide area telephone service) service for toll free communication with distant regional offices.

(2) A program of providing information and benefit assistance to separatees from military service at Armed Forces hospitals, separation points and other military establishments, both overseas and in continental United States.

(3) Participation by Veterans Assistance Counselors and Community Service Specialists in the VA Drug Dependence Treatment Centers and Clinics.

(4) Foreign affairs, including veterans' services in foreign countries and U.S. possessions not under regional office jurisdiction; liaison with Department of State employees at embassies and consulates on VA benefits; negotiation of reciprocal agreements with foreign governments on veterans benefits; reception of foreign visitors; and furnishing of information on foreign travel.

(5) Matters relating to the administration of the Manila regional office, including performance of certain functions for the Social Security Administration in the Philippines.

(6) Release of information from VA records to veterans, their dependents, service and other authorized representatives, Government agencies, private organizations and attorneys.

(7) Accepting or revoking powers of attorney, including declarations of representation received from private attorneys or agents. Recommends administrative practices and techniques whereby field stations may effectively apply provisions of regulations and changes thereto. Maintains liaison with concerned elements within VA and service organizations with respect to changes in regulations affecting operating procedures on a departmentwide basis.

(8) An Administrative Services program involving records management; initial development of claims for benefits; correspondence management; centralized field station remote control dictating system; publications, forms, and form letter management; release of information from other than claimant records; office machines and equipment; transportation; telecommunications; general office practices, liaison in connection with real and personal property management involving acquisition, utilization, disposition of field office space, and safety and fire prevention activities; and a records processing center with nationwide activities.

* * * * *

6. In section 3, the introductory portion and paragraphs (a), (b), (d), (j), and (k) are amended to read as follows:

SEC. 3. *Field Stations.* VA centers, domiciliaries, hospitals, insurance centers, data processing centers, and regional offices, located throughout the United States, and the Veterans Benefits Office, located in the District of Columbia, facilitate the granting of benefits provided for veterans and their dependents. Under the jurisdiction of regional offices are located VA offices to render service to veterans nearer their homes. Outside the United States, a regional office is located in the Philippines and a Veterans Administration center (hospital and regional office) is located at San Juan, P.R.

(a) *Insurance Centers.* The VA, Department of Veterans Benefits, operates Insurance field activities through two VA Centers—at Philadelphia and St. Paul. They provide policy, underwriting and insurance claims service to servicemen and veterans within assigned geographical areas, as well as insurance death settlements to surviving beneficiaries. All WW I U.S. Government Life Insurance policyholders, and those with WW II National Service Life Insurance who pay premiums by allotment from service department or qualifying employer pay or deduction from VA benefit

payments are serviced only at the Philadelphia VA Center. All remaining accounts are distributed between Philadelphia and St. Paul based on their areas of jurisdiction (the Mississippi River is the approximate dividing line).

(b) *Regional Office.* A VA regional office is a field station which grants benefits and services provided by law for veterans, their dependents, and beneficiaries within an assigned territory; furnishes information regarding VA benefits and services; adjudicates claims and makes awards for disability compensation and pension; determines eligibility for hospitalization; handles guardianship and fiduciary matters and authorized legal proceedings; aids, guides, and prescribes vocational rehabilitation training and administers educational benefits; guarantees loans for purchase or construction of homes, farms, or business property and, under certain conditions, makes direct home loans; processes death claims; aids and otherwise assists the veteran in exercising his rights to benefits and services; and supervises VA offices under its jurisdiction. The regional office is also responsible for U.S. Veterans Assistance Centers in large urban areas and coordination of efforts of participating agencies in a "reach out" program to assist returning servicemen, particularly those who are educationally disadvantaged.

* * * * *

(d) *Hospital.* A VA hospital is an organizational element established to provide eligible beneficiaries with medical care at a level comparable with the best civilian institutions treating similar types of illnesses. Hospitals are generally classified as General or Psychiatric indicating the major type of treatment. Generally, hospitals are equipped to render more than one type of treatment and some hospitals have facilities for highly specialized services. Many hospitals also have nursing home care units and several operate restoration centers. Hospitals are frequently affiliated with medical schools for residency and intern training, participate with universities in programs of allied health personnel training and conduct medical and prosthetic research programs.

* * * * *

(j) *Data Processing Center.* A VA Data Processing Center (DPC) is responsible for the implementation and maintenance of automated systems developed to support VA medical, veterans benefits and administrative programs. There are nine strategically located DPCs in the United States at Atlanta, Ga.; Austin, Tex.; Boston, Mass.; Hines, Ill.; Los Angeles, Calif.; Philadelphia, Pa.; St. Louis, Mo.; St. Paul Minn.; Washington, D.C.; and one in Manila, Republic of the Philippines.

(k) *Services to veterans in foreign countries.* Services to veterans in foreign countries are normally provided by the Veterans Benefits Office, in cooperation with embassy staffs of the Department of State. Additional services are provided by the Manila Regional Office, Republic of the Philippines.

By direction of the Administrator.

[SEAL] FRED B. RHODES,
Deputy Administrator.

[FR Doc.72-1135 Filed 1-25-72;8:49 am]

INTERSTATE COMMERCE COMMISSION

ASSIGNMENT OF HEARINGS

JANUARY 21, 1972.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 75651 Sub 69, R. C. Motor Lines, Inc., continued to February 9, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 116763 Sub 190, Carl Subler Trucking, Inc., heard January 13, 1972, at Miami, Fla., and continued to March 20-22, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 133470 Sub 4, S. J. Durrance, now assigned February 1, 1972, at Atlanta, Ga., is postponed indefinitely.

MC-F 11185, Terminal Transport Co., Inc.—purchase (portion)—Michigan Express, Inc. and Cushman Motor Delivery Co., MC-F 11252, IML Freight, Inc.—purchase (portion)—Michigan Express, Inc., assigned February 14, 1972, will be held in the La Salle Hotel, 10 North La Salle Street, Chicago, IL.

MC 135574, Parthurst Motor Freight Co., assigned February 7, 1972, will be held in the V.A. Conference Room 243, Courthouse Building, Broad and Eighth Streets, Nashville, TN.

MC 133095 Sub 6, Texas Continental Express, Inc., assigned February 23, 1972, will be held in Room 8B37 Federal Building, 1100 Commerce Street, Dallas, TX.

No. 35085, Edward S. Watts, et al. v. Missouri-Kansas-Texas Railroad Co., assigned February 28, 1972, in Room 16B3 Federal Building, 1100 Commerce Street, Dallas, TX.

MC 29886 Sub 272, Dallas & Mavis Forwarding Co., assigned for hearing March 13, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 60437 Sub 6, Edgar J. Mason, doing business as Mason's Transfer, assigned for hearing March 14, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 61048 Sub 12, Leonard Express, Inc., assigned for hearing March 15, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 62499 Sub 11, Hagertown Motor Express Co., Inc., assigned for hearing March 13, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123407 Sub 88, Sawyer Transport, Inc., assigned for hearing March 14, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123639 Sub 139, J. B. Montgomery, Inc., assigned for hearing March 15, 1972, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123902 Sub 4, North Jersey Transfer, Inc., assigned for hearing March 15, 1972, at the Offices of the Interstate Commerce Commission, Washintgon, D.C.

MC 126102 Sub 6, Anderson Motor Lines, heard January 19, 1972, at Washington, D.C., has been continued to February 7, 1972, at the Offices of Interstate Commerce Commission, Washington, D.C.

MC 117119 Sub 438, Willis Shaw Frozen Express, Inc., assigned February 22, 1972, MC 133615 Sub 3, Raymond L. Nelson and Patrick Fitzmorris, doing business as Brick Cartage Co., assigned February 24, 1972, will be held in Room 16B3 Federal Building, 1100 Commerce Street, Dallas, TX.

MC 108298 Sub 32, Ellis Trucking Co., Inc., assigned February 8, 1972, at Chicago, Ill., canceled and application dismissed.

MC 121339 Sub 1, Econ, Inc., assigned February 23, 1972, at Chicago, Ill., is canceled.

MC 51146 Sub 222, Schneider Transport & Storage, Inc., assigned February 14, 1972, MC 51146 Sub 219, Schneider Transport & Storage, Inc., assigned February 7, 1972, MC 107496 Sub 810, Ruan Transport Corp., assigned February 10, 1972, MC 109397 Sub 257, Tri-State Motor Transit Co., assigned February 11, 1972, MC 113678 Sub 421, Curtis, Inc., assigned February 8, 1972, MC 113855 Sub 243, International Transport, Inc., assigned February 16, 1972, MC 114211 Sub 152, Warren Transport, Inc., assigned February 16, 1972, MC 117574 Sub 200, Daily Express, Inc., assigned February 16, 1972, MC 124174 Sub 87, Momsen Trucking Co., assigned February 15, 1972, and MC 128273 Sub 94, Midwestern Express, Inc., assigned February 17, 1972, in Room 1736, Everett McKinley Dirksen Building, 219 South Dearborn Street, Chicago, IL.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-1160 Filed 1-25-72;8:50 am]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 21, 1972.

Protests to the granting of an application must be prepared in accordance with § 1100.40 of the general rules of practice (49 CFR 1100.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 42338—*Calcium chloride from Amherstburg and Quarries, Ontario, Canada.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 3013), for interested rail carriers. Rates on calcium chloride, in carloads, as described in the application, from Amherstburg and Quarries, Ontario, Canada, to points in official territory, including points in northern Illinois and southern Wisconsin.

Grounds for relief—Market competition.

Tariff—Supplement 86 to Traffic Executive Association-Eastern Railroads,

agent, tariff ICC C–733. Rates are published to become effective on February 18, 1972.

FSA No. 42339—*Iron or steel sheet from Ashland, Ky.* Filed by M. B. Hart, Jr., agent (No. A6294), for interested rail carriers. Rates on iron or steel sheet, in carloads, as described in the application, from Ashland, Ky., to Clinton, Miss.

Grounds for relief—Rate relationship.

Tariff—Supplement 52 to Southern Freight Association, agent, tariff ICC S–907. Rates are published to become effective on February 28, 1972.

FSA No. 42340—*Iron and steel articles between points in Illinois Freight Association Territory.* Filed by Illinois Freight Association, agent (No. 373), for interested rail carriers. Rates on iron and steel articles, in carloads, as described in the application, from and to points in Illinois Freight Association territory.

Grounds for relief—Carrier competition.

Tariff—Supplement 148 to Illinois Freight Association, agent, tariff ICC 1087. Rates are published to become effective on February 7, 1972.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.72–1159 Filed 1–25–72;8:50 am]

[No. MC–C–6829]

GREYHOUND LINES

Limitation of Free Baggage Allowance; Extension of Time

JANUARY 14, 1972.

At the request of Mr. John S. Fessenden, attorney for respondent, the time for filing initial statements has been extended from January 26, 1972, to March 13, 1972. The time for filing reply statements has been extended from February 28, 1972, to April 12, 1972.

ROBERT L. OSWALD,
Secretary.

[FR Doc.72–1152 Filed 1–25–72;8:50 am]

[Notice 3]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 21, 1972.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's revised Deviation Rules-Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's revised deviation rules-motor carriers of property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No MC–109780 (Deviation No. 39), CONTINENTAL TRAILWAYS, INC., 300 South Broadway Avenue, Wichita, KS 67201, filed January 10, 1972. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage, and express and newspapers* in the same vehicle with passengers, over a deviation route as follows: From junction U.S. Highway 54 and Interstate Highway 57 near Onarga, Ill., over Interstate Highway 57 to junction Interstate Highway 72, thence over Interstate Highway 72 to junction Illinois Highway 47, thence over Illinois Highway 47 to junction Illinois Highway 48 near Cisco, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Chicago, Ill., over U.S. Highway 41 to Hammond, Ind., thence over U.S. Highway 6 to Harvey, Ill. (also from Hammond over Sibley Boulevard to Harvey), thence over U.S. Highway 54 via Kankakee, Ill. to junction Illinois Highway 115, thence over Illinois Highway 115 to junction U.S. Highway 54, thence over U.S. Highway 54 to Fullerton, Ill., thence over Illinois Highway 48 to junction U.S. Highway 66, thence over U.S. Highway 66 via Litchfield, Ill., to junction unnumbered highway near Mount Olive, Ill., and return over the same route.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72–1155 Filed 1–25–72;8:50 am]

[Notice 3]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 21, 1972.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 CFR 1042.4(d)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(d)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(d)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's revised deviation rules-motor carriers of property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC–223 (Deviation No. 1), LOGAN VALLEY TRANSFER, INC., Lyons, Nebr. 68038, filed January 10, 1972. Carrier's representative: Winston W. Hurd, 2360 West County Road C, St. Paul, MN 55113. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (1) From Omaha, Nebr., over Interstate Highway 680 to junction Nebraska Highway 133, thence over Nebraska Highway 133 to junction U.S. Highway 30, thence over U.S. Highway 30 to Blair, Nebr., and (2) from Tekamah, Nebr., over U.S. Highway 73 to junction U.S. Highway 77 at or near Winnebago, Nebr., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over pertinent service routes as follows: (1) From Lyons, Nebr., over U.S. Highway 77 to junction Nebraska Highway 32, thence over Nebraska Highway 32 to Tekamah, Nebr., thence over U.S. Highway 73 to Omaha, Nebr., (2) from Lyons, Nebr., over U.S. Highway 77 to Fremont, Nebr., thence over U.S. Highway 275 to Omaha, Nebr., and (3) from Lyons, Nebr., over U.S. Highway 77 to Sioux City, Iowa, and return over the same routes.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72–1156 Filed 1–25–72;8:50 am]

[Notice 5]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 21, 1972.

The following publications are governed by the new special rule 247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable to the Commission.

APPLICATIONS ASSIGNED FOR ORAL HEARING

MOTOR CARRIERS OF PROPERTY

No. MC 107103 (Sub-No. 6) (Amendment), filed May 20, 1971, published in the FEDERAL REGISTER issue of June 10, 1971, and republished as amended this

issue. Applicant: ROBINSON CARTAGE CO., a corporation, 2712 Chicago Drive SW., Grand Rapids, MI 49509. Applicant's representative: Robert D. Schuler, One Woodward Avenue, Suite 1700, Detroit, MI 48226. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities*, the transportation of which because of size or weight require the use of special equipment or specialized handling, and *related machinery parts, and related contractors' materials and supplies* when their transportation is incidental to the transportation by carrier of commodities which because of size or weight require the use of special equipment or specialized handling, from points in Muskegan, Ottawa, and Kent Counties, Mich., and Holland, Mich., to points in the United States (except those in Alaska, Connecticut, Hawaii, Illinois, Wisconsin, Maryland, Massachusetts, Michigan, New Jersey, New York, Pennsylvania, and West Virginia), restricted: (1) Against the transportation of boats (2) to traffic originating at the named origin points (3) against the joinder of said authority with authority presently held by carrier with the purpose of performing a through service. NOTE: The purpose of this republication is (1) to reflect a change in the scope of the authority sought, and (2) include the hearing information. Hearing: Remains as assigned, February 28, 1972, at Chicago, Ill., location of hearing room will be by subsequent notice.

No. MC 118989 (Sub-No. 32) (republication), filed July 16, 1969, published in the FEDERAL REGISTER issue of August 14, 1969, and republished this issue. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, WI 53211. Applicant's representative: Robert H. Levy, 29 South La Salle Street, Chicago, IL 60603. A decision and order of the Commission, Review Board No. 2, dated December 9, 1971, and served January 18, 1972, finds: that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of containers, metal, paper, plastic, or composite (1) from the plant and warehouse sites of American Can Co., at Cook and Kane Counties, Ill., Hoopeston, Ill., Indianapolis and Austin, Ind., Detroit, Mich., Kansas City and St. Louis, Mo., Delaware, Ohio, and Milwaukee, Wis., to points in Illinois, Iowa, Indiana, Kansas, Kentucky, the Lower Peninsula of Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin; (2) from the plant and warehouse sites of Continental Can Co., at Cook County, Ill., Detroit, Mich., St. Louis, Mo., and Milwaukee, Wis., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, the Lower Peninsula of Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin; (3) (a) from the plant and warehouse sites of Inland Container Corp. at Cook County, Ill., Detroit, Mich., and Milwaukee, Wis., to points in Illinois, Indiana (except from Cook County), Iowa, Kansas, Kentucky, the Lower Peninsula of Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, Tennessee, and Wisconsin; and (b) from the plant and warehouse sites of Inland Container Corp. at St. Louis, Mo., to points in Tennessee, Ohio, Kentucky, and Indiana (except those on, south and west of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 50 to junction U.S. Highway 231, and thence along U.S. Highway 231 to the Indiana-Kentucky State line). Restriction: The above authority is restricted to the transportation of traffic orginating at and destined to the named points. The authority granted to applicant herein and that heretofore granted shall be construed as conferring only a single operating right, and shall not be severable by sale or otherwise. Because it is possible that other persons who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted to applicant will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 119531 (Sub-No. 120) (republication), filed July 24, 1969, published in the FEDERAL REGISTER issue of August 21, 1969, and republished this issue. Applicant: DIECKBRADER EXPRESS, INC., 5391 Wooster Road, Cincinnati, OH 45226. Applicant's representative: Charles W. Singer, 33 North Dearborn Street, Suite 1625, Chicago, IL 60602. A decision and order of the Commission, Review Board No. 2, dated December 9, 1971, and served January 18, 1972, finds: that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a common carrier by motor vehicle, over irregular routes, of containers, metal, paper, plastic, or composite (1) from the plant and warehouse sites of American Can Co., at Cook and Kane Counties, Ill.; Hoopeston, Ill., Indianapolis and Austin, Ind., Detroit, Mich., Kansas City and St. Louis, Mo., Delaware, Ohio, and Milwaukee, Wis., to points in Illinois, Iowa, Indiana, Kansas, Kentucky, the Lower Peninsula of Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin; (2) from the plant and warehouse sites of Continental Can Co. at Cook County, Ill., Detroit, Mich., St. Louis, Mo., and Milwaukee, Wis., to points in Illinois, Iowa, Indiana, Kansas, Kentucky, the Lower Peninsula of Michigan Minnesota, Missouri, Ohio, Tennessee, and Wisconsin; (3) (a) from the plant and warehouse sites of Inland Container Corp. at Cook County, Ill., Detroit, Mich., and Milwaukee, Wis., to points in Illinois, Indiana (except Cook County), Iowa, Kansas, Kentucky, the Lower Peninsula of Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin; and (b) from the plant and warehouse sites of Inland Container Corp. at St. Louis, Mo., to points in Tennessee, Ohio, Kentucky, Indiana (except those on, south and west of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 50 to junction U.S. Highway 231, and thence along U.S. Highway 231 to the Indiana-Kentucky State line). Restriction: The above authority is restricted to the transportation of traffic originating at and destined to the named points. The authority granted to applicant herein and that heretofore granted shall be construed as conferring only a single operating right, and shall not be severable by sale or otherwise. Because it is possible that other persons, who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described in the findings in this order, a notice of the authority actually granted to applicant will be published in the FEDERAL REGISTER and issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of such publication, during which period any proper party in interest may file a petition to reopen or for other appropriate relief setting forth in detail the precise manner in which it has been so prejudiced.

NOTICES OF FILING OF PETITIONS

No. MC 52598 (Notice of Filing of Petition to Modify Permit), filed December 29, 1971. Petitioner: SIOUX CITY REFRIGERATED EXPRESS, INC., Friend, Nebr. Petitioner's representative: David R. Parker, 300 NSEA Building, 14th and J Streets, Post Office Box 82028, Lincoln, NE 68501. Petitioner holds a permit in No. MC 52598, which reads as follows: Regular routes: *Fresh meats and packinghouse products*, from Sioux City, Iowa, to Chicago, Ill., serving no intermediate points: From Sioux City over unnumbered highway (formerly portion Iowa Highway 141) to junction Iowa Highway 141, thence over Iowa Highway 141 to Denison, Iowa, thence over U.S. Highway 30 to Aurora, Ill., thence over Illinois Highway 65 to junction U.S. Highway 34, and thence over U.S. Highway 34 to Chicago, and *Supplies and equipment used in the operation of packinghouses*, from Chicago, Ill., to Sioux City, Iowa, serving no intermediate points: From Chicago over the above-specified route to Sioux City. *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, from West Point, Nebr., to Chicago, Ill., serving no intermediate points: From West Point over U.S. Highway 275 to junction U.S. Highway 30, thence over U.S. Highway 30 to Aurora, Ill., thence over Illinois Highway 65 to junction U.S.

Highway 34, thence over U.S. Highway 34 to junction U.S. Highway 34, thence over U.S. Highway 34 to Chicago; and restriction: The service authorized immediately above is restricted to traffic originating at the plant of Iowa Beef Processors, Inc., of Dakota City, Nebr.

Such commodities as are used by meatpackers in the conduct of their businesses when destined to and for use by meatpackers, except commodities in bulk, from Chicago, Ill., to West Point, Nebr., serving no intermediate points: From Chicago over the route described next above to West Point. Restriction: The service authorized immediately above is restricted to traffic destined to the plant of Iowa Beef Processors, Inc., of Dakota City, Nebr. Restriction: The operations authorized herein are limited to a transportation service to be performed under a continuing contract, or contracts, with Iowa Beef Processors, Inc., of Dakota City, Nebr. By the instant petition, petitioner requests that its permit be modified to authorize the movement of the named commodities between the service points over irregular routes. In the alternative, petitioner requests that its permit be modified to permit alternate route operations over the interstate highway system connecting Sioux City, Iowa, and West Point, Nebr., with Chicago, Ill. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 96098 and Subs Nos. 28 and 46 (Notice of Filing of Petition To Add Name of Shipper), filed January 6, 1972. Petitioner: MILTON TRANSPORTATION, INC., Milton, Pa. Petitioner's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Petitioner holds authority in No. MC 96098 to transport, over irregular routes, *Printing paper*, from Urbana, Franklin, and Dayton, Ohio, to points in New York, New Jersey, Connecticut, and Pennsylvania, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized under the commodity description next above are limited to a transportation service to be performed, under a continuing contract or contracts, with St. Regis Paper Co. of New York, N.Y.; in *No. MC 96098 Sub-No. 28;* Irregular routes: *Printing paper*, from Urbana, Franklin, and Dayton, Ohio, to points in New York, New Jersey, Connecticut, and Pennsylvania, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract or contracts with St. Regis Paper Co. of New York, N.Y.; and in *MC-96098 Sub-No. 46;* irregular routes: *Printing paper, gummed paper, gummed paper tape, and paper backed with aluminum foil*, from Troy, Dayton, Urbana, and Franklin, Ohio, to points in Massachusetts, Rhode Island, Maryland, and the District of Columbia, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized herein are limited to a transportation service to be performed, under a continuing contract, or contracts, with St. Regis Paper Co., of New York, N.Y. By the instant petition, petitioner seeks permission to add the name of Howard Paper Mills, Inc. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 109373 (Notice of filing of petition for conversion and/or modification), filed January 3, 1972. Petitioner: NATIONAL TRUCKING, INC., 8110 La Porte Road, Houston, TX 77052. Petitioner's representative: Morgan Nesbitt, Post Office Box 275, Austin, TX 78767. Petitioner is authorized in No. MC 109373 to transport, over irregular routes, oil-field equipment, from Houston, Tex., to oil-field locations in Texas, with no transportation for compensation on return except as otherwise authorized, and between Houston, Tex., and oil-field locations in Louisiana. By the instant petition, petitioner prays that said certificate be converted and/or modified so as to authorize the transportation of: "Oil-field equipment (1) from Houston, Tex., to points in Texas, and (2) between Houston, Tex., and points in Louisiana". Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 115278 (Notice of filing of petition for modification, clarification and amendment of certificate), filed January 4, 1972. Petitioner: SIEGEL & COHEN EXPRESS, INC., Newark, N.J. Petitioner's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Petitioner holds a certificate in No. MC 115278 authorizing it to perform service in interstate or foreign commerce, over irregular routes, transporting: Wearing apparel, and materials and supplies used in the manufacture of wearing apparel, between New York, N.Y., on the one hand, and, on the other, points in New Jersey within 35 miles of New York, N.Y. By the instant petition, petitioner requests that an order be entered (a) to amend its certificate to read: Between points in the New York commercial zone, as defined by the Commission, on the one hand, and, on the other, points in New Jersey within 35 miles of New York, N.Y., or (b) the Commission issue an appropriate order that the petitioner be empowered and permitted to designate as its terminal area, all points within which local operations may be conducted in the New York, N.Y., commercial zone as defined by the Commission. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 115831 (Sub-No. 4), (Notice of filing of petition to modify certificate), filed December 1, 1971. Petitioner: TIDEWATER TRANSIT COMPANY, INC., Kinston, N.C. Petitioner holds authority in No. MC 115831 (Sub-No. 4) to conduct operations as a motor common carrier, over irregular routes, transporting: Liquid fertilizer and liquid fertilizer materials, in bulk, in tank vehicles, in seasonal operations, beginning on February 1 and ending on July 15 of each year, from points in North Carolina, to points in Virginia on and east of U.S. Highway 29, with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner requests the Commission to eliminate the dates February 1st and ending July 15th of each year, and permitting the above authority to be on a year round basis. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 118904 (Sub-No. 6) (Notice of filing of petition for the interpretation and determination of authority), filed January 11, 1972. Petitioner: MOBILE HOMES EXPRESS, LTD., Lawton, Okla. 73501. Petitioner's representative: I. E. Chenoweth, 3010 South Braden, Tulsa, OK 74114. Petitioner holds authority in No. MC 118904 (Sub-No. 6), to transport, over irregular routes, Trailers, designed to be drawn by passenger automobiles, initial movements, from Claremore, Okla., to points in the United States (including Alaska, but excepting Hawaii and Oklahoma), with no transportation for compensation on return except as otherwise authorized. By the instant petition, petitioner requests the Commission to make a determination of its certificate as to its authority or lack of authority to handle trailers, in initial movements, from Claremore, Okla., when such trailers are manufactured at a point other than Claremore, and when such is a through movement, on through billing as provided in its published tariffs from points of manufacture in originating carriers certificate to final authorized destination of petitioner. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 123283 (Sub-No. 1) (Notice of Filing of Petition To Change or Substitute Shippers To Be Served), filed December 30, 1971. Petitioner: CITY BEVERAGES, INC., Kent, Wash. Petitioner's representative: George R. LaBissoniere, 1424 Washington Building, Seattle, Wash. 98101. Petitioner holds authority in No. MC 123283 (Sub-No. 1),

as here pertinent, to transport malt beverages, malt beverage containers and cartons, bottle and can openers, and advertising matter, from Van Nuys, Calif., to Yakims, Wash., under contract with Crown Distributing Co.; to Bellingham under contract with Sound Beverage Distributors, Inc.; to Bremerton under contract with Pugent Sound Distributing Co.; to Anacortes under contract with Northwest Distributing Co., to Olympia under contract with Cammarano Bros., Inc.; to Aberdeen under contract with Henry Duncan; and Port Angeles under contract with Port Angeles Distributing Co. By the instant petition, petitioner seeks to withdraw and cancel and eliminate the existing authority and contract to Bellingham and substitute Crown Distributing Co. of Everett, Wash., City Beverages, Inc., of Kent, Wash., and Cammarano Bros., Inc., of Tacoma, Wash., in lieu of Sound Beverage Distributors, Inc., of Bellingham, Wash., Puget Sound Distributing Co. of Bremerton, Wash., and Port Angeles Distributing Co. of Port Angeles, Wash. The commodity description would remain the same. The origins would remain exactly the same in that it would be from Van Nuys, Calif., to the substituted destination points. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 127834 (Sub-No. 36) (Notice of Filing of Petition To Modify Certificate and Remove Restriction), filed November 26, 1971. Petitioner: CHEROKEE HAULING & RIGGINS, INC., Nashville, Tenn. Petitioner's representative: Fred F. Bradley, Courthouse, Frankfort, Ky. 40601. Petitioner holds authority in No. MC 127834 (Sub-No. 36), as follows: Common carrier, irregular routes, *Iron and Steel Articles*, from Nashville, Tenn., to points in Alabama, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Texas. Restricted to the transportation of shipments originating at Nashville, Tenn. (except shipments having a prior movement by rail or water), and destined to points in the named States. By the instant petition, petitioner seeks to modify its certificate by removing the above restriction insofar as it restricts transportation to shipments originating at Nashville, Tenn. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 128860 (correction) (Notice of Filing of Petition for Modification of Permit To Add Additional Contracting Shipper), filed November 10, 1971, published in FEDERAL REGISTER, issue of November 24, 1971, and republished as corrected this issue. Petitioner: LARRY'S EXPRESS, INC., Tomah, Wis. Petitioner's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Boulevard, Madison, WI 53705. Petitioner holds a permit in No. MC 128860 to conduct operations in interstate or foreign commerce, as a motor contract carrier, transporting, among other things: *Malt beverages and related advertising materials, and premiums, and malt beverage dispensing equipment* in mixed loads with malt beverages, from Denver, Colo., St. Louis, Mo., La Crosse, Wis., Chicago, Ill., South Bend, Ind., Detroit, Mich., New York, N.Y., and Newark, N.J., to Minneapolis, Minn., with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized above are limited to a transportation service to be performed under a continuing contract, or contracts, with Kuether Distributing Co. of Minneapolis, Minn. By the instant petition, petitioner seeks to enter into a continuing contract, or contracts with Capitol City Distributing Co., Inc., of St. Paul, Minn., to authorize operations as a contract motor carrier, over irregular routes, transporting: Malt beverages and related advertising materials, and premiums, and malt beverage dispensing equipment, in mixed loads with malt beverages, from St. Louis, Mo., La Crosse, Wis., Chicago, Ill., Detroit, Mich., and Newark, N.J., to St. Paul, Minn. Any interested person desiring to participate may file an original and six copies of his written representations, views, or arguments, in support of, or against the petition within 30 days from the date of this publication in the FEDERAL REGISTER. NOTE: The purpose of this republication is to add the correct name of the proposed shipper.

No. MC 129250 (Notice of Filing of Petition To Add a Shipper), filed December 13, 1971. Petitioner: T. D. WILLIAMS, doing business as TED WILLIAMS, Sterling, Colo. Petitioner's representative: Charles J. Kimball, 605 South 14th Street, Post Office Box 82028, Lincoln, NE 68501. Petitioner holds authority in permit No. MC 129250 over irregular routes authorizing the transportation of: *Soybean meal*, from Minneapolis, Minn., Fort Dodge, Des Moines, and Sioux City, Iowa, Lincoln, Nebr., and St. Joseph, Mo., to points in Boulder and Weld Counties, Colo., with no transportation for compensation on return except as otherwise authorized. *Feathermeal*, from points in Boulder City, Colo., to Omaha, Nebr., and points in Iowa, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized under the commodity descriptions in the two paragraphs next above are limited to a transportation service to be performed, under a continuing contract, or contracts, with Quality Poultry Products Co. of Denver, Colo. *Soybean meal*, from Minneapolis, Minn., Fort Dodge, Des Moines, and Sioux City, Iowa, Lincoln, Nebr., and St. Joseph, Mo., to points in Laramie, Albany, Platte, and Goshen Counties, Wyo., and points in that part of Colorado in and east of Conejos, Alamosa, Huerfano, Custer, Fremont, Park, Clear Creek, Gilpin, Boulder, and Larimer Counties, with no transportation for compensation on return except as otherwise authorized. Restriction: The operations authorized immediately above are limited to a transportation service to be performed, under a continuing contract, or contracts, with Williams Bros., of Sterling, Colo. By the instant petition, petitioner requests permission to enter into a contract with Cargill, Inc., as an additional contracting shipper. Any interested person desiring to participate may file an original and six copies of his written representations, views or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 129631 (Notice of Filing of Petition for Interpretation of Certificate or for Other Appropriate Relief), filed December 20, 1971. Petitioner: PACK TRANSPORT, INC., Post Office Box 17233, Salt Lake City, UT 84117. Petitioner's representative: Max D. Eliason, Post Office Box 2602, Salt Lake City, UT 84110. Petitioner holds Certificate No. MC 129631 authorizing (the part here pertinent) the transportation, over specified regular routes, of: Building materials, feed, seed, salt, machinery, and agricultural commodities, between Idaho Falls, Idaho, and Salt Lake City, Utah, serving the intermediate points of Pocatello, Inkom, and Blackfoot, Idaho, and Smithfield, Logan, and Odgen, Utah, and the off-route points of Rigby, Rexburg, and Spencer, Idaho, and those on U.S. Highway 91 within 15 miles north of Idaho Falls. By the instant petition, petitioner requests interpretation of this portion of its certificate, so as to make clear the extent of operating rights covered thereby. Petitioner suggests that the operating rights to which it is entitled include the following, as interpreted by present usage: "Building materials, construction materials, steel, foundry supplies, machinery (including tractors and stokers)." Feed, seed, salt, and agricultural commodities are not at issue here. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 134219 (Sub-No. 3), (Notice of filing of petition to add name of shipper), filed December 29, 1971. Petitioner: GEORGE V. D'AGOSTINO, doing business at AIRLIN TRUCKING CO., 213–217 Poinier Street, Newark, NJ 07114. Petitioner's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Petitioner holds authority in permit No. MC 134219 authorizing transportation, over irregular routes, of: *Iron and steel bars, rods, sheets, angles, and plates, and structural steel* (except iron and steel bars, rods, sheets, angles, and plates, and structural steel articles the transportation of which, because of size or weight requires special handling or equipment), between Harrison, N.J., on

the one hand, and, on the other, Philadelphia, Pa., and points in New York, except New York, N.Y., and points in the New York, N.Y., commercial zone, as defined by the Commission in 1 M.C.C. 665. Restricted: To continuing contract with Newark Steel Warehouse Co. By the instant petition, petitioner seeks to add the name of Framen International, Ltd., as a contracting shipper. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 134287 (Notice of filing of petition for waiver of Rule 1.101(e), for reconsideration, and for modification of certificates), filed December 28, 1971. Petitioner: BELLEVUE TRUCKING COMPANY, a corporation, Philadelphia, Pa. Petitioner's representative: A. David Millner, 744 Broad Street, Newark, NJ 07102. Petitioner holds authority in No. MC 134287 authorizing the transportation, over irregular routes, of: *Structural steel, steel plates, machinery, hot water heaters and boilers,* and *safes,* between points in New Jersey, New York, and Pennsylvania, within 200 miles of Newark, N.J. Restriction: The authority granted above is restricted against the handling of traffic moving to or from the plantsite of the Elliott Co. Division of Carrier Corp. at Jeannette, Pa. *Heavy machinery* requiring special equipment, between Newark, N.J., and points in Connecticut, Rhode Island, Massachusetts, Delaware, and Maryland, within 200 miles of Newark, N.J. Restriction: The authority granted herein shall be subject to the right of the Commission, which is hereby expressly reserved, to impose such terms, conditions, or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of section 210 of the Act. Any repetition in the statement of the authority granted herein shall not be construed as conferring more than one operating right. By the instant petition, petitioner seeks modification of its certificate, in that the commodity description be modified so as to read as follows: New or used machines and commodities, the transportation of which because of their size or weight require special handling or special equipment and related contractors materials, supplies, and equipment, when the transportation is incidental to the transportation by said carrier of commodities which by reason of size or weight require special handling or special equipment. Any interested person desiring to participate may file an original and six copies of his written representations, views, or argument in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATION FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 240 TO THE EXTENT APPLICABLE

No. MC 29120 (Sub-No. 135), filed December 28, 1971. Applicant: ALL-AMERICAN TRANSPORT, INC., 1500 Industrial Avenue, Sioux Falls, SD 57101. Applicant's representative: H. Lauren Lewis (same address as applicant). Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), (1) Between Morris and Chicago, Ill.: (a) From Morris over U.S. Highway 6 to Joliet, Ill., alternate U.S. Highway 66 to junction with U.S. Highway 66 and thence over U.S. Highway 66 to Chicago, and return over the same route, serving all intermediate points and the off-route point of Minooka, Ill.; (b) From Morris over Illinois Highway 47 to junction U.S. Highway 52, thence over U.S. Highway 52 to junction U.S. Highway 66, and thence over U.S. Highway 66 to Chicago, and return over the same route, serving all intermediate points and the off-route point of Minooka, Ill. NOTE: Common control may be involved. This is a matter directly related to MC-F-11418, published in the FEDERAL REGISTER issue of January 12, 1972. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-11412. (GARDINER'S EXPRESS, INC.—Purchase (Portion)—RICH'S EXPRESS, INC.), published in the January 5, 1972, issue of the FEDERAL REGISTER on page 121. Application filed January 14, 1972, for temporary authority under section 210a(b).

No. MC-F-11436. Authority sought for purchase by MILTON TRANSPORTATION, INC., Post Office Box 207, Milton, PA 17847, of the operating rights of MILTON TRUCKING, INC., Post Office Box 207, Milton, PA 17847, and for acquisition by RAY B. BOWERSOX, also of Milton, Pa., of control of such rights through the purchase. Applicants' attorney: George A. Olsen, 69 Tonnele Avenue, Jersey City, NJ 07306. Operating rights sought to be transferred: *Foodstuffs* (except in bulk), as a *contract carrier* over irregular routes, from Milton, Pa., to points in Connecticut, Massachusetts, Rhode Island, New Hampshire, Vermont, and Maine; *pulpboard,* from the plantsite of National Gypsum Co., near New Columbia, Pa., to Portsmouth, N.H., and points in Ohio, West Virginia, Virginia, Maryland, New York, New Jersey, Delaware, Connecticut, Massachusetts, and the District of Columbia; *scrap paper and materials and supplies* used in the manufacture and distribution of pulpboard, from points in the above-named destination States and the District of Columbia, to the plantsite of National Gypsum Co., near New Columbia, Pa., with restrictions. Vendee is authorized to operate as a *contract carrier* in Pennsylvania, New York, New Jersey, Maryland, Delaware, Ohio, Virginia, West Virginia, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, Indiana, Illinois, Michigan, Iowa, Kentucky, Missouri, North Carolina, Tennessee, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11437. Authority sought for purchase by GLENN McCLENDON TRUCKING COMPANY, INC., Post Office Drawer H, Lafayette, AL 36862, a portion of the operating rights of POOLE TRUCK LINE, INC., Post Office Drawer 500, Evergreen, AL 36401, and for acquisition by GLENN R. McCLENDON, also of Lafayette, Ala., of control of such rights through the purchase. Applicants' attorney: Robert E. Tate, Post Office Drawer 500, Evergreen, AL 36401. Operating rights sought to be transferred: *Paper and paper articles* and woodpulp (except woodpulp in bulk), as a *common carrier* over irregular routes, from points in McMinn County, Tenn. (except those points on U.S. Highway 41), to Louisville, Ky., and St. Louis, Mo., and points in Arkansas, Florida, Louisiana, Mississippi, Texas, and West Virginia; *paper and paper products,* from the plantsite of the Union Camp Corp. near Decatur, Ala., to points in Mississippi and Louisiana; *materials and supplies* (except commodities in bulk) used in the manufacture of paper and paper products, from points in Louisiana and Mississippi to the plantsite of Union Camp Corp. near Decatur, Ala. Vendee is authorized to operate as a *common carrier* in Georgia, Florida, Alabama, Mississippi, North Carolina, South Carolina, Tennessee, Arkansas, Louisiana, Texas, Kentucky, Indiana, Virginia, Arizona, Missouri, Oklahoma, New Mexico, and West Virginia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-11438. Authority sought for control and merger by NEEDHAM'S MOTOR SERVICE, INC., 2751 Brunswick Avenue, Trenton, NJ 08634, of the operating rights and property of ELKTON TRUCKING COMPANY, Post Office Box 349, Elkton, MD 21921, and for acquisition by DISTRIBUTION SYSTEMS, INC., 1918 Park Street, Alameda, CA, 94501, of control of such rights and property through the transaction. Applicants' attorney: R. Frederic Fisher, 311 California Street, San Francisco, CA 94104. Operating rights sought to be controlled and merged: *General commodities,* excepting among others, classes A and B explosives, household goods and commodities in bulk, as a *common carrier,* over regular routes, between Baltimore, Md., and New York, N.Y., via Camden, N.J., and also via Philadelphia, Pa., and between Elkton, Md., and junction Pennsylvania Highways 113 and 100, serving all intermediate points and off-route points in a defined area of Maryland, Pennsylvania, New Jersey, and Delaware,

with restriction; *general commodities*, excepting among others, classes A and B explosives, household goods and commodities in bulk, over irregular routes, between points within 8 miles of Baltimore, Md., including Baltimore; *lubricating oil*, in drums and cartons, from Bayonne, N.J., and Marcus Hook, Pa., to Chestertown, Md.; *cider, glass containers, barrels, apple juice, orange juice, pickles, apples, and peaches*, from Cheswold, Del., to New York, N.Y., Philadelphia, Pa., Baltimore, Md., and points in New Jersey; *spray materials*, from Camden, N.J., to Cheswold, Del.; *machinery*, from New York, N.Y., to Cheswold, Del.; *wooden tanks*, from Philadelphia, Pa., to Cheswold, Del.; *asphalt*, from Philadelphia, Pa., and Camden, N.J., to Cheswold, Del.; *tin cans*, from Baltimore, Md., to Cheswold, Del.; *coal*, from Pottsville, Pa., to points in Delaware and Maryland within 15 miles of Dover, Del.; *milk products*, from points in Maryland within 50 miles of Baltimore, Md., including Baltimore to Richmond, Va., Mount Holly, N.J., points in Delaware, and those in that part of New Jersey on and south of New Jersey Highway 40; *canned goods*, from points in Adams, York, Chester, and Lancaster Counties, Pa., those in Delaware on the Delmarva Peninsula, and those in a defined area of Maryland to points in Delaware, Maryland, New York, New Jersey, Pennsylvania, Virginia, and the District of Columbia. NEEDHAM'S MOTOR SERVICE, INC., is authorized to operate as a *common carrier* in New Jersey, New York, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC-F-11439. Authority sought for purchase by NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, CO 80223, of the operating rights of T. G. GARLAND, doing business as B & W FREIGHT LINES, Post Office Box 2884, 200 North Buchanan Street, Amarillo, TX 79105, and for acquisition by UNITED TRANSPORTATION INVESTMENT COMPANY, and in turn by DAVID H. RATNER, both of 310 South Michigan Avenue, Chicago, IL 60604, of control of such rights through the purchase. Applicants' attorney: Jack Goodman, 39 South LaSalle Street, Chicago, IL 60603. Operating rights sought to be transferred: *General commodities*, as a *common carrier*, over regular routes, between Amarillo, Tex., and Dodson, Tex., serving the intermediate points of Quail and Wellington, Tex., with restriction; *general commodities*, excepting among others, classes A and B explosives, and commodities in bulk, between Amarillo, Tex., and Clinton-Sherman Air Force Base, Okla., serving the termini and all intermediate points in Oklahoma, and the off-route point of Norrick, Tex. Vendee is authorized to operate as a *common carrier*, in New Mexico, California, Arizona, Texas, Colorado, Illinois, Missouri, Nebraska, Nevada, Indiana, Oklahoma, Iowa, Kansas, Utah, Louisiana, Maryland, Arkansas, Florida, New York, Tennessee, Wyoming, Connecticut, New Jersey, and Massachusetts. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-1157 Filed 1-25-72;8:50 am]

[Notice 12]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

JANUARY 21, 1972.

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 1756 (Sub-No. 19 TA), filed January 12, 1972. Applicant: PEOPLES EXPRESS CO., 497 Raymond Boulevard, Newark, NJ 07105. Applicant's representative: Bert Collins, 140 Cedar Street, New York, NY 10006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers and container ends;* between Edison Township, N.J., and Williamansett, Mass., for 180 days. Supporting shipper: Kaiser Aluminum & Chemical Corp., 300 Lakeside Drive, Oaklans, CA 94604. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 59264 (Sub-No. 52 TA), filed January 11, 1972. Applicant: SMITH & SOLOMON TRUCKING COMPANY, How Lane, New Brunswick, N.J. 08902. Applicant's representative: Zelby & Berstein, 30 Church Street, New York, NY 10007. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty plastic bottles*, in containers, from the plantsite of Graham Engineering at York, Pa., to the plantsite of the Clorox Co. at Jersey City, N.J., for 150 days. Supporting shipper: The Clorox Co., General Offices, 7901 Oakport Street, Oakport, CA 94621. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 111401 (Sub-No. 357 TA), filed January 11, 1972. Applicant: GROENDYKE TRANSPORT, INC., Post Office Box 632, 2510 Rock Island Boulevard, Enid, OK 73701. Applicant's representative: Victor Comstock (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oil*, in bulk, in tank vehicles, from the Continental Oil Co., Ponca City, Okla., to Franklin Oil Co., Caldwell, Idaho, with a stop to part unload at Willis-Shaw Trucking, Boise, Idaho, for 180 days. Supporting shipper: Western Hemisphere Petroleum, Division Continental Oil Co., B. P. Thompson, Supervisor, Petroleum Transportation, Post Office Box 1267, Ponca, OK 74601. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 111401 (Sub-No. 358 TA), filed January 11, 1972. Applicant: GROENDYKE TRANSPORT, INC., Post Office Box 632, 2510 Rock Island Boulevard, Enid, OK 73701. Applicant's representative: Victor R. Comstock (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer materials*, from the Port of Catoosa, Okla., to points in Arkansas, Kansas, Missouri, Oklahoma, and Texas, for 180 days. Supporting shipper: Willchemco, Inc., J. J. Stefanec, Traffic Manager, National Bank of Tulsa Building, Tulsa, Okla. 74103. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK.

No. MC 114533 (Sub-No. 247 TA), filed January 14, 1972. 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: (1) *Laboratory specimens and reports*, between Wichita, Kans., on the one hand, and, on the other, points in the counties of Grant, Kay, Nowata, Ottawa, Craig, Delaware, Noble, Payne, Garfield, Woods, Harper, Beaver, Texas, Cimarron, Oklahoma, and Woodward, Okla.; (2) *microbiological supplies* used by hospitals and clinics, between Wichita, Kans., on the one hand, and, on the other, points in the counties of Grant, Kay, Nowata, Ottawa, Craig, Delaware, Noble, Payne, Garfield, Woods, Harper, Beaver, Texas, Cimarron, Oklahoma, and Woodward, Okla.; (3) *exposed and processed film and prints, complimentary replacement film, and incidental dealer handling supplies* (except motion picture films and materials and supplies used in

connection with commercial and television motion pictures), *cameras, and projectors,* between Wichita, Kans., on the one hand, and, on the other, points in the counties of Grant, Kay, Nowata, Ottawa, Craig, Delaware, Noble, Payne, Garfield, Woods, Harper, Beaver, Texas, Cimarron, Oklahoma, and Woodward, Okla.; and (4) *restorative dentistry products,* (a) between Wichita, Kans., on the one hand, and, on the other, points in the counties of Grant, Kay, Nowata, Ottawa, Craig, Delaware, Noble, Payne, Garfield, Woods, Harper, Beaver, Texas, Cimarron, Oklahoma, and Woodward, Okla.; (b) between Topeka, Kans., on the one hand, and, on the other, points in the counties of Texas, Beaver, Woodward, Blaine, Kingfisher, Candian, Garfield, Grant, Kay, Payne, Osage, Washington, Ottawa, Cherokee, Muskogee, Tulsa, Okmulgee, McIntosh, Oklahoma, Pottawatomie, Cleveland, McClaine, Garvin, Stephens, Comanche, Jackson, Greer, Kiowa, Caddo, and Custer, Okla.; (c) between Wichita, Kans., on the one hand, and, on the other, points in Oklahoma; and (d) between Topeka, Kans., on the one hand, and, on the other, points in Oklahoma located in the northern half of the State, for 180 days. Supporting shippers: Statlabs Inc., Post Office Box 2180, Wichita, KS 67201; Carr Microbialogicals, Post Office Box 2180, Wichita, KS 67201; Photo Service, 1024 South Broadway, Wichita, KS 67211; Kaylor Dental Lab Inc., Post Office Box 1957, Wichita, KS; Heumann & Associates Dental Lab, 520 East Fifth Street, Topeka, KS 66601; Pearce Turk Dental Lab, 201 North Emporia, Wichita, KS; Dental Studios, Ltd., Post Office Box 1243, Topeka, KS 66601. Send protests to: District Supervisor Robert G. Anderson, Interstate Commerce Commission, Bureau of Operations, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 114533 (Sub-No. 248 TA), filed January 14, 1972. 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: (1) *Proofs, cuts, copy, and other graphic arts material,* between South Bend, Ind., on the one hand, and, on the other, points in Michigan, Illinois, Ohio, and Wisconsin; (2) *exposed and processed film and prints, complimentary replacement film and incidental dealer handling supplies* (except motion picture films and materials and supplies used in connection with commercial and television motion pictures), between Racine, Wis., on the one hand, and, on the other, points in Illinois, Wisconsin, Michigan, Indiana, and Missouri; and (3) *Audit media and other business records* (a) between Will County, Ill., on the one hand, and, on the other, points in Illinois, Wisconsin, Indiana, Michigan, and Ohio; (b) between Elmhurst, Ill., on the one hand, and, on the other, points in Indiana, Michigan, and Ohio; (c) between Bloomingdale, Ill., on the one hand, and, on the other, Winamac, Ind.; (d) between Elk Grove Village, Ill., on the one hand, and, on the other, Milwaukee, Wis.; (e) between Lima, Ohio, on the one hand, and, on the other, points in Indiana, Illinois, Michigan, Wisconsin, and Ohio; (f) between Milwaukee, Wis., on the one hand, and, on the other, Carol Stream, Ill.; (g) between Glenview, Ill., on the one hand, and, on the other, points in Indiana, Michigan, Wisconsin, and Ohio; and (h) between Aurora, Ill., on the one hand, and, on the other, points in Indiana, Michigan, Wisconsin, and Ohio, for 180 days. Supporting shippers: Massberg & Co., Inc., 301 East Sample Street, South Bend, IN 46623; Orlo Photo Service, 1230 Racine Street, Racine, WI 53403; Mobil Oil Corp., Post Office Box 5553, Milwaukee, WI 53201; Matheson Scientific, 1850 Greenleaf, Elk Grove Village, IL 60007; Clark Equipment Co., 324 East Dewey Avenue, Buchanan, MI 49107; Frito-Lay Inc., 188 Industrial Drive, Elmhurst, IL 60126; Plymouth Tube, Bloomingdale, Ill. 60108; Clark Equipment Co., 601 North Farnsworth Avenue, Aurora, IL 60507; Moore Business Forms, Park Ridge, Ill.; Crown Zellerback Corp., 139 East Fullerton Avenue, Carol Stream, IL 60187. Send protests to: District Supervisor R. Anderson, Interstate Commerce Commission, Bureau of Operations, Everett McKinley Dirksen Building, 219 South Dearborn Street, Room 1086, Chicago, IL 60604.

No. MC 117765 (Sub-No. 141 TA), filed January 11, 1972. Applicant: HAHN TRUCK LINE, INC., 5315 Northwest Fifth Street, Post Office Box 75267, Oklahoma City, OK 73107. Applicant's representative: R. E. Hagan (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials,* from the port of Catoosa, Okla., to points in Arkansas, Kansas, Missouri, Oklahoma, and Texas, for 180 days. Supporting shipper: J. J. Stefanec, Traffic Manager, Willchemco, Inc., National Bank of Tulsa Building, Tulsa, Okla. 74103. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, 215 Northwest Third, Oklahoma City, OK 73102.

No. MC 117799 (Sub-No. 23 TA), filed January 11, 1972. Applicant: BEST WAY FROZEN EXPRESS, INC., Room 205, 3033 Excelsior Boulevard, Minneapolis, MN 55416. Applicant's representative: K. O. Petrick (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Dairy products,* from Cartage, Mo., to Landover, Md., for 150 days. Supporting shipper: Safeway Stores, Inc., Post Office Box 2225, Fitchburg Station, Oakland, CA 94621. Send protests to: A. N. Spath, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 448 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, MN 55401.

No. MC 118159 (Sub-No. 118 TA), filed January 11, 1972. Applicant: EVERETT LOWRANCE, INC., 4916 Jefferson Highway, Post Office Box 10216, New Orleans, LA 70121. Applicant's representative: Jack R. Anderson, 1925 National Plaza, Tulsa, Okla. 74151. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Prepared animal food,* from the plantsite and/or warehouse facilities of Lipton Pet Foods at Golden Meadow, Lockport, or New Orleans, La., to points in Florida, for 180 days. Supporting shipper: Lipton Pet Foods, Inc., Box 89–209, New Boston Street, Woburn, MA 01801. Send protests to: Paul D. Collins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, T–4009 Federal Building, 701 Loyola Avenue, New Orleans, LA 70113.

No. MC 125474 (Sub-No. 33 TA), filed January 13, 1972. Applicant: BULK HAULERS, INC., Post Office Box 3601, U.S. Highway 421 Number, Wilmington, NC 28401. Applicant's representative: Ralph G. Simmons (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Glycols,* in bulk, in tank vehicles, from Wilmington, N.C., to points in South Carolina, Virginia, West Virginia, Tennessee, Georgia, and Florida, for 180 days. Supporting shipper: PPG Industries, Inc., One Gateway Center, Pittsburgh, Pa. 15222. Send protests to: Archie W. Andrews, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Post Office Box 26896, Raleigh, NC 27611.

No. MC 126049 (Sub-No. 10 TA), filed January 11, 1972. Applicant: DODEN TRUCKING COMPANY, INC., Woden, Iowa 50484. Applicant's representative: Clayton L. Wornson, 206 Brick and Tile Building, Mason City, Iowa 50401. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Bulk and packaged ice cream, ice milk and sherbet and ice cream, ice milk, sherbet and fruit flavored novelty items,* from Mason City, Iowa to Pekin, Ill., for 180 days. Supporting shipper: Borden Dairy & Services Division Borden, Inc., 115 First Street SW., Mason City, IA 50401. Send protests to: Herbert W. Allen, Transportation Specialist, Interstate Commerce Commission, Bureau of Operations, 677 Federal Building, Des Moines, Iowa 50309.

No. MC 128375 (Sub-No. 79 TA), filed January 11, 1972. Applicant: CRETE CARRIER CORPORATION, Post Office Box 249, 1444 Main, Crete, NE 68333. Applicant's representative: Duane W. Acklie, Box 80806, Lincoln, NE 68501. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Such merchandise* as is marketed by home products distributors, from the warehouse and storage facilities of Amway Corp. located in the Dallas, Tex., commercial zone to points in Texas, New Mexico, Arizona, Colorado, Missouri, Oklahoma,

Arkansas, Louisiana, and Kansas, for 180 days. Supporting shipper: Michael La Monde, Traffic Manager, Amway Corp., 7575 East Fulton Road, Ada, MI 49301. Send protests to: Max H. Johnston, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 320 Federal Building and Courthouse, Lincoln, Nebr. 68508.

No. MC 129350 (Sub-No. 20 TA), filed December 28, 1971. Applicant: CHARLES E. WOLFE, doing business as EVERGREEN EXPRESS, Post Office Box 212, 410 North 10th Street (59101), Billings, MT 59103. Applicant's representative: J. F. Meglen, Post Office Box 1581, Billings, MT 59103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and prefabricated iron and steel products*, from Britt and Cedar Falls, Iowa; Chicago, Mortan, and Taylorville, Ill., Minneapolis, Minn., Kansas City, Mo., and Spokane, Wash., to points in Idaho, Montana, and Wyoming, for 180 days. Supporting shipper: Lord Equipment Co., 101 South 32d Street, Billings, MT 59101. Send protests to: Paul J. Labane, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 251, U.S. Post Office Building, Billings, Mont. 59101.

No. MC 133123 (Sub-No. 5 TA), filed January 11, 1972. Applicant: RUJAC TRUCKING CORP., 1133 Sixth Avenue, New York City, NY 10009. Applicant's representative: Morris Honig, 150 Broadway, New York, NY. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Electrical goods*, containerized and noncontainerized from New York, N.Y., commercial zone as defined in 53 MCC 451, and Port Elizabeth and Port Newark, N.J., to Albany, N.Y., for 180 days. Supporting shipper: Panasonic New York, Division of Matsushita Electric, Corporation of America, 43–30 24th Street, Long Island City, NY 11101, Attention: Herbert Cadel. Send protests to: Stephen P. Tomany, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, Room 1807, New York, N.Y. 10007.

No. MC 134308 (Sub-No. 5 TA), filed January 11, 1972. Applicant: CADDO EXPRESS, INC., 1016 Southwest Second, Oklahoma City, OK 73125. Applicant's representative: David D. Brunson, 419 Northwest Sixth Street, Oklahoma City, OK 73102. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Elmwood Okla., and Felt, Okla., via Oklahoma Highway 3, for 180 days. NOTE: Applicant will tack and interline with other carriers at Woodward, Okla. Supporting shippers: Andy's Iron & Supply Co., Guymon, Okla.; Friendly Service Corner, Guymon, Okla.; Hinchley Ford, Inc., Guymon, Okla.; Home Lumber & Supply, Guymon, Okla.; W. E. Bland Hardware Co., Guymon, Okla. Send protests to: C. L. Phillips, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 240, Old Post Office Building, Oklahoma City, Okla. 73102.

No. MC 134404 (Sub-No. 3 TA), filed January 11, 1972. Applicant: AMERICAN TRANS-FREIGHT, INC., 33 Circle Drive, North, Piscataway, NJ 08854. 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: *Plastic plumbing fixtures*, including but not limited to plastic bath tubs, shower stalls, equipment, supplies and accessories, from the plantsite of American Standard, Inc., at Richmond, Mich., to points in Illinois, Indiana, Michigan, Kentucky, West Virginia, Wisconsin, Minnesota, Iowa, Ohio, North Dakota, South Dakota, Missouri, Tennessee, Arkansas, Louisiana, Mississippi, Texas, Kansas, Nebraska, New York (on and west of Highway 14), and Pennsylvania (on and west of Highway 15). Restriction: The above service is to be performed under contract with American Standard, Inc., for 180 days. Supporting shipper: American Standard, Inc., Corporate Traffic Department, Post Office Box 2003, New Brunswick, N.J. Send protests to: District Supervisor Robert S. H. Vance, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, NJ 07102.

No. MC 136323 TA, filed January 11, 1972. Applicant: STEPHEN BERMAN, c/o INSTRUMENTS SYSTEMS CORPORATION, 410 Jericho Turnpike, Jericho, NY 11753. 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: *Mouldings*, from Northvale, N.J., to points in the New York, N.Y., commercial zone as described by the Commission, points in Nassau, Suffolk, and Westchester Counties, N.Y., for 150 days. Supporting shipper: Instruments Systems Corp., 410 Jericho Turnpike, Jericho, NY 11753. Send protests to: Anthony Chiusano, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, NY 10007.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72-1158 Filed 1-25-72;8:50 am]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 21, 1972.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

North Carolina State Docket No. T-681 (Sub-No. 34), filed December 31, 1971. Applicant: HELMS MOTOR EXPRESS, INC., Post Office Drawer 700, Albemarle, NC 28001. Applicant's representative: Bailey, Dixon, Wooten, and McDonald, Post Office Box 2246, Raleigh, NC 27602. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *General commodities*, except those requiring special equipment serving Richmont Fabbrics Inc. plantsite 6 miles south of Mount Gilead, N.C., on North Carolina Highway 109 as an off-route point out of either Mount Gilead or Wadesboro, N.C. Both intrastate and interstate authority sought.

HEARING: February 29, 1972, 2 p.m., North Carolina Utilities Commission Hearing Room, Ruffin Building, One West Morgan Street, Raleigh, NC. Requests for procedural information including the time for filing protests concerning this application should be addressed to the North Carolina Utilities Commisson, Post Office Box 991, Raleigh, NC 27602, and should not be directed to the Interstate Commerce Commission.

State Docket No. CPC A-2061 filed November 19, 1971. Applicant: ALVIN J. KUEMMERLIN, doing business as KUEMMERLIN ENTERPRISES, Post Office Box 15525, Las Vegas, NV 89114. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, between Las Vegas, Nev. and Lincoln County points, including, but not limited to, Caliente, Hiko, Pioche, Panaca, and Alamo, Nev. Both intrastate and interstate authority sought.

HEARING: Date, time, and place not shown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Public Service Commission of Nevada, 222 East Washington Street, Carson City, NV 89701 and should not be directed to the Interstate Commerce Commission.

State Docket No. CPC A-2144 filed May 10, 1971. Applicant: MARK IV CORPORATION, doing business as TRI-COUNTY BUS LINES, 3925 Alto Drive, Las Vegas, NV 89110. Applicant's representative: Robert Cohen, 229 North Third Street, Las Vegas, NV 89101. Convenience of public convenience and necessity sought to operate a service as

follows: Transportation of *Passengers and light express*, through the use of buses and standby limousines, between Las Vegas and Ely, Nev., via Interstate Highway 15 and thence over State Route No. 7 to regular route U.S. Highway 93. No service to Glendale, Nev., from Las Vegas, Nev., unless through tickets to points north of Glendale, Nev.

HEARING: Date, time, and place not shown. Requests for procedural information including the time for filing protests concerning this application should be addressed to the Public Service Commission of Nevada, 222 East Washington Street, Carson City, NV 89701 and should not be directed to the Interstate Commerce Commission.

Utah State Docket No. 4599 (Sub-No. 1) filed December 9, 1971. Applicant: BILL'S MOVING, INC., doing business as PIONEER MOVING & STORAGE, 471 West Fifth South, Salt Lake City, UT 84101. Applicant's representative: Irene Warr, 419 Judge Building, Salt Lake City, Utah 84111. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *new furniture and appliances*, between all points in the State of Utah. Both intrastate and interstate authority sought.

HEARING: March 23, 1972, 10 a.m., 330 East Fourth South Street, Salt Lake City, UT 84111. Requests for procedural information including the time for filing protests concerning this application should be addressed to the State of Utah Department of Business Regulation, 330 East Fourth South, Salt Lake City, UT 84111, and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-1154 Filed 1-25-72;8:50 am]

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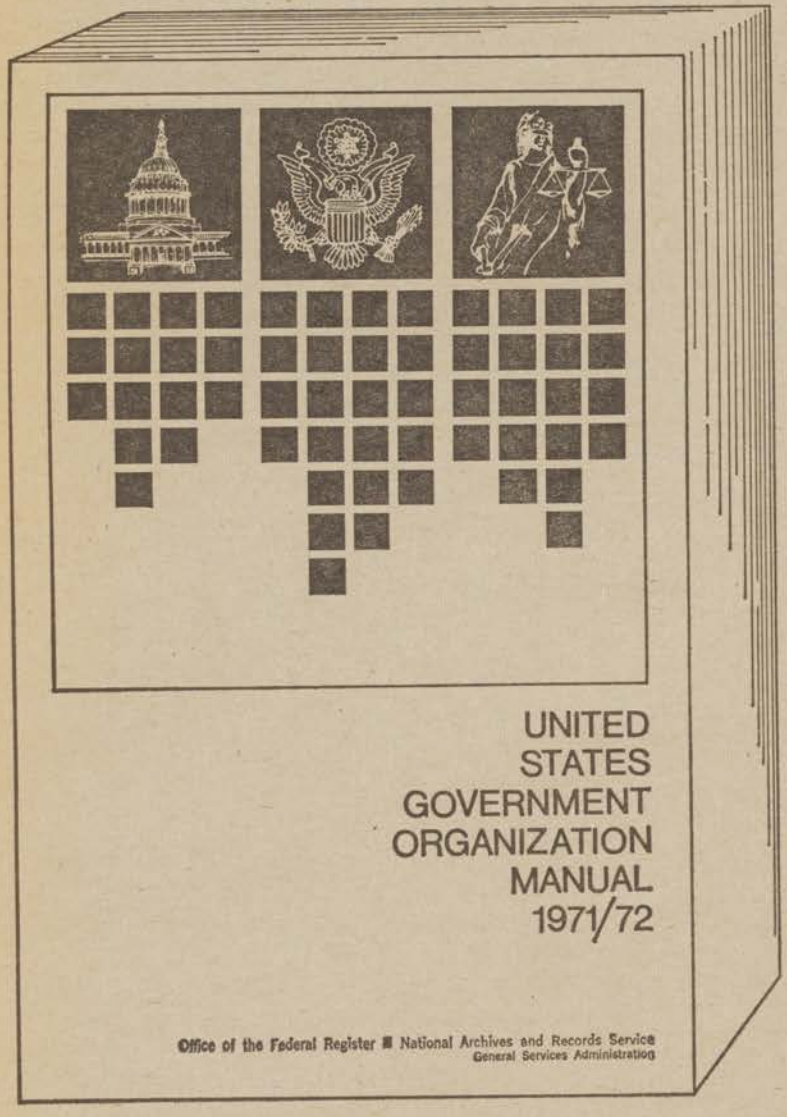

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