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Title 3—The President

PROCLAMATION 4105

National Safe Boating Week, 1972

By the President of the United States of America

A Proclamation

Boating on our Nation's waterways has become a source of recreational pleasure for a rapidly increasing number of Americans. Increased use means more enjoyment for more people, but it carries with it an increased responsibility as well. Those who use our waterways must take greater care to observe the rules of good seamanship and of boating safety.

To focus national attention on the need for safe boating practices, the Congress, by a joint resolution approved June 4, 1958 (72 Stat. 179), requested the President to proclaim annually the week which includes July 4 as National Safe Boating Week.

NOW, THEREFORE, I, RICHARD NIXON, President of the United States of America, do hereby designate the week beginning July 2, 1972, as National Safe Boating Week.

Many boating tragedies could be avoided through education and common sense. I urge all Americans who use our waterways to take advantage of the numerous boating safety courses offered by governmental and private organizations, such as the United States Coast Guard, the Coast Guard Auxiliary, the United States Power Squadrons, the American Red Cross, and various State agencies.

Last August I signed into law the Federal Boat Safety Act of 1971, designed to improve boating safety and to encourage State participation in boating safety efforts. I invite the Governors of the States, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa, and the Commissioner of the District of Columbia to cooperate in implementing that act, and in providing for the observance of National Safe Boating Week.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of February, in the year of our Lord nineteen hundred seventy-two, and of the Independence of the United States of America the one hundred ninety-sixth.

[FR Doc.72-1918 Filed 2-7-72; 11:15 am]

Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAMS

[Amdt. 1]

PART 701—NATIONAL RURAL ENVIRONMENTAL ASSISTANCE PROGRAM FOR 1971 AND SUBSEQUENT YEARS

Miscellaneous Amendments

On September 11, 1971, interested persons were invited to submit proposals and views concerning the Rural Environmental Assistance Program for 1972 (36 F.R. 18289). The responses received have been duly considered in the formulation of this amendment.

This amendment is issued pursuant to the provisions of the Soil Conservation and Domestic Allotment Act, as amended. The basis and purposes of the amendment are as follows:

1. Allocates funds among the States for 1972.

2. Makes ineligible for participation States and State agencies.

3. Makes changes in the practices to be performed under the program so as to place continued emphasis on measures which will result in public and communitywide benefits, including the reduction of agriculture-related pollution problems and long-range protection and enhancement of soil, water, woodland, and wildlife resources. The changes include (a) the combination of practices serving comparable purposes; (b) the deletion of practices B–3 (controlling competitive shrubs) and B–4 (mechanical treatment of noncrop grazing land) because of their production-related aspects; (c) the addition of practice C–8 (streambank or shore protection) for use under pooling agreements and special projects which will provide communitywide benefits; and (d) an increase in the maximum rate of cost-sharing from 30 percent to 50 percent for practices for the development of springs and the installation of pipelines for livestock water (B–5) and for spreader ditches and dikes (C–5).

5. Incorporates by reference the regulations in Part 796 prohibiting the making of payments to program participants who harvest or knowingly permit to be harvested for illegal use marihuana or other such prohibited drug-producing plants on any part of the lands owned or controlled by them.

6. Provides minor technical changes in the administration of the program.

The regulations governing the National Rural Environmental Assistance Program for 1971 and Subsequent Years, 36 F.R. 18289, are hereby amended effective with respect to the 1972 program year as follows:

1. Section 701.3 is amended by revising the first sentences of paragraphs (c) and (f) to read as follows:

§ 701.3 Definitions.

* * * * *

(c) "Person," or "farmer," or "rancher" means an individual, partnership, association, corporation, estate, trust, or other business enterprise, or other legal entity (excluding Federal agencies, States, and State agencies, but not excluding political subdivisions of a State) that, as owner, landlord, tenant, or sharecropper, participates in the operation of a farm or ranch. * * *

* * * * *

(f) "State program development group" means the State committee, the State director of extension, the State conservationist of the Soil Conservation Service, and the Forest Service official having jurisdiction of farm forestry in the State. * * *

* * * * *

2. Section 701.4 is amended by adding a new paragraph (d) to read as follows:

§ 701.4 State funds.

* * * * *

(d) The allocation of funds among the States for 1972 is as follows:

Alabama	$4,964,000
Alaska	101,000
Arizona	1,600,000
Arkansas	4,226,000
California	5,062,000
Colorado	3,887,000
Connecticut	389,000
Delaware	262,000
Florida	3,440,000
Georgia	5,965,000
Hawaii	247,000
Idaho	2,165,000
Illinois	7,151,000
Indiana	4,756,000
Iowa	7,860,000
Kansas	6,355,000
Kentucky	5,788,000
Louisiana	3,880,000
Maine	1,220,000
Maryland	1,141,000
Massachusetts	454,000
Michigan	4,247,000
Minnesota	6,061,000
Mississippi	5,350,000
Missouri	7,462,000
Montana	5,010,000
Nebraska	5,220,000
Nevada	693,000
New Hampshire	454,000
New Jersey	624,000
New Mexico	2,245,000
New York	4,429,000
North Carolina	5,337,000
North Dakota	5,092,000
Ohio	4,937,000
Oklahoma	5,930,000
Oregon	2,706,000
Pennsylvania	4,091,000
Puerto Rico	702,000
Rhode Island	65,000
South Carolina	3,035,000
South Dakota	3,964,000
Tennessee	4,608,000
Texas	17,450,000
Utah	1,378,000
Vermont	901,000
Virginia	3,698,000
Virgin Islands	14,000
Washington	2,934,000
West Virginia	1,456,000
Wisconsin	5,048,000
Wyoming	1,946,000
Total	188,000,000

§ 701.8 [Amended]

3. Section 701.8 is amended by striking out in the third sentence the words "the State agency having responsibility for wildlife conservation" and substituting the words "the State and Federal agencies having responsibility for wildlife conservation".

4. Section 701.13 is amended by revising paragraph (a) to read as follows:

§ 701.13 Use of liming materials and commercial fertilizers for vegetative cover.

(a) Cost-sharing for liming materials and fertilizer shall be limited to the minimum application needed for successful establishment or improvement of the eligible vegetative cover. The minimum application shall be determined on the basis of a soil test as prescribed in instructions issued by the Deputy Administrator.

* * * * *

5. Section 701.14 is amended by revising the first sentence of paragraph (b) to read as follows:

§ 701.14 Responsibility for technical phases of practices.

* * * * *

(b) The Forest Service is responsible for the technical phases of practices A–7 (for plantings primarily for the production of forest products) and B–10 (§§ 701.71(d) and 701.72(d)). * * *

6. Section 701.15 is amended by revising the second sentence of paragraph (a) to read as follows:

§ 701.15 Rates of cost-sharing.

(a) * * * Rates of cost-sharing shall not be in excess of 50 percent of the average cost (30 percent of the average cost for practices C–12, D–1, E–1, and E–2 (§§ 701.73(d), 701.74, and 701.75 (a) and (b)) and 80 percent of the average cost for practices (A–7 and B–10 (§§ 701.71(d) and 701.72(d)) of performing the practices, except that higher rates of cost-sharing may be approved by the Director, Conservation and Land Use Programs Division, ASCS, for high priority

practices which have enduring conservation and pollution abatement benefits.

* * * * *

§ 701.22 [Amended]

7. Section 701.22 is amended by striking out in the first sentence the words "and other practices where the farmer or rancher establishes that he intended to file a prior request for cost-sharing but was prevented from doing so for reasons beyond his control".

§ 701.27 [Amended]

7a. Section 701.27 is amended by changing the reference to "§ 701.71(e)" in paragraph (a) to "§ 701.71(d)".

8. Section 701.59 is amended by adding a new paragraph (c) to read as follows:

§ 701.59 Availability of funds.

* * * * *

(c) The regulations in Part 796 of this chapter prohibiting the making of payments to program participants who harvest or knowingly permit to be harvested for illegal use, marihuana or other such prohibited drug-producing plants on any part of the lands owned or controlled by them are applicable to this program.

9. Section 701.60 is amended by revising paragraph (b) to read as follows:

§ 701.60 Program applicability.

* * * * *

(b) The program is not applicable to: (1) Any department or bureau of the U.S. Government or any corporation wholly owned by the United States; (2) any State or State agency (other than political subdivisions of a State); (3) noncropland owned by the United States which was acquired or reserved for conservation purposes, or which is to be retained permanently under Government ownership, including, but not limited to, grazing lands administered by the Forest Service of the U.S. Department of Agriculture, or by the Bureau of Land Management (including lands administered under the Taylor Grazing Act), or the Fish and Wildlife Service of the U.S. Department of the Interior, except as indicated in paragraph (a)(7) of this section; and (4) nonprivate persons for performance on any land owned by the United States or a corporation wholly owned by it.

10. Section 701.71 is amended by deleting paragraphs (d) and (f), redesignating paragraph (e) as paragraph (d), and revising paragraph (c) to read as follows:

§ 701.71 Practices primarily for establishment of permanent protective cover.

* * * * *

(c) *Practice A–5.* Establishing a contour or field strip-cropping system to protect soil from wind or water erosion and to prevent or reduce the pollution of water, air, or land.

* * * * *

11. Section 701.72 is revised to read as follows:

§ 701.72 Practices primarily for improvement and protection of established vegetative cover.

(a) *Practice B–1.* Improving or protecting permanent vegetative cover to provide soil or watershed protection and to prevent or reduce the pollution of water, air, or land.

(b) *Practice B–5.* Developing facilities for livestock water as a means of protecting vegetative cover or to make practicable the use of the land for vegetative cover so as to prevent soil erosion and to prevent or reduce the pollution of water, air, or land.

(c) *Practice B–7.* Constructing or sealing water impoundment reservoirs to enhance the environment by preventing erosion and providing water for agricultural and wildlife uses.

(d) *Practice B–10.* Improving or protecting a stand of forest trees intended for timber production, pulpwood, posts, etc., and to enhance the environment.

12. Section 701.73 is amended by deleting paragraphs (a), (b), (f), (h), and (i), redesignating paragraphs (c), (d), (e), and (g) as paragraphs (a), (b), (c), and (d), respectively, and revising paragraph (c) as redesignated to read as follows:

§ 701.73 Practices primarily for the conservation and disposal of water.

* * * * *

(c) *Practice C–8.* Streambank or shore protection measures to protect farmland from erosion or flood damage and to prevent or reduce the pollution of water, land, or air (applicable only with respect to pooling agreements and special projects).

* * * * *

13. Section 701.74 is revised to read as follows:

§ 701.74 Practice primarily for establishing temporary protective vegetative cover.

Practice D–1. Establishment of interim vegetative cover to provide protection from erosion and to prevent or reduce pollution of water, air, or land.

§ 701.77 [Amended]

14. Section 701.77 is amended by deleting paragraph (c) and redesignating paragraph (d) as paragraph (c).

15. Section 701.78 is amended by deleting paragraphs (b) and (c), redesignating paragraph (d) as paragraph (b), and revising paragraph (a) to read as follows:

§ 701.78 Practices primarily for management of animal wastes to prevent or reduce pollution of water, land, or air.

(a) *Practice I–1.* Constructing animal waste storage facilities to prevent or reduce the pollution of water, land, or air where there are soil and water conservation benefits.

* * * * *

16. Section 701.79 is amended by revising paragraphs (a) and (b) to read as follows:

§ 701.79 Practices primarily for control of sediment and chemically contaminated runoff to prevent or reduce pollution of water, land, or air.

(a) *Practice J–1.* Constructing sediment retention and water control structures to prevent or reduce erosion and the pollution of land, water, or air from sediment and chemically contaminated runoff where there are soil and water conservation benefits.

(b) *Practice J–2.* Sediment or chemical runoff control measures to prevent or reduce erosion and the pollution of water or land where there are soil and water conservation benefits.

* * * * *

17. Section 701.80 is revised to read as follows:

§ 701.80 Practice primarily for disposal of woodland, crop, and orchard residues without burning to prevent or reduce air or water pollution.

Practice K–1. Disposal of crop, orchard, or woodland residues without burning to prevent or reduce air or water pollution and improve soil structure and permeability.

(Sec. 4, 49 Stat. 164, 16 U.S.C. 590d)

Effective date. Date of publication in the FEDERAL REGISTER (2–8–72).

Signed at Washington, D.C., on January 31, 1972.

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

[FR Doc.72–1843 Filed 2–7–72;8:51 am]

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

[Lemon Reg. 518, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 36 F.R. 9061), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after

publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

(b) *Order, as amended.* The provision in paragraph (b)(1) of § 910.818 (Lemon Regulation 518, 37 F.R. 1453) during the period January 30, through February 5, 1972, is hereby amended to read as follows:

§ 910.818 Lemon Regulation 518.

* * * * *

(b) *Order.* (1) * * * 205,000 cartons.

* * * * *

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

Dated: February 2, 1972.

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

[FR Doc.72-1802 Filed 2-7-72;8:48 am]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

[Docket No. 72-CE-5-AD, Amdt. 39-1391]

PART 39—AIRWORTHINESS DIRECTIVES

Cessna 300 and 400 Series Airplanes

Following a report of cracked main landing gear upper strut barrel assemblies on a Cessna Model 402 airplane, it was determined that the barrel assemblies used on certain Cessna 300 and 400 series airplanes may have been improperly manufactured. Some landing gear struts may be composed of a combination of 4130 and 4340 steel parts, which when heat treated together can result in cracking of the barrel where it is brazed to the two collars used for attaching the torque link and side brace. In addition, some Cessna Model 421B airplanes, which require utilization of 4340 steel in the strut assembly for additional strength, may have strut assemblies installed of improper material, resulting in assemblies of inadequate strength.

Since the conditions described herein are likely to exist or develop in other airplanes of the same series, an Airworthiness Directive is being issued requiring on certain Cessna 300 and 400 series airplanes, a visual inspection of the barrel assemblies for hydraulic leaks and cracks, a chemical test of the barrel assemblies to determine the existence of dissimilar or incorrect metals, and the replacement of the barrel assemblies where necessary. This AD will further require written notification to the FAA of all discrepancies noted.

Since immediate adoption is required in the interest of safety, compliance with the notice and public procedures provisions of the Administrative Procedure Act is not practical and good cause exists for making this rule effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.98 (31 F.R. 13697), § 39.13 of the Federal Aviation regulations is amended by adding to the following new AD.

CESSNA. Applies to Models 310 (Serial Nos. 310Q0074 through 310Q0425, except 310Q0261, 0271, 0279, 0402, 0409, 0411, 0416, 0420, 0424); Models 340 (Serial Nos. 340–0001 through 340–0009 except 340–0005); Models 401 (Serial Nos. 401B0029 through 401B0204); Models 402 (Serial Nos. 402B0007 through 402B0201); Models 414 (Serial Nos. 414–0052 through 414–0173, except 414–0152, 0153, 0168, 0172); and Models 421 (Serial Nos. 421B0001 through 421B0209, except 421B-0144, 0201, 0205, 0208); and all other 300 and 400 series airplanes which may have the original barrel assemblies replaced with new or used assemblies shipped by the manufacturer between January 1, 1970, and December 15, 1971.

Compliance: Required as indicated, unless already accomplished.

To prevent landing gear failure accomplish the following in accordance with Cessna Service Letter ME71–28 dated December 24, 1971, and Supplement No. 1 dated January 28, 1972, or any equivalent methods approved by the Chief, Engineering and Manufacturing Branch, FAA, Central Region:

(a) Within the next 5 hours' time in service after the effective date of this AD, visually inspect barrel assemblies of the main landing gear upper struts for hydraulic leaks and surface cracks. If such discrepancies are noted, prior to further flight, replace the appropriate barrel assemblies.

(B) To accomplish the inspection required by paragraph A the airplane may be flown in accordance with FAR 21.197 to a base where the inspection may be performed.

(C) Within the next 25 hours' time in service after the effective date of this AD, conduct chemical tests to determine if barrel assemblies of the main landing gear upper struts are composed of dissimilar or incorrect metals. If such discrepancies are noted, prior to further flight, replace with appropriate and correct barrel assemblies.

(D) Report all defects found in complying with this AD. Such reports must be made in writing and sent to Chief, Engineering and Manufacturing Branch, FAA, Central Region, and should include such items as aircraft serial number, total time in service and nature of defect. (Report approved by the Bureau of the Budget under BOB No. 04–R0174.)

This amendment becomes effective February 9, 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 Kansas City, Mo., on January 31, 1972.

JOHN M. CYROCKI,
Director, Central Region.

[FR Doc.72-1787 Filed 2-7-72;8:47 am]

[Airspace Docket No. 71-GL-11]

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

Alteration of Control Zone and Transition Area

On page 21416 of the FEDERAL REGISTER dated November 9, 1971, the Federal Aviation Administration published a notice of proposed rule making which would amend §§ 71.171 and 71.181 of the Federal Aviation Regulations so as to alter the control zone and transition area at Pontiac, Mich.

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

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

These amendments shall be effective 0901 G.m.t., March 30, 1972.

These amendments are made under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Des Plaines, Ill., on January 12, 1972.

R. O. ZIEGLER,
Acting Director, Great Lakes Region.

In § 71.171 (37 F.R. 2056), the following control zone is amended to read:

PONTIAC, MICH.

Within a 5-mile radius of the Oakland-Pontiac Airport (latitude 42°39'53" N., longitude 83°25'01" W.); within 3 miles each side of the Pontiac VORTAC 116° and 272° radial, extending from the 5-mile-radius zone to 8.5 miles west of the VORTAC. This control zone is effective from 0600 to 2400 hours local time daily.

In § 71.181 (37 F.R. 2143), the following transition area is amended to read:

PONTIAC, MICH.

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Oakland-Pontiac Airport (latitude 42°39'53" N., longitude 83°25'01" W.); within 4.5 miles each side of the 112° radial of the Pontiac VORTAC extending from the 10-mile-radius area to 22.5 miles southeast of the VORTAC; within 3.5 miles each side of the 272° radial of Pontiac VORTAC extending from the 10-mile-radius area to 11.5 miles west of the VORTAC.

[FR Doc.72-1790 Filed 2-7-72;8:47 am]

[Airspace Docket No. 71-SW-71]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is

to designate a 700-foot transition area at Bunkie, La.

On December 24, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 24944) stating the Federal Aviation Administration proposed to designate the Bunkie, La., transition area.

Interested persons were afforded an opportunity to participate in the rule making through 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 § 71.181 (37 F.R. 2143), the following transition area is added:

BUNKIE, LA.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Bunkie Municipal Airport (latitude 30°57'25" N., longitude 92°14'02" W.).

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

Issued in Fort Worth, Tex., on January 27, 1972.

R. V. REYNOLDS,
Acting Director, Southwest Region.

[FR Doc.72-1794 Filed 2-7-72;8:48 am]

[Airspace Docket No. 71-SW-65]

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

Designation of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate a 700-foot transition area at Commerce, Tex.

On November 25, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 22599) stating the Federal Aviation Administration proposed to designate the Commerce, Tex., transition area.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable. It was determined that the transition area extension should be more accurately described as 14.5 miles in lieu of 15 miles. This change has been incorporated in the airspace description.

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 § 71.181 (37 F.R. 2143), the following transition area is added.

COMMERCE, TEX.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Commerce Municipal Airport (latitude 33°17'36" N., longitude 95°53'46" W.) and within 2.5 miles each side of the Sulphur Springs, Tex., VORTAC 286° radial extending from the 5-mile-radius area to 14.5 miles west of VORTAC.

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

Issued in Fort Worth, Tex., on January 27, 1972.

R. V. REYNOLDS,
Acting Director, Southwest Region.

[FR Doc.72-1793 Filed 2-7-72;8:47 am]

[Airspace Docket No. 72-SO-4]

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

Alteration of Transition Area

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to alter the Nashville, Tenn., transition area.

The Nashville transition area is described in § 71.181 (37 F.R. 2143). In the description, an extension predicated on the Nashville VORTAC 109° radial has a designated width of 14 miles and extends to 18.5 miles east of the VORTAC. The procedure turn altitude of VOR RWY 31 Instrument Approach Procedure has been raised to 2,400 feet MSL, which permits revocation of this extension. It is necessary to alter the description to reflect this change. Since this amendment lessens the burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

In § 71.181 (37 F.R. 2143), the Nashville, Tenn., transition area is amended as follows:

"* * * within 9.5 miles north and 4.5 miles south of Nashville VORTAC 109° radial, extending from the 14-mile-radius area to 18.5 miles east of the VORTAC; * * *" is deleted.

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

Issued in East Point, Ga., on January 26, 1972.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.71-1791 Filed 2-7-72;8:47 am]

[Airspace Docket No. 71-SO-174]

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

Alteration of Transition Area

On December 3, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 23076), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Palm Beach, Fla., transition area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable except one submitted by the Air Transport Association of America (ATA).

The comment by ATA can be interpreted as a possible objection in the event simultaneous approaches cannot be conducted to both Palm Beach International and Palm Beach County Park Airports. Upon the effective date of the instrument approach procedure to Palm Beach County Park Airport, the capability will exist to conduct approaches to both airports simultaneously, obviating the possible objection by ATA.

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 § 71.181 (37 F.R. 2143), the Palm Beach, Fla., transition area is amended as follows:

"* * * excluding the portion outside the continental limits of the United States * * *" is deleted and "* * * within a 6.5-mile radius of Palm Beach County Park Airport (lat. 26°35'15" N., long. 80°05'15" W.); excluding the portion outside the continental limits of the United States * * *" is substituted therefor.

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

Issued in East Point, Ga., on January 26, 1972.

JAMES G. ROGERS,
Director, Southern Region.

[FR Doc.72-1792 Filed 2-7-72;8:47 am]

[Airspace Docket No. 72-AL-2]

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

Alteration of Reporting Point

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to redesignate the East Cordova, Alaska, intersection.

The Cordova, Alaska, radio range has been converted to a nondirectional radio beacon. Accordingly, action is taken herein to reflect this change in the description of the East Cordova intersection.

Since this amendment is minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary.

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 § 71.211 (37 F.R. 2323) East Cordova INT: is amended by deleting "southeast course Cordova, Alaska, RR." and substituting "and 151° bearing Cordova, Alaska, RBN." 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 February 1, 1972.

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

[FR Doc.72-1789 Filed 2-7-72;8:47 am]

[Airspace Docket No. 72-WA-4]

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

Revocation of Reporting Point

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to revoke the Firepit, Hawaii, reporting point.

It has been determined that the Firepit, Hawaii, designated reporting point is no longer required for air traffic control purposes. Accordingly, action is taken herein to revoke this compulsory reporting point.

Since this amendment is minor in nature and no substantive change in the regulation is effected, notice and public procedure thereon are unnecessary.

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 § 71.215 (37 F.R. 2326) "Firepit INT" is revoked.

(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 February 1, 1972.

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

[FR Doc.72-1788 Filed 2-7-72;8:47 am]

[Airspace Docket No. 71-WA-28]

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

PART 73—SPECIAL USE AIRSPACE

Alteration of Restricted Area, Federal Airways and Continental Control Area

On October 2, 1971, a notice of proposed rule making was published in the FEDERAL REGISTER (36 F.R. 19321) stating that the Federal Aviation Administration is considering amendments to Parts 71 and 73 of the Federal Aviation Regulations which would alter the Camp Claiborne, La., Restricted Area R-3801, VOR Federal Airway Nos. 114 and 114N, and the Continental Control Area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. The Air Transport Association of America (ATA) objected to the proposed designation of restricted area R-3801D due to a conflict with Jet Route No. 58. The centerline of Jet Route No. 58 lies approximately 1.8 nautical miles from the nearest boundary of R-3801D. As stated in the notice, air traffic would be radar vectored to avoid the restricted areas when in actual use and by letter of agreement aircraft could be cleared through the restricted area whenever it is called up but not in actual use. Subsequent to issuance of the notice it was determined that due to the location of the Alexandria long range radar antenna (latitude 31°18'52" N., longitude 92°21'29" W.) radar vectors cannot be provided to aircraft operating between the altitudes of Flight Level 180 and Flight Level 200 because of the loss of radar targets on both primary and secondary radar when passing in proximity to the radar antenna. This loss of radar extends to a 15-mile radius of the antenna.

Extensive coordination has been conducted with the representatives of the U.S. Air Force to adjust the dimensions of R-3801D to provide adequate separation from the centerline of Jet Route No. 58. Unfortunately, the U.S. Air Force is unable to alter their operational requirements to permit simultaneous use of J58 and R-3801D as proposed. Therefore, in recognition of the radar problem previously mentioned, it will be necessary to procedurally reassign altitudes between Flight Level 180 and Flight Level 200 when R-3801D is in use. The FAA believes this is a reasonable solution to the problem based on busy day activity reports concerning flight operations on J58.

In consideration of the foregoing, Parts 71 and 73 of the Federal Aviation Regulations are amended, effective 0901 G.m.t., March 30, 1972, as hereinafter set forth.

1. Section 73.38 (37 F.R. 2355) is amended as follows:

(a) "R-3801 Camp Claiborne, La." is revoked.

(b) "R-3801A Camp Claiborne, La." is added:

R-3801A CAMP CLAIBORNE, LA.

Boundaries. Beginning at lat. 31°18'00" N., long. 92°46'30" W.; to lat. 31°13'55" N., long. 92°49'45" W.; to lat. 31°28'00" N., long. 93°15'00" W.; to lat. 31°32'30" N., long. 93°11'50" W.; to point of beginning.

Designated altitudes. 1,500 feet AGL to and including 5,000 feet MSL northwest of a line extending from lat. 31°20'50" N., long. 92°51'15" W.; to lat. 31°16'40" N., long. 92°54'30" W.; 500 feet AGL to and including 5,000 feet MSL southeast of the line extending from lat. 31°20'50" N., long. 92°51'15" W.; to lat. 31°16'40" N., long. 92°54'30" W.

Time of designation. Continuous. R-3801A shall not be activated unless the Houston ARTC Center radar (Alexandria system) is operational.

Controlling agency. FAA, Houston ARTC Center.

Using agency. Commander, England, AFB, La.

(c) "R-3801B Camp Claiborne, La." is added:

R-3801B CAMP CLAIBORNE, LA.

Boundaries. Beginning at lat. 31°15'15" N., long. 92°41'45" W.; to lat. 31°11'00" N., long. 92°44'40" W.; to lat. 31°13'55" N., long. 92°49'45" W.; to lat. 31°18'00" N., long. 92°46'30" W.; to point of beginning.

Designated altitudes. Surface to and including 14,000 feet MSL.

Time of designation. Continuous. R-3801B shall not be activated unless the Houston ARTC Center radar (Alexandria system) is operational.

Controlling agency. FAA, Houston ARTC Center.

Using agency. Commander, England AFB, La.

(d) "R-3801C Camp Claiborne, La." is added:

R-3801C CAMP CLAIBORNE, LA.

Boundaries. Beginning at lat. 31°09'45" N., long. 92°31'45" W.; to lat. 31°05'15" N., long. 92°34'50" W.; to lat. 31°11'00" N., long. 92°44'40" W.; to lat. 31°15'15" N., long. 92°41'45" W.; to point of beginning.

Designated altitudes. Surface to and including 20,000 feet MSL.

Time of designation. Continuous. R-3801C shall not be activated unless the Houston ARTC Center radar (Alexandria system) is operational.

Controlling agency. FAA, Houston ARTC Center.

Using agency. Commander, England AFB, La.

(e) "R-3801D Camp Claiborne, La." is added:

R-3801D CAMP CLAIBORNE, LA.

Boundaries. Beginning at lat. 31°11'45" N., long. 92°30'15" W.; to lat. 31°09'45" N., long. 92°31'45" W.; to lat. 31°15'15" N., long. 92°41'45" W.; to lat. 31°17'10" N., long. 92°40'10" W.; to point of beginning.

Designated altitudes. Surface to and including 20,000 feet MSL.

Time of designation. Continuous. R-3801D shall not be activated unless the Houston ARTC Center radar (Alexandria system) is operational.

Controlling agency. FAA, Houston ARTC Center.

Using agency. Commander, England AFB, La.

(f) "R-3801E Camp Claiborne, La." is added:

R-3801E CAMP CLAIBORNE, LA.

Boundaries. Beginning at lat. 31°09'45" N., long. 92°31'45" W.; to lat. 31°05'15" N., long. 92°34'50" W.; to lat. 31°11'00" N., long. 92°44'40" W.; to lat. 31°15'15" N., long. 92°41'45" W.; to point of beginning.

Designated altitudes. 20,000 feet MSL to but not including FL 240.

Time of designation. Continuous. R-3801E shall not be activated unless the Houston ARTC Center radar (Alexandria system) is operational.

Controlling agency. FAA, Houston ARTC Center.

Using agency. Commander, England AFB, La.

2. In § 71.123 (37 F.R. 2009) V-114 is amended by adding "excluding the portion within R-3801D."

3. In § 71.151 (37 F.R. 2045) "R-3801 Camp Claiborne, La." is deleted and "R-3801 C Camp Claiborne, La.", "R-3801D Camp Claiborne, La." and "R-3801E Camp Claiborne, La." are substituted therefor.

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

Issued in Washington, D.C., on February 1, 1972.

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

[FR Doc.72-1795 Filed 2-7-72;8:48 am]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of Transportation

SUBCHAPTER J—BRIDGES

[CGFR 71-88a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Hood Canal, Wash.

This amendment changes the regulations for the Hood Canal floating drawbrige to allow the use of radiotelephone communication in lieu of sound signal to request the opening of the draw. It also requires a vessel using radiotelephone communications to maintain continuous communication with the drawtender until transit of the draw is completed.

This amendment was circulated as a public notice dated September 21, 1971 by the Commander, Thirteenth Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGFR 71-88) on September 15, 1971 (36 F.R. 18531). Ten replies were received. Eight of these endorsed the proposal or had no objection or no comment. One recommended that continuous radiotelephone communication between the vessel and the drawtender be maintained until the vessel has passed through the draw. This recommendation is incorporated in this regulaton. The last reply recommended the use of two additional radiotelephone frequencies. This recommendation is also incorporated in this regulation.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising paragraphs (d)(1) and (e) and adding a new paragraph (f), to § 117.784 to read as follows:

§ 117.784 Hood Canal, Wash.; Washington State Department of Highways Bridge near Port Gamble.

* * * * *

(d) Communication when opening is imminent.

(1) Radio: The drawtender shall monitor and communicate with vessels on radiotelephone frequency 2738 Kilohertz or 156.65 megahertz (Channel 13). If radio contact cannot be made on 2738 Kilohertz or 156.65 megahertz, the drawtender shall monitor and communicate with vessels on 2182 Kilohertz or 156.80 megahertz (Channel 16). These frequencies are subject to change by the Federal Communications Commission.

* * * * *

(e) Audio signals may be omitted when radiotelephones are used as set under paragraph (d)(1) of this section. Vessels using radiotelephone communication to request the opening of the draw shall maintain continuous radiotelephone communication with the drawtender until the vessel has completed passage through the draw.

(f) The owner of or agency controlling the bridge shall keep the provisions of the regulations in this section conspicuously posted on both the upstream and downstream sides of the bridge or elsewhere in such a manner that they can easily be read at any time.

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(f)(5), 33 CFR 1.05-1(c)(4))

Effective date. This revision shall become effective on March 10, 1972.

Dated: February 1, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-1809 Filed 2-7-72;8:48 am]

[CGFR 71-101a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Mattaponi River, Va.

This amendment changes the regulations for the Virginia Department of Highways (Lord Delaware) bridge on Route 33 at West Point to require at least 24 hours' notice at all times. This amendment was circulated as a public notice dated October 5, 1971, by the Commander, Fifth Coast Guard District and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGFR 71-101) on October 5, 1971 (36 F.R. 19391). Two objections were received. One objector states that the boat ramp upstream of this bridge was built with the understanding that the draw would open on signal. He was asked for additional information but did not respond to the request. The other objector stated that the waterway above this bridge would be closed to future development. If future conditions warrant, these regulations may be amended.

Accordingly, Part 117 of Title 33, Code of Federal Regulations is amended by revising § 117.245(f)(22-a) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.

* * * * *

(f) * * *

(22-a) *Mattaponi River, Va.* (i) Virginia Department of Highways bridge on Route 629 at Walkerton. At least 24 hours' notice required. The drawtender service shall be increased to the degree determined to be adequate within 30 days after written notification is received from the District Commander to take such action.

(ii) Virginia Department of Highway bridge on Route 33 at West Point. At least 24 hours' notice required at all times.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937, 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Effective date. This revision shall become effective on March 10, 1972.

Dated: February 1, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-1810 Filed 2-7-72;8:48 am]

[CGFR 71-119a]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Ontonagon River, Mich.

This amendment changes the regulations for the Michigan State Highway Department bridge at Ontonagon to provide more frequent openings of the draw. This amendment was circulated as a public notice dated November 4, 1971, by the Commander, Ninth Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGFR 71-119) on October 30, 1971 (36 F.R. 20893). Two replies were received and both were in favor of the proposal.

Accordingly, Part 117 of Title 33, Code of Federal Regulations, is amended by revising § 117.641(f)(2) to read as follows:

§ 117.641 Great Lakes tributaries: bridges where constant attendance of drawtenders is not required.

* * * * *

(f) * * *

(2) Ontonagon Harbor, Mich.: Michigan State Highway Department bridge at Ontonagon. From March 16 through December 15 from 7 a.m. to 11 p.m. the draw shall open on signal and from 11 p.m to 7 a.m. the draw shall open on signal if at least 1 hour's notice has been given. From December 16 through March 15 the draw shall open on signal if at least 24 hours' notice has been given. The opening signal is one long blast followed by one short blast.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Effective date. This revision shall become effective on March 10, 1972.

Dated: February 1, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-1811 Filed 2-7-72;8:48 am]

[CGFR 72-23]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Southern Branch, Elizabeth River, Va.

This amendment changes the regulations applicable to the Norfolk and Western Railroad bridge across the Southern

Branch, Elizabeth River at mile 3, to require the bridge to remain open except when trains are crossing or when maintenance work is being performed. The draw is presently required to open on signal. This amendment is made at the request of the Norfolk and Western Railroad. Since this amendment is minor and imposes no additional burden on any person, notice and public procedure thereon are unnecessary and the amendment may be effective in less than 30 days.

Accordingly, § 117.245(f) is amended by adding subparagraph (26-b) to read as follows:

§ 117.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.

* * * * *

(f) * * *

(26-b) *Elizabeth River, Southern Branch, Va.* The draw of the Norfolk and Western Railroad bridge at mile 3 shall be maintained in the fully open position except the draw may close for the crossing of trains and the maintenance of the bridge. When the draw is closed, there shall be a drawtender present and the provisions of § 117.240 shall apply to this bridge.

* * * * *

(Sec. 5, 28 Stat. 362, as amended, sec. 6(g)(2), 80 Stat. 937; 33 U.S.C. 499, 49 U.S.C. 1655(g)(2); 49 CFR 1.46(c)(5), 33 CFR 1.05-1(c)(4))

Effective date: This revision shall become effective upon publication in the FEDERAL REGISTER (2-8-72).

Dated: January 31, 1972.

W. M. BENKERT,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.72-1812 Filed 2-7-72;8:49 am]

Title 40—PROTECTION OF ENVIRONMENT

Chapter I—Environmental Protection Agency

SUBCHAPTER E—PESTICIDES PROGRAMS

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Chloroxuron

A petition (PP 1F1174) was filed by Ciba-Geigy Corp., Post Office Box 1090, Vero Beach, FL 32960, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act as amended (21 U.S.C. 346a), proposing establishment of a tolerance for negligible residues of the herbicide chloroxuron (3 - [*p* - (*p*-chlorophenoxy) phenyl] - 1,1 - dimethylurea) and its metabolites containing the *p*-(*p*-chlorophenoxy) aniline moiety calculated as chloroxuron in or on the new raw agricultural commodity celery at 0.1 part per million.

Part 120, Chapter I, Title 21 was redesignated Part 420 and transferred to Chapter III (36 F.R. 424). Subsequently, Part 420, Chapter III, Title 21 was redesignated Part 180 and transferred to Subchapter E, Chapter I, Title 40 (36 F.R. 22369).

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

1. The compound is useful for the purpose for which the tolerance is being established.

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

3. The tolerance established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator 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), § 180.216 is revised to read as follows:

§ 180.216 Chloroxuron; tolerances for residues.

Tolerances for combined negligible residues of the herbicide chloroxuron (3 - [*p* - (*p* - chlorophenoxy) phenyl] - 1,1-dimethylurea) and its metabolites containing the *p*-(*p*-chlorophenoxy) aniline moiety calculated as chloroxuron in or on raw agricultural commodities are established as follows:

(a) 0.15 part per million in or on soybeans and soybean forage.

(b) 0.1 part per million in or on carrots, celery, onions (dry bulb), and strawberries.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Objections Clerk, Environmental Protection Agency, Room 3175, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, DC 20250, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (2-8-72).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: February 1, 1972.

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

[FR Doc.72-1814 Filed 2-7-72;8:49 am]

PART 180—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

S-Propyl Dipropylthiocarbamate

A petition (PP 1F1173) was filed by the Stauffer Chemical Co., 1200 South 47th Street, Richmond, CA 94804, in accordance with provisions of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), proposing establishment of tolerances for negligible residues of the herbicide *S*-propyl dipropylthiocarbamate in or on the raw agricultural commodities corn grain, corn fodder and forage, and fresh corn including sweet corn (kernels plus cob with husk removed) at 0.1 part per million.

Part 120, Chapter I, Title 21 was redesignated Part 420 and transferred to Chapter III (36 F.R. 424). Subsequently, Part 420, Chapter III, Title 21 was redesignated Part 180 and transferred to Subchapter E, Chapter I, Title 40 (36 F.R. 22369).

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

1. The pesticide is useful for the purpose for which the tolerances are being established.

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

3. The tolerances established by this order will protect the public health.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)), the authority transferred to the Administrator of the Environmental Protection Agency (35 F.R. 15623), and the authority delegated to the Deputy Assistant Administrator for Pesticides Programs (36 F.R. 9038), § 180.240 is revised to read as follows:

§ 180.240 *S*-Propyl dipropylthiocarbamate; tolerances for residues.

Tolerances are established for negligible residues of the herbicide *S*-propyl dipropylthiocarbamate in or on the raw agricultural commodities corn grain, corn fodder and forage, fresh corn including sweet corn (kernels plus cob with husk removed), peanuts, peanut forage, peaunt hay, potatoes, soybean forage, soybean hay, soybeans, and sweet potatoes at 0.1 part per million.

Any person who will be adversely affected by the foregoing order may at any time within 30 days after its date of publication in the FEDERAL REGISTER file with the Objections Clerk, Environmental Protection Agency, Room 3175, South Agriculture Building, 12th Street and Independence Avenue SW., Washington, DC 20460, written objections thereto in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall become effective on its date of publication in the FEDERAL REGISTER (2–8–72).

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a (d)(2))

Dated: February 1, 1972.

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

[FR Doc.72–1815 Filed 2–7–72;8:49 am]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5155]

[Sacramento 4376]

CALIFORNIA

Partial Revocation of Executive Order No. 5237

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. The Executive Order No. 5237 of December 10, 1929, withdrawing lands for classification, is hereby revoked so far as it affects the following described lands:

MOUNT DIABLO MERIDIAN

T. 20 N., R. 17 W.,
Sec. 1, lots 5 and 6.
T. 24 N., R. 18 W.,
Sec. 2, SW¼SW¼.
T. 24 N., R. 19 W.,
Sec. 3, SW¼SE¼.

HUMBOLDT MERIDIAN

T. 1 S., R. 2 W.,
Sec. 1, lots 2, 5, and 6;
Sec. 2, NW¼SE¼;
Sec. 3, SE¼SW¼;
Sec. 4, lots 3 and 4, S½NW¼, and NE¼SE¼;
Sec. 5, lot 1 and S½NE¼;
Sec. 6, SE¼NE¼;
Sec. 8, S½;
Sec. 9, SW¼ and N½SE¼;
Sec. 10, SW¼NE¼, S½NW¼, N½SW¼, and NW¼SE¼;
Sec. 11, S½NW¼;
Sec. 13, NE¼SW¼ and SE¼;
Sec. 24, NW¼NE¼ and NE¼NW¼.
T. 2 S., R. 2 W.,
Sec. 22, SE¼SW¼ and SW¼SE¼;
Sec. 26, lots 4, 5, 12, 13, 14, and 16;
Sec. 28, N½NW¼, SE¼NW¼, NE¼SW¼, S½SW¼, and W½SE¼;
Sec. 29, SW¼SW¼;
Sec. 30, SE¼SE¼;
Sec. 32, NW¼NE¼;
Sec. 33, NW¼NE¼, N½NW¼, and SE¼NW¼.
T. 3 S., R. 2 W.,
Sec. 4, SE¼NW¼;
Sec. 5, lot 2 and SW¼NE¼.
T. 4 S., R. 1 E.,
Sec. 14, lot 1.
T. 5 S., R. 2 E.,
Sec. 4, lot 5;
Sec. 8, SE¼SE¼;
Sec. 9, SW¼SW¼;
Sec. 17, SW¼NW¼;
Sec. 19, SE¼SE¼;
Sec. 23, S½NE¼, SW¼NW¼, and NE¼SE¼;
Sec. 25, SW¼SW¼;
Sec. 26, SE¼NE¼;
Sec. 27, SW¼SW¼;
Sec. 28, S½NE¼, SW¼NW¼, W½SE¼;
Sec. 33, NE¼NW¼, SE¼SW¼;
Sec. 34, NW¼NW¼.

The areas described aggregate approximately 3,772.69 acres in Humboldt and Mendocino Counties.

2. For a period of 5 years commencing with the date of publication of this order, any of the above-described lands suitable for transfer to nonpublic ownership shall be classified for exchanges in connection with the King Range National Conservation Area established by the Act of October 21, 1970, 84 Stat. 1067, after which time they will be open to operation of the public land laws generally. At 10 a.m. on March 9, 1972, subject to valid existing rights, the requirements of applicable law, and the provisions of any existing withdrawals, the lands described in paragraph 1 of this order shall be open to the filing of applications for exchanges pursuant to section 5(2) of the Act of October 21, 1970, supra. All valid applications for exchanges under said Act received at or prior to 10 a.m. on March 9, 1972, shall be considered as simultaneously filed. Any applications for exchanges received after that time will be considered in the order of filing.

The lands have been and will continue to be open to the filing of applications and offers under the mineral leasing laws, and to location and entry for metalliferous minerals under the United States mining laws. At 10 a.m. on March 9, 1972, the lands will be open for location and entry under the mining laws for nonmetalliferous minerals.

Inquiries concerning the lands should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, Room E–2841, Federal Office Building, 2800 Cottage Way, Sacramento, CA 95825.

HARRISON LOESCH,
Assistant Secretary of the Interior.

FEBRUARY 2, 1972.

[FR Doc.72–1775 Filed 2–7–72;8:46 am]

Title 45—PUBLIC WELFARE

Chapter X—Office of Economic Opportunity

PART 1015—STANDARDS OF CONDUCT FOR EMPLOYEES

Miscellaneous Amendments

Part 1015 of Chapter X of Title 45 of the Code of Federal Regulations is amended as follows:

1. Section 1015.735–2(a) is revised to read as follows:

§ 1015.735–2 Applicability.

(a) *Coverage.* This part applies equally to all employees of OEO, unless the particular context clearly indicates otherwise. "Employee," as used in this part, includes regular employees, Presidential appointees, officers, "special Government employees," and experts and consultants—whether employed on a full-time, part-time, or intermittent basis. A "special Government employee" is an officer or employee appointed to perform, with or without compensation, for not more than 130 days during any period of 365 consecutive days, temporary duties either on a full-time or intermittent basis.

* * * * *

§§ 1015.735–15 and 1015.735–16 [Amended]

2. In § 1015.735–15, paragraph (c) is revoked.

3. In § 1015.735–16, the reference in paragraph (d) to "5 CFR 733.301" is corrected to read "5 CFR 733.124."

4. In § 1015.735–17, the first sentence of paragraph (c) is revised to read as follows:

§ 1015.735–17 Outside employment.

* * * * *

(c) * * * (1) Except as provided in subparagraph (2) of this paragraph, no OEO employee may be employed as an executive officer of any grantee or delegate agency (other than a religious organization) in connection with a program receiving financial assistance under part B of title II of the Economic Opportunity Act of 1964 (42 U.S.C. 2808–2812). * * *

* * * * *

5. Section 1015.735–19 is revised as follows:

§ 1015.735–19 Service on boards, councils, and committees of agencies receiving OEO assistance.

No employee may serve as a member of a board, council, or committee of any agency serving as grantee, contractor, or delegate agency in connection with a program receiving financial assistance from OEO, but this shall not prohibit an employee from serving on a board, council, or committee which does not have any authority or powers in connection with the program assisted by OEO. A special Government employee (as defined in § 1015.735–2(a)) may serve on a board, council, or committee if he has not served OEO for more than 60 days,

but he may not in any event perform any service as such a member during any part of any day on which he serves as an OEO employee. See also §1015.735–17(c) in relation to outside employment connected with OEO-assisted programs.

6. In § 1015.735–31, paragraph (b) is revised by adding a new sentence and subdivision (i) through (x) of paragraph (j)(2) are revised to read as follows:

§ 1015.735–31 Reports of non-OEO interests.

* * * * *

(b) * * * In addition, employees are not required to report any interest which is covered by one of the general exemptions set forth in § 1015.735–18(c).

* * * * *

(j) * * *

(2) Occupants of the following positions, if classified at GS–13 or above:

(i) In the Office of Operations: Assistant Director for Operations; Deputy Assistant Director for Operations.

(ii) In the Office of Program Development: Assistant Director for Program Development; Deputy Assistant Director for Program Development.

(iii) In the Office of Planning, Research and Evaluation: Assistant Director for Planning, Research and Evaluation.

(iv) In the Office of Health Affairs: Associate Director for Health Affairs; Deputy Associate Director for Health Affairs.

(v) In the Office of Legal Services: Associate Director for Legal Services; Deputy Associate Director for Legal Services.

(vi) In the Office of Administration: Associate Director for Administration; contracting officers.

(vii) In the Office of the Controller: Controller; Deputy Controller.

(viii) In the Office of Congressional and Public Affairs: Assistant Director for Congressional and Public Affairs; Associate Director for Congressional Affairs; Associate Director for Public Affairs.

(ix) In the Office of General Counsel: General Counsel; Deputy General Counsel; Assistant General Counsel for Procurement and Business Affairs.

(x) In each Office of Economic Opportunity Regional Office: Regional Director; Deputy Regional Director; Chief of Plans, Budget and Evaluation Division; Chief of Program Management and Support Division; Administrative Contracting Officers.

* * * * *

PHILLIP V. SANCHEZ,[1]
Director.

[FR Doc.72–1848 Filed 2–7–72;8:51 am]

[1] The foregoing amendments were approved by the Civil Service Commission on January 18, 1972.

Title 49—TRANSPORTATION

Chapter X—Interstate Commerce Commission

SUBCHAPTER B—PRACTICE AND PROCEDURE

[Ex Parte No. 274 (Sub-No. 1)]

PART 1211—ABANDONMENT OF RAILROAD LINES

Filing of Petitions for Reconsideration or Hearing

By order served January 18, 1972, published in the FEDERAL REGISTER on January 22, 1972, 37 F.R. 1046, the Commission adopted a new practice and procedure for proposed railroad abandonments where no public objection is sustained or where the requirements of public convenience and necessity are minimal or nonexistent.

While these new procedures took effect on January 22, 1972, the Commission will entertain petitions for reconsideration or for a hearing. These petitions must be specific as to the relief sought and, if a hearing is requested, the reasons therefor must be stated. Any petitioner must serve a copy of the petition on Mr. William M. Moloney, Association of American Railroads, 1920 L Street NW., Washington, DC 20036, and that Association must serve its petition, if any, on the Governors and regulatory commissions of each State as well as any other person serving the Association with a petition. Replies to these petitions must also be served accordingly. Petitions may be filed 30 days from the date this notice appears in the FEDERAL REGISTER and replies will be due within 20 days from the last day that petitions may be filed. An original and 15 copies of each pleading shall be filed with the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.72–1850 Filed 2–7–72;8:51 am]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 33—SPORT FISHING

Browns Park National Wildlife Refuge, Colo.

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER (2–8–72).

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

COLORADO

BROWNS PARK NATIONAL WILDLIFE REFUGE

Sport fishing on the Browns Park National Wildlife Refuge, Colo., is permitted from January 1 through December 31, 1972, inclusive, but only on the areas designated by signs as open to fishing. These open areas, Beaver Creek and the Green River, comprise 1,000 acres. Information may be obtained from the Refuge Manager, Greystone, Colo., or the Regional Director, Bureau of Sport Fisheries and Wildlife, Post Office Box 1306, Albuquerque, NM 87103. Sport fishing shall be in accordance with all applicable State regulations.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through December 31, 1972.

H. J. JOHNSON,
Refuge Manager, Browns Park National Wildlife Refuge, Greystone, Colo.

JANUARY 31, 1972.

[FR Doc.72–1834 Filed 2–7–72;8:50 am]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Defense

1. Section 213.3106 is amended to show that positions in overseas installations of the Department of Defense are excepted under Schedule A when filled by dependents of military or civilian employees of the Department resident in the area. With certain specified exceptions, employment under this authority may not extend longer than 2 months following the transfer from the area or the separation of a dependent's sponsor.

Effective on publication in the FEDERAL REGISTER (2–8–72), subparagraph (6) is added to paragraph (b) of § 213.3106 as set out below.

§ 213.3106 Department of Defense.

* * * * *

(b) *Entire Department (including the Office of the Secretary of Defense and the Departments of the Army, Navy, and Air Force).* * * *

(6) Positions in overseas installations of the Department of Defense when filled by dependents of military or civilian employees of the Department resident in the area. Employment under this authority may not extend longer than 2 months following the transfer from the area or the separation of a dependent's sponsor: *Provided*, That (i) a school employee may be permitted to complete the school year; and (ii) an employee other than a school employee may be permitted to serve up to 1 additional year when the military department concerned finds the additional employment is in the interest of management.

* * * * *

§ 213.3107 [Amended]

2. Section 213.3107 is amended to show that the Schedule A authority covering

certain overseas positions when filled by dependents of personnel resident in the area is superseded by a comparable Schedule A authority covering overseas positions throughout the Department of Defense overseas.

Effective on publication in the FEDERAL REGISTER (2–8–72), subparagraph (7) of paragraph (a) of § 213.3107 is revoked.

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

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

[FR Doc.72–1820 Filed 2–7–72;8:49 am]

PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 of Schedule C is amended to reflect the following title change: From Private Secretary to the Assistant to the Secretary of Defense (Telecommunications) to Private Secretary to the Assistant Secretary of Defense (Telecommunications).

Effective on publication in the FEDERAL REGISTER (2–8–72), subparagraph (2) of paragraph (a) of § 213.3306 is revised and subparagraph (36) is revoked as set out below.

§ 213.3306 Department of Defense.

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

(2) Two Private Secretaries to the Deputy Secretary of Defense and one Private Secretary to each of the following: The Director of Defense Research and Engineering; the Principal Deputy Director of Defense Research and Engineering; the Deputy Directors of Defense Research and Engineering (Tactical Warfare Programs), (Strategic and Space Systems), (Research and Technology), (Electronics and Information Systems); the Director, Advanced Research Projects Agency; the Assistant Secretaries of Defense (Manpower and Reserve Affairs), (International Security Affairs), (Public Affairs), (Installations and Logistics), (Administration), (Comptroller), (Systems Analysis), (Intelligence), and (Telecommunications); the General Counsel; the Deputy General Counsel; the Assistant to the Secretary of Defense (Atomic Energy); and the Military Assistants to the Secretary of Defense.

* * * * *

(36) [Revoked]

* * * * *

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

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

[FR Doc.72–1821 Filed 2–7–72;8:49 am]

PART 213—EXCEPTED SERVICE

Department of Justice

Section 213.3310 is amended to show that the following two posiitons are no longer excepted under Schedule C: Chief, Civil Section, Internal Security Division, and Special Assistant to the Assistant Attorney General, Civil Rights Division.

Effective on publication in the FEDERAL REGISTER (2–8–72), subparagraph (2) of paragraph (p) and subparagraph (2) of paragraph (q) are revoked.

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

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

[FR Doc.72–1822 Filed 2–7–72;8:49 am]

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to reflect the following title change: From Deputy Assistant Secretary for Statistics and Economic Research, Office of the Assistant Secretary for Economic Affairs, to Special Assistant to the Assistant Secretary for Economic Affairs.

Effective on publication in the FEDERAL REGISTER (2–8–72), subparagraph (11) of paragraph (a) of § 213.3314 is revised as set out below.

§ 213.3314 Department of Commerce.

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

(11) One Special Assistant to the Assistant Secretary for Economic Affairs.

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

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

[FR Doc.72–1819 Filed 2–7–72;8:49 am]

PART 213—EXCEPTED SERVICE

Overseas Private Investment Corporation

Section 213.3317 is amended to show that the position of Secretary to the Vice President for Financing is no longer excepted under Schedule C.

Effective on publication in the FEDERAL REGISTER (2–8–72), paragraph (c) of § 213.3317 is revoked.

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

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

[FR Doc.72–1823 Filed 2–7–72;8:49 am]

Title 6—ECONOMIC STABILIZATION

Chapter III—Price Commission

PART 300—PRICE STABILIZATION

Price Posting Guidelines for Retail Establishments

The purpose of this amendment is to provide price posting guidelines for retailers who are required to post base prices pursuant to § 300.13(b). Guidelines are set forth for retail food stores; retail sellers of prescription-type drugs; and other retail stores. However, retail food stores and retail sellers of prescription-type drugs are given the option of following the guidelines applicable to other retail stores. Section 300.13(b) currently requires each retailer to "display prominently in its place of sale" base prices with respect to all food products and certain other items. The new guidelines set forth with more specificity what type of action is considered to meet these requirements.

Because the purpose of this amendment is to provide immediate guidance and information as to the price stabilization rules in effect, it is hereby found that notice and public procedure thereon is impracticable and that good cause exists for making it effective less than 30 days after publication.

(Economic Stabilization Act of 1970, as amended, Public Law 91–379, 84 Stat. 799; Public Law 91–558, 84 Stat. 1468; Public Law 92–8, 85 Stat. 13; Public Law 92–15, 85 Stat. 38; Economic Stabilization Act Amendments of 1971, Public Law 92–210, 85 Stat. 743; Executive Order No. 11640, 37 F.R. 1213, January 27, 1972; Cost of Living Council Order No. 4, 36 F.R. 20202, October 16, 1971)

In consideration of the foregoing, paragraph (b) of § 300.13 is amended to read as set forth below, effective when filed with the FEDERAL REGISTER.

Issued in Washington, D.C., on February 5, 1972.

C. JACKSON GRAYSON, Jr.,
Chairman, Price Commission.

§ 300.13 Retailers and wholesalers.

* * * * *

(b) *Posting requirements*—(1) *General.* Before January 2, 1972, each retailer shall display prominently in its place of sale, base prices with respect to—

(i) All of its food products; and

(ii) Those 40 items in each department which had the highest dollar sales volume during its last fiscal year, or those items which accounted for at least 50 percent of its total dollar sales in each department during that fiscal year, whichever is less.

(2) *Posting guidelines*—(i) *Retail food stores.* The base prices which a retail food store is required to post under subparagraph (1) of this paragraph are considered to be displayed prominently if they are available for inspection at a convenient central location in the store, to which the public has access without having to obtain the permission or assistance of a store employee, and if a sign is prominently posted in each department clearly indicating the location of the central base price list.

(ii) *Sellers of prescription drugs.* The base prices of drugs which are sold by a retailer only upon the presentation of a prescription or other authorization, and which are required to be posted under subparagraph (1) of this paragraph, are considered to be displayed prominently if the retailer has available, in a convenient location in the retail drug section of his store to which the public has access without having to obtain the permission or assistance of a store employee, a standard compilation of wholesale prescription drug prices plus its professional fee or customary initial percentage markup on the drug product or product line, and a sign (minimum size 22'' x 28'') indicating the location of that information.

(iii) *Other retail stores.* In the case of any other retail store, base prices which are required to be posted under subparagraph (1) of this paragraph must be prominently posted within the department in which they are sold. However, a retail food store or seller of prescription-type drugs may use the procedure set forth in this subdivision (iii) in place of the procedure in subdivision (i) or (ii) of this subparagraph.

* * * * *

[FR Doc.72-1870 Filed 2-7-72;9:52 am]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[7 CFR Parts 1446, 1421]

LOAN AND PURCHASE PROGRAM FOR 1972 CROP PEANUTS

Notice of Proposed Rule Making

Notice is hereby given that the Secretary of Agriculture, under the authority of sections 101, 401, and 403 of the Agricultural Act of 1949, as amended (63 Stat. 1051, as amended; 7 U.S.C. 1441, 1421, and 1423), and sections 4 and 5 of the Commodity Credit Corporation Charter Act, as amended (62 Stat. 1070, as amended; 15 U.S.C. 714b, 714c), proposes to make determinations and issue regulations relative to a loan and purchase program for 1972 crop peanuts. The program will include (1) loan and purchase rates, (2) the methods by which loans and purchases will be made, (3) eligibility requirements, (4) storage requirements, (5) sales provisions, (6) area and period of the program, and (7) other operating provisions necessary to carry out the program.

Section 101 of the Agricultural Act of 1949 directs the Secretary to make support available on peanuts to cooperators, if producers have not disapproved marketing quotas, at a level between 75 and 90 percent of the parity price, with the minimum permissible level of support within such range to be determined by the supply percentage.

Section 401 of that act requires that, in determining the level of support in excess of the minimum level provided by law, consideration be given to the supply of the commodity in relation to the demand therefor, the levels of which other commodities are being supported, the availability of funds, the perishability of the commodity, the importance of the commodity to agriculture and the national economy, the ability to dispose of stocks acquired through a support operation, the need for offsetting temporary losses of export markets, and the ability and willingness of producers to keep supplies in line with demand.

Current program provisions regarding peanut warehouse storage loans and sheller purchases may be found in regulations in Title 7, Part 1446 of the Code of Federal Regulations. Current program provisions regarding peanut farm storage loans may be found in regulations governing loans, purchases and other operations for grain and similarly handled commodities which appear in Title 7, Part 1421 of the Code of Federal Regulations.

Prior to making any of the foregoing determinations, consideration will be given to data, views, and recommendations which are submitted in writing to the Director, Oilseeds and Special Crops Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. In order to be sure of consideration, all submissions must be received by the Director not later than 30 days from the date of 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 the regular business hours (8:15 a.m. to 4:45 p.m.) (7 CFR 1.27(b)).

Signed at Washington, D.C., on February 2, 1972.

CARROLL G. BRUNTHAVER,
Acting Executive Vice President,
Commodity Credit Corporation.

[FR Doc.72-1845 Filed 2-7-72;8:51 am]

Consumer and Marketing Service

[7 CFR Part 945]

POTATOES GROWN IN IDAHO-EASTERN OREGON

Notice of Proposed Redistricting and Reapportionment

Consideration is being given to the approval of proposed redistricting and reapportionment which were recommended by the Idaho-Eastern Oregon Potato Committee, established pursuant to Marketing Agreement No. 98 and Order No. 945, both as amended (7 CFR Part 945). This marketing order program regulates the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oreg., and is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Statement of consideration. The order provides in § 945.23 that upon recommendation of the committee, the Secretary may reestablish districts within the production area and may reapportion committee membership among the various districts.

The Idaho-Eastern Oregon Potato Committee consists of eight members representing three districts. The proposed redistricting would divide District No. 1, which now encompasses the counties in the eastern third of Idaho, approximately in half on an east-west line. The northern half would become new District No. 1 and the southern half would become new District No. 2. New District No. 3 would be comprised of counties in existing Districts No. 2 and No. 3. The committee voted that the representation on the new committee be three producers and one handler from District No. 1, one producer and one handler from District No. 2, and one producer and one handler from District No. 3.

Fresh potato shipments in the production area have shifted from the western part of Idaho and Malheur County, Oreg., to the eastern part of Idaho during the past 11 years. During the 1959 crop year, proposed District No. 1 made 33.9 percent of the fresh potato shipments. By the 1970 crop year, proposed District No. 1 had 63.7 percent of the fresh shipments. Proposed District No. 3, which includes the western part of Idaho and Malheur County, Oreg., had 41.4 percent of the fresh shipments during the 1959 crop year and then declined to 14.7 percent of the fresh shipments by the 1970 crop year. Proposed District No. 2 declined slightly from 24.7 percent of fresh shipments during 1959 to 21.6 percent of fresh shipments during 1970. Most of the production in the western part of Idaho and Malheur County, Oreg., is now contracted for processing.

The greatest interest and participation on the Idaho-Eastern Oregon Potato Committee is from the growers and shippers in the fresh shipping areas. Potatoes for canning, freezing and other processing currently are exempt from regulation under the marketing order.

In recommending redistricting and reapportionment, the committee indicated that such a change would result in economies for producers by promoting more efficient administration of the program and provide for greater equity of representation on the committee.

All persons who desire to submit data, views, or arguments in connection with this proposal shall file the same in quadruplicate with the Hearing Clerk, Room 112-A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 20 days following publication in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 945.130 Reestablishment of districts and reapportionment of committee membership.

(a) Pursuant to § 945.23: (1) The following new districts are established;

(i) District No. 1, the counties of Bonneville, Butte, Clark, Freemont, Jefferson, Madison, and Teton;

(ii) District No. 2, the counties of Bannock, Bear Lake, Bingham, Caribou, Franklin, Oneida, and Power; and

(iii) District No. 3, Malheur County, Oreg., and the remaining designated counties in Idaho included in the production area, and not included in District No. 1 or District No. 2.

(2) The membership of the Idaho-Eastern Potato Committee shall be apportioned among the districts of the production area so as to provide the following representation:

(i) Three producer members and one handler member from District No. 1;

(ii) One producer member and one handler member from District No. 2; and

(iii) One producer member and one handler member from District No. 3.

The respective alternates shall be selected on the same basis of representation as the members.

(b) The new districts are hereby established in the current fiscal year only for the purpose of making nominations of committee members for the coming fiscal year. The new districts are to be established as operating entities beginning on June 1, 1972.

(c) Terms used in this section have the same meaning as when used in said marketing agreement and this part.

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

Dated: February 2, 1972.

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

[FR Doc.72–1804 Filed 2–7–72;8:48 am]

[7 CFR Part 966]

[AO–265–A4]

TOMATOES GROWN IN FLORIDA

Decision and Referendum Order on Proposed Amendment of Marketing Agreement and Order

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), and the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Orlando, Fla., October 7, 1971, pursuant to notice thereof which was published in the FEDERAL REGISTER (36 F.R. 18212), upon a proposed amendment to Marketing Agreement No. 125 and Order No. 966, both as amended (7 CFR Part 966) regulating the handling of tomatoes grown in the production area.

On the basis of the evidence presented at the hearing and the record thereof, a recommended decision in this proceeding was filed on December 15, 1971, with the Hearing Clerk, U.S. Department of Agriculture, and notice thereof was published in the December 21, 1971, FEDERAL REGISTER (36 F.R. 24120). The notice allowed 15 days after publication (or until January 5, 1972) for filing exceptions thereto. No exceptions were filed.

Material issues, findings and conclusions. The material issues, findings and conclusions, and the general findings of the recommended decision set forth in the FEDERAL REGISTER (36 F.R. 24120) are hereby approved and adopted as the material issues, findings, and conclusions, and the general findings of this decision as if set forth in full herein.

Amendment of the marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively "Marketing Agreement as Amended Regulating the Handling of Tomatoes Grown in Florida" and "Order Amending the Order as Amended Regulating the Handling of Tomatoes Grown in Florida" which have been decided upon as the appropriate and detailed means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

Referendum order. Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), it is hereby directed that a referendum be conducted among producers who, during the period August 1, 1970, through July 31, 1971 (which period is hereby determined to be a representative period for the purpose of such referendum) were engaged in the production area (comprising the counties of Pinellas, Hillsborough, Polk, Osceola, and Brevard and all counties south thereof in the State of Florida) in the production of tomatoes for market, to determine whether such producers favor the issuance of the annexed order.

Minard F. Miller and Donald S. Kuryloski of the Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, are hereby designated referendum agents of the Secretary of Agriculture to conduct said referendum severally or jointly.

The procedure applicable to the referendum shall be the "Procedure for the Conduct of Referenda in Connection with Marketing Orders for Fruits, Vegetables, and Nuts Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended" (7 CFR 900.400 et seq.).

The ballots used in the referendum shall contain the proposed amendment to be voted on.

Copies of the aforesaid annexed order and of the aforesaid referendum procedure may be examined in the Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

Ballots to be cast in the referendum, and other necessary forms and instructions, may be obtained from the referendum agents or any appointee or at any county agent's office within the aforesaid production area.

It is hereby ordered, That this decision and referendum order, except the annexed marketing agreement, as amended, be published in the FEDERAL REGISTER. The regulatory provisions of the said marketing agreement are identical with those contained in the annexed order which will be published with this decision.

Dated: February 3, 1972.

RICHARD E. LYNG,
Assistant Secretary.

Order[1] Amending the Order, as Amended, Regulating the Handling of Tomatoes Grown in Florida

§ 966.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings.* A public hearing was held at Orlando, Fla., on October 7, 1971, upon a proposed amendment to Marketing Agreement No. 125 and Order No. 966, both as amended (7 CFR Part 966), regulating the handling of tomatoes grown in the production area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is hereby found that:

(1) The said order, as amended, and as hereby further amended, and all the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order, as amended, and as hereby further amended, regulates the handling of tomatoes produced in the production area in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing order upon which a hearing has been held;

(3) The said order, as amended, and as hereby further amended, is limited in application to the smallest regional production area which is practicable, consistent with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) The said order, as amended, and as hereby further amended, prescribes, so far as practicable, such different terms, applicable to the different stages of maturity, as are necessary to give due recognition to the differences in the production and marketing of tomatoes produced in the production area; and

(5) All handling of tomatoes produced in the production area is in the current of interstate or foreign commerce, or directly burdens, obstructs, or affects such commerce.

(b) *It is therefore ordered,* That, on and after the effective date hereof, all handling of tomatoes produced in the production area shall be in conformity to, and in compliance with, the terms and conditions of the said order, as amended, and as hereby further amended, as follows:

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[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

Section 966.48, titled *"Research and development,"* is revised to read as follows:

§ 966.48 Research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of any form of marketing research and development projects including paid advertising designed to assist, improve, or promote the marketing, distribution and consumption of tomatoes. The expenses of such projects shall be paid from funds collected pursuant to § 966.42.

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

[FR Doc.72-1803 Filed 2-7-72;8:48 am]

Rural Electrificaton Administration

[7 CFR Part 1701]

RURAL ELECTRIFICATION PROGRAM

REA Policy on Electric Wholesale Rates—Power Supply Borrowers

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to issue new REA Bulletin 111–4, Electric Wholesale Rates—Power Supply Borrowers. The bulletin is being issued to set forth REA policy and general recommendations with respect to electric wholesale rates charged by REA power supply borrowers. On issuance of the new bulletin, Appendix A to Part 1701 will be revised accordingly.

Persons interested in the provisions of REA Bulletin 111–4 may submit written data, views, or comments to the Director, Power Supply, Management and Engineering Standards Division, Room 3313, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, not later than 30 days from the date of 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, Power Supply, Management and Engineering Standards Division.

The text of proposed REA Bulletin 111–4 is as follows:

REA BULLETIN 111–4

Subject: Electric Wholesale Rates—Power Supply Borrowers.

I. *Purpose.* To set forth policy and general recommendations with respect to electric wholesale rates charged by REA power supply borrowers. Wholesale rates include all rates and charges for electric power sold for resale.

II. *General Policy.* A. Power supply borrowers are responsible for charging wholesale rates which will produce the revenues needed to meet lenders' requirements, satisfy their mortgage provisions, and maintain a satisfactory equity position. Each borrower should determine the equity ratio considered satisfactory for its particular system and the length of time needed to achieve that level.

B. In accordance with power supply contracts with their member systems, power supply borrowers are required to review their wholesale rates at least once each year. Where the review indicates the need for revision, borrowers are encouraged to initiate wholesale rate studies either by use of qualified consultants or by their own staffs. REA will review such studies and furnish comments to the borrower as requested and will render technical assistance in developing rates to the extent possible at the borrowers' request.

C. Any proposed changes in the rate must receive REA approval before they are put into effect. Borrowers should notify REA of proposed changes at least 90 days prior to the proposed effective date. At the time of such notice, a copy of the present and proposed rate schedule, together with material showing the effect of the proposed changes upon its own revenues and margins and upon the cost of power to the member systems, should be submitted to REA. A copy of a current long-range financial forecast must be submitted at the same time if one has not been provided REA within the last 12 months.

D. Borrowers should give notice to or advise the member systems regarding any proposed changes in the wholesale rate.

E. Borrowers must, of course, submit proposed rate changes to any regulatory commissions having jurisdiction and must seek approval in the manner prescribed by those commissions. Borrowers must also comply with any Federal Price Commission regulations.

III. *Wholesale rate design considerations.* A. Rate levels should be adequate to produce the revenues required to meet all of the cash requirements of the borrower and provide operating margins to establish and maintain an equity position sufficient to meet the borrower's credit requirements.

B. The rate should satisfy the basic needs of the power supply borrower and should be compatible with the needs of its members to the greatest possible extent. In this respect, consideration should be given to:

1. The magnitude and seasonal characteristics of the members' loads, their monthly and annual load factors and the effect of those characteristics upon the monthly and annual peak demands and load factors imposed upon the power supply system, and upon the cost of supplying the power requirements of its members.

2. The members sharing equitably in supplying the revenue requirement of the power supply borrowers.

3. Simplicity and clarity in the rate structure, including any required adjustment clauses for fuel and/or purchased power expense.

4. Ability to fully utilize capacity, such as through agreements with other suppliers, where applicable.

C. Within the limits of economic practicality the rate should provide an incentive to the member systems for improving their monthly and annual load factors for the best year-round utilization of the power supply systems.

Dated: February 3, 1972.

E. C. WEITZELL,
Acting Administrator.

[FR Doc.72-1847 Filed 2-7-72;8:51 am]

DEPARTMENT OF COMMERCE

Office of the Secretary

[15 CFR Part 7]

CHILDREN'S SLEEPWEAR

Standard for Flammability; Hearing

On July 29, 1971, there was published in the FEDERAL REGISTER (36 F.R. 14062) the Standard for the Flammability of Children's Sleepwear (DOC FF 3–71). This standard was issued under the authority of the Flammable Fabrics Act, as amended (81 Stat. 568; 15 U.S.C. 1191–1204) and was developed under the Flammable Fabrics Act Procedures contained in Title 15, Part 7 of the Code of Federal Regulations. The effective date of the standard is July 29, 1972, with a proviso temporarily requiring a cautioning label for flammable goods manufactured during the 12 months after the effective date of standard. All goods manufactured 24 months after promulgation are required to comply.

On December 21, 1971, a formal petition was submitted by the American Apparel Manufacturers Association urging some 33 specific changes to the children's sleepwear standard. The petition and its supporting documents allege that apparel manufacturers cannot comply with the standard and that the standard does not meet the requirements of the law in that it is not "reasonable", "technologically practicable", or "appropriate". The areas involved in the proposed changes broadly include the effective date of the standard, its scope, its definitions, the labeling requirements and test procedure provided in the standard.

On December 14, 1971, Cotton, Inc. submitted a petition to amend the standard. This petition also alleges that the standard is not "reasonable", "technologically practicable" and "appropriate." The areas included in its proposed amendments are exemption of knit sleepwear, elimination of seam tests, changes in the conditioning of specimens and laundering, and interlaboratory testing.

The action taken by the Department of Commerce on these petitions will be of great interest to everyone concerned with the children's sleepwear standard, such as members of Congress, consumer groups and other segments of the textile and apparel industry. Accordingly, an informal public hearing is the best means to afford all interested parties an opportunity to comment fully on these petitions.

Notice is hereby given that informal public oral hearings will be held on February 24, 1972, at 10 a.m., e.s.t., in the Department Auditorium, Main Commerce Building, 14th and Constitution Avenue, NW., Washington, D.C. 20230.

Persons desiring to testify at this hearing should so notify the Assistant Secretary for Science and Technology, Room 3862, Main Commerce Building, 14th and Constitution Avenue NW., Washington, D.C. 20230.

Conduct of the hearing. a. This hearing will be held as an informal, nonadversary proceeding under 5 U.S.C. 553 at which there will be no formal pleadings or adverse parties.

b. The presiding officer shall have the right to apportion the time of persons making presentations at the hearing in an equitable manner. Witnesses may submit a written presentation of their views for the record.

c. The presiding officer and other Department representatives shall have the right to question witnesses appearing at

this hearing as to their testimony and other matters relating to the petitions.

d. The presiding officer shall have the right to terminate or shorten the presentation of any party appearing at this hearing when, in the opinion of said presiding officer, such presentation is repetitive or is not relevant to the purpose of the hearing.

e. The presiding officer has the right to exercise authority necessary to contribute to the equitable and efficient conduct of these hearings and to maintain order at the hearings.

Inspection of relevant documents. Copies of the formal petitions of the American Apparel Manufacturer's Association and Cotton, Inc. with the supporting documents as well as copies of relevant correspondence received from other interested industry organizations are available for public inspection at the Central Reference and Records Inspection Facility of the Department of Commerce, Room 7043, Main Commerce Building, 14th Street between E Street and Constitution Avenue NW., Washington, D.C. 20230.

Effect of hearing on effective date of standard. This notice and proceedings authorized hereunder do not stay the effective date of the Standard for the Flammability of Children's Sleepwear (DOC FF 3–71).

Issued: February 4, 1972.

JAMES H. WAKELIN, Jr.,
Assistant Secretary for Science and Technology.

[FR Doc.72–1885 Filed 2–7–72;8:52 am]

DEPARTMENT OF LABOR

Office of Federal Contract Compliance

[41 CFR Part 60–7]

ST. LOUIS PLAN

Proposed Requirements, Terms, and Conditions of Awarding Federal Construction Contracts

Notice is hereby given that pursuant to Executive Order 11246 (30 F.R. 12319), as amended by Executive Order 11375 (32 F.R. 14303), the Department of Labor proposes to amend 41 CFR Part 60–7 in the manner set forth below.

This proposed amendment concerns matters relating to public contracts. While public participation in this rule making is not required by 5 U.S.C. 553, the Department wishes to invite written comments, suggestions, or objections regarding this proposed amendment. Accordingly, interested persons are invited to submit written comments regarding the proposed amendment to John L. Wilks, Deputy Assistant Secretary for Employment Standards, U.S. Department of Labor, 14th Street and Constitution Avenue NW., Washington, D.C. 20210, within 30 days of publication of this notice in the FEDERAL REGISTER.

Part 60–7 of Chapter 60 of Title 41 of the Code of Federal Regulations is hereby amended as follows:

Section 60–7.30, Appendix A, is revised in part to read as follows:

Subpart D—Appendix A

§ 60–7.30 Appendix A.

* * * * *

REQUIREMENTS, TERMS AND CONDITIONS

1. No contracts or subcontracts shall be awarded for Federal or Federally assisted construction in the city of St. Louis or St. Louis County, Mo., on projects whose estimated cost exceeds $500,000 unless the bidder completes and submits, prior to bid openings, this document designated as Appendix A, or a substantially similar document, which shall include specific goals of minority manpower utilization for each trade designated below which will be used by the contractor on all his work (both Federal and non-Federal) within the city of St. Louis and St. Louis County, Mo., during the term of his pefformance of the contract, such goals to be established by the contractor at least within the ranges established by this Appendix in Section 2 thereof. Minority manpower means, for the purposes of this appendix, Negroes, Spanish Surnamed Americans, Orientals, and American Indians. The trades utilizing the following classifications of employees are covered by this appendix:

Asbestos workers.
Boilermakers.
Bricklayers.
Carpenters.
Cement and concrete finishers.
Electricians.
Elevator constructors.
Glaziers.
Ironworkers.
Lathers and plasterers.
Operating engineers.
Painters and paperhangers.
Plumbers and pipefitters.
Roofers and slaters.
Sheetmetal workers.
Tile setters and Terrazzo workers.

The above designated trades are those in which the underutilization of minorities is most apparent and as to which goals of minority manpower utilization falling within the ranges designated herein could be developed and achieved, without displacing incumbents in the trades.

Included in the above listing is the trade of Carpenters as to which there has been developed and approved by the OFCC a Supplemental Manpower Agreement to which the Carpenters District Council of St. Louis and the Associated General Contractors of St. Louis are signatories. That agreement which meets or exceeds the requirements of the St. Louis Plan which would otherwise be applicable to this trade provides, inter alia, for a 5-year goal of twenty percent (20%) minority manpower representation in the trade.

Additionally, an affirmative action agreement has been executed by and between the National Electrical Contractors Association and Local Union No. 1, International Brotherhood of Electrical Workers, which has been accepted by the OFCC. That agreement also meets or exceeds the requirements of the St. Louis Plan which would otherwise be applicable to this trade and provides, inter alia, for a 5-year goal of seventeen percent (17%).

Those contractors who are signatories to the aforementioned affirmative action programs and who continue to satisfactorily participate therein, shall, so long as such programs remain approved by the OFCC be relieved of their obligations to meet their goals of minority manpower utilization designated in this Appendix for the trades of Carpenters and Electricians, as appropriate.

A bidder who fails or refuses to complete or submit the goals required by this Appendix A and who is not otherwise relieved from his obligation to do so, shall not be deemed a responsive bidder and may not be awarded the contract or subcontract, but such goals need be submitted only for those trades which the contractor contemplates to be used in the performance of the federally involved contract. In no case shall there be any negotiations over the provisions of the specific goals submitted by the bidder after the opening of bids and prior to the award of the contract.

* * * * *

Signed at Washington, D.C., this 3d day of January 1972.

J. D. HODGSON,
Secretary of Labor.

HORACE E. MENASCO,
Acting Assistant Secretary for Employment Standards.

JOHN L. WILKS,
Director, Office of Federal Contract Compliance.

[FR Doc.72–1776 Filed 2–7–72;8:46 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 73]

[Airspace Docket No. 71–SO–186]

RESTRICTED AREAS

Proposed Designation

The Federal Aviation Administration (FAA) is considering proposals submitted by the Department of the Navy that would designate temporary restricted areas in the Camp Lejeune/Croatan National Forest/Cherry Point area, and the coastal region adjacent to Jacksonville, Beaufort, and Lake Waccamaw, N.C.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the director, Southern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Post Office Box 20636, Atlanta, GA 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. The proposals contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue

SW., Washington, DC 20591. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

The FAA is considering the designation of the following temporary restricted areas:

a. Name: Exotic Dancer V—Joint Military Exercise.

b. Location: Camp Lejeune, N.C.

c. Boundaries:

Area A—Beginning at a point on the northwest boundary of Restricted Area R–5306A at lat. 35°23'15" N., long. 76°34'40" W., thence southwest along the boundary of R–5306A to lat. 35°02'00" N., long. 76°58'15" W., thence clockwise along the boundary of the New Bern control zone to lat. 35°02'00" N., long. 77°09'00" W., to lat. 35°15'00" N., long. 77°30'00" W. to lat. 35°32'30" N., long. 77°09'30" W., thence to point of beginning.

Area B—Beginning at a point on the northwest boundary of Restricted Area R–5306A at lat. 35°02'00" N., long. 76°58'15" W., thence southwest and southeast along the boundary of R–5306A, R–5306B, and R–5306C to lat. 34°30'20" N., long. 77°15'50" W., thence southwest along the boundary of Warning Area W–122 to lat. 34°17'45" N., long. 77°37'50" W. to lat. 34°35'30" N., long. 77°42'30" W. to lat. 34°37'30" N., long. 77°50'00" W. to lat. 34°55'00" N., long. 77°49'30" W. to lat. 35°15'00" N., long. 77°30'00 W. to lat. 35°02'00" N., long. 77°09'00" W., thence counterclockwise along the boundary of the New Bern control zone to point of beginning; excluding the airspace at and below 4,000 feet MSL within the Jacksonville, N.C., control zone and transition area (8.5-statute-mile radius of New River MCAS, lat. 34°42'25" N., long. 77°26'35" W., and 8.5-statute-mile radius and extensions of Albert Ellis, N.C., Airport, lat. 34°49'49" N., long. 77°36'42" W.); excluding that airspace from 1,000 to and including 4,000 feet MSL within 4 nautical miles either side of Fayetteville, N.C., VORTAC 102° M(106° T) radial, extending from the Jacksonville transition area westward to the restricted area boundary.

Area C—Beginning at a point on the southeast boundary of Restricted Area R–5306A at lat. 34°43'40" N., long. 76°46'30" W. to lat. 34°37'45" N., long. 76°40'00" W., thence west along the boundary of Warning Area W–122 to lat. 34°37'30" N., long. 76°56'20" W. to lat. 34°41'50" N., long. 76°56'20" W., thence along the boundary of R–5306A to point of beginning.

d. Designated Altitudes:

Area A—7,000 to 17,000 feet MSL.

Area B—Surface to 17,000 feet MSL.

Area C—Surface to FL–350.

NOTE: Altitudes of Area B are subject to stated exclusions, at and below 4,000 feet.

e. Time of Designation: Continuous, 15–25 May 1972 inclusive.

f. Controlling Agency: Federal Aviation Administration, Washington ARTC Center, Leesburg, Va.

g. Using Agency: U.S. Atlantic Command, Norfolk, Va.

The proposed restricted areas would be utilized for a Joint Military Training Exercise, wherein during the designated period extensive air drop and landing assaults will occur in support of ground forces. Tactical air maneuvers will be contained in the proposed special use airspace under both VFR and IFR conditions through direct control by the appropriate Military Air Traffic Regulations Center. Nonexercise air traffic generated by civil airports within the proposed restricted area will be handled on a coordinated basis using preferential routings, altitudes and coordinated times to effect safe ingress and egress of the proposed area.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Washington, D.C., on January 31, 1972.

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

[FR Doc.72–1796 Filed 2–7–72;8:48 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 425]

SELLERS IN COMMERCE

Proposal Regarding Negative Option Plans

Notice is hereby given that the Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41, et seq., and provisions of Part 1, Subpart B of the Commission's procedures and rules of practice, 16 CFR 1.11, et seq., issued on May 13, 1970, a proposed trade regulation rule concerning the use of negative option plans by sellers in commerce. Written comments thereon by interested parties were received and public hearings were held on November 16–19, 1970.

Having considered the record produced thereby, the Commission issues the following revised proposed rule for consideration in its stead and invites interested parties to submit data, views, or arguments regarding such revised proposed rule:

§ 425.1 The Rule.

(a) In connection with the sale, offering for sale, or distribution of goods and merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, it is an unfair method of competition and an unfair or deceptive act or practice, for a seller in connection with the use of any negative option plan to fail to comply with the following requirements:

(1) Promotional material shall clearly and conspicuously disclose the material terms of the plan, including:

(i) That aspect of the plan under which the subscriber must notify the seller, in the manner provided for by the seller, if he does not wish to purchase the selection;

(ii) Any obligation assumed by the subscriber to purchase a minimum quantity of merchandise;

(iii) The right of a contract-complete subscriber to cancel his membership at any time;

(iv) Whether billing charges will include an amount for postage and handling;

(v) A disclosure indicating that the subscriber will be provided with at least ten (10) days in which to return any form, contained in or accompanying an announcement identifying the selection, to the seller;

(vi) A disclosure that the seller will credit the return of any selection sent to a subscriber, and guarantee to the postal service or the subscriber postage to return such selection to the seller when the announcement and form are not received by the subscriber in time to afford him at least ten (10) days in which to mail his form to the seller;

(vii) The frequency with which the announcements and forms will be sent to the subscriber, and the maximum number of announcements and forms which will be sent to him during a 12-month period.

(2) Prior to sending any selection, the seller shall mail to its subscribers, within the time specified by subparagraph (3) of this paragraph:

(i) An announcement identifying the selection;

(ii) A form, contained in or accompanying the announcement, clearly and conspicuously disclosing that the subscriber will receive the selection identified in the announcement unless he instructs the seller that he does not want the selection, designating a procedure by which the form may be used for the purpose of enabling the subscriber so to instruct the seller, and specifying either the return date or the mailing date.

(3) The seller shall mail the announcement and form either at least twenty (20) days prior to the return date or at least fifteen (15) days prior to the mailing date, or provide a mailing date at least ten (10) days after receipt by the subscriber: *Provided, however,* That whichever system the seller chooses for mailing the announcement and form, such system must provide the subscriber with at least ten (10) days in which to mail his form.

(b) In connection with the sale or distribution of goods and merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, it shall constitute an unfair method of competition and an unfair or deceptive act or practice for a seller in connection with the use of any negative option plan to:

(1) Refuse to credit, for the full invoiced amount thereof, the return of any selection sent to a subscriber, and to guarantee to the postal service or the subscriber postage adequate to return such selection to the seller, when:

(i) The selection is sent to a subscriber whose form indicating that he does not want to receive the selection was received by the seller by the return date or was mailed by the subscriber by the mailing date;

(ii) Such form is received by the seller after the return date, but has been mailed by the subscriber and postmarked at least 3 days prior to the return date;

(iii) Prior to the date of shipment of such selection, the seller has received from a contract-complete subscriber, a written notice of cancellation of membership adequately identifying the subscriber; however, this provision is

applicable only to the first selection sent to a cancelling contract-complete subscriber after the seller has received written notice of cancellation. After the first selection shipment, all selection shipments thereafter are deemed to be unordered merchandise, pursuant to section 3009 of the Postal Reorganization Act of 1970, as adopted by the Federal Trade Commission in its public notice, dated September 11, 1970:

(iv) The announcement and form are not received by the subscriber in time to afford him at least ten (10) days in which to mail his form.

(2) Fail to notify a subscriber known by the seller, to be within any of the circumstances set forth in subparagraphs (1) (i) through (iv) of this paragraph, that if the subscriber elects, the subscriber may return the selection with return postage guaranteed and receive a credit to his account.

(3) Refuse to deliver within 4 weeks after receipt of an order merchandise due subscribers as introductory and bonus merchandise, unless the seller is unable to deliver the merchandise originally offered due to unanticipated circumstances beyond the seller's control and promptly makes a reasonably equivalent alternative offer. However, where the subscriber refused to accept alternatively offered introductory merchandise, but instead insists upon termination of his membership due to the seller's failure to provide the subscriber with his originally requested introductory merchandise, or any portion thereof, the seller must comply with the subscriber's request for cancellation of membership, provided the subscriber returns to the seller any introductory merchandise which already may have been sent him.

(4) Fail to terminate promptly the membership of a properly identified contract-complete subscriber upon his written request.

(5) Ship, without the express consent of the subscriber, substituted merchandise for that ordered by the subscriber.

(c) The Commission recognizes that an industry dependent upon millions of mail transactions each month cannot completely avoid errors. Accordingly, random, sporadic, isolated nonconformance with these regulations shall not constitute a violation if the seller's procedures, manpower, and facilities are adequate to insure that the occurrence of such errors is minimized and they are corrected promptly upon their discovery, or if such nonconformance is the result of circumstances beyond the seller's control.

NOTE: The Commission is aware of the fact that many of the consumer complaints received during the course of this proceeding involve allegations of erroneous or unfair billing practices of a type which would be covered by its proposed trade regulation rule involving Billing Practices Arising Out Of The Administration Of Customer Accounts By Credit Card Issuers And Other Retail Establishments, which proceeding has been postponed indefinitely as a result of and for the reasons stated in the Commission's announcement dated January 7, 1971. In view of the fact that the problems encountered by users of the negative option system of merchandising are no different from those contemplated by the proposed Billing Practices proceeding which was designed to be applicable to all sellers similarly situated, the Commission has not seen fit to include provisions governing such practices in this proposed rule, but would instead visualize that any subsequent rule or statute on the subject would be equally applicable to the members of this industry. In the meantime, abuses in this area will be dealt with on a case by case basis.

(d) For the purposes of this section:

(1) "Negative option plan" refers to a contractual plan or arrangement under which a seller periodically sends to subscribers an announcement which identifies merchandise (other than annual supplements to previously acquired merchandise) it proposes to send to subscribers to such plan, and the subscribers thereafter receive and are billed for the merchandise identified in each such announcement, unless by a date or within a time specified by the seller with respect to each such announcement the subscribers, in conformity with the provisions of such plan, instruct the seller not to send the identified merchandise.

(2) "Subscriber" means any person who has agreed to receive the benefits of, and assume the obligations entailed in, membership in any negative option plan and whose membership in such negative option plan has been approved and accepted by the seller.

(3) "Contract-complete subscriber" refers to a subscriber who has purchased the minimum quantity or merchandise required by the terms of membership in a negative option plan.

(4) "Promotional material" refers to an advertisement containing or accompanying any device or material which a prospective subscriber sends to the seller to request acceptance or enrollment in a negative option plan.

(5) "Selection" refers to the merchandise identified by a seller under any negative option plan as the merchandise which the subscriber will receive and be billed for, unless by the date, or within the period, specified by the seller the subscriber instructs the seller not to send such merchandise.

(6) "Announcement" refers to any material sent by a seller using a negative option plan in which the selection is identified and offered to subscribers.

(7) "Form" refers to any form which the subscriber returns to the seller to instruct the seller not to send the selection.

(8) "Return date" refers to a date specified by a seller using a negative option plan as the date by which a form must be received by the seller to prevent shipment of the selection.

(9) "Mailing date" refers to the time specified by a seller using a negative option plan as the time by or within which a form must be mailed by a subscriber to prevent shipment of the selection.

Interested persons, including consumers and other members of the public, are hereby invited to file written data, views, and arguments concerning the new proposed rule, addressed to: Assistant Director, Division of Rules and Guides, Bureau of Consumer Protection, Federal Trade Commission, Pennsylvania Avenue and Sixth Street NW., Washington, D.C. 20580, on or before April 10, 1972. Such persons are urged to express approval or disapproval of the revised proposed rule or to recommend further modification, and to make statements as full as they wish.

Statements submitted as provided above will be available for examination during regular business hours in the Division of Legal and Public Records, Room 130, Federal Trade Commission, Washington, D.C. All such statements will be considered by the Commission before final action is taken in this matter.

Issued: February 2, 1972.

By the Commission.

CHARLES A. TOBIN,
Secretary.

[FR Doc.72-1808 Filed 2-7-72;8:48 am]

[16 CFR Part 432]

POWER OUTPUT OF AMPLIFIERS UTILIZED FOR HOME ENTERTAINMENT PRODUCTS

Notice of Opportunity To Submit Data, Views, and Arguments Regarding Amendment and Revision of the Proposed Trade Regulation Rule

Correction

In F.R. Doc. 72-1600 appearing at page 2454 in the issue of Tuesday, February 1, 1972, the following changes should be made:

1. In § 432.1(a) the word "offered" in the ninth line should read "offering"; and the word "amplication" in the 11th and 12th lines should read "amplification".

2. The section heading in the first column of page 2455 reading "§ 342.2 *Required disclosures.*" should read "§ 432.2 *Required disclosures.*"

RENEGOTIATION BOARD

[32 CFR Part 1499]

NONRECURRING COSTS OF PRIOR YEARS

Notice of Proposed Rule Making

The Renegotiation Board pursuant to section 109 of the Renegotiation Act of 1951, as amended (50 U.S.C.A., App. Sec. 1211 et seq.), proposes to issue the following regulation not less than thirty (30) days after the date of this publication in the FEDERAL REGISTER.

Interested persons are hereby notified that any changes, to be considered, must be presented, in writing, to the Renegotiation Board, 2000 M Street NW., Washington, DC 20446, within thirty (30) days after the date of this publication in the FEDERAL REGISTER.

Written material or suggestions submitted will be available for public inspection during regular business hours in the library at the principal office of the Board, 2000 M Street NW., Washington, DC.

Dated February 3, 1972.

RICHARD T. BURRESS,
Chairman.

Part 1499 is amended by adding at the end thereof a new § 1499.1–44 to read as follows:

§ 1499.1–44 Renegotiation Ruling No. 44: Consideration of nonrecurring costs of prior years.

(a) This section explains the application of § 1460.10(b)(5) of this chapter, which provides in part as follows:

(5) The Board will give consideration to certain situations where a contractor had deficient profits on renegotiable sales in a year or years prior to that under review. Where it can be established that deficient profits in prior years resulted from nonrecurring costs in the early stages of production which relate to production in the year under review, the Board will take this into account in reviewing the contractor's renegotiable business in the year under review.

(b) Where it is possible to identify and isolate, in specific amount, nonrecurring costs incurred in a prior fiscal year that relate to performance in the year under review, the Board will transfer such costs to the year under review, usually by special accounting agreement entered into pursuant to § 1459.1(b)(2) of this chapter, provided that such action would not affect the result reached in the renegotiation of such earlier fiscal year (see § 1499.2–19(e) of this chapter). If such an adjustment is made, the contractor is not entitled to factor consideration for such costs in the year under review; § 1460.10(b)(5) is not applicable.

(c) On the other hand, if accounting adjustments in precise amounts cannot be made, but nonrecurring costs within a demonstrable range were incurred in the prior year and the Board is satisfied that the other conditions set forth in paragraph (b) of this section exist, the presence of such costs in the prior year is taken into consideration by the Board in reaching a determination for the year under review. It is in such circumstances and in this manner that § 1460.10(b)(5) operates: The provision does not authorize or contemplate an arithmetical allowance, in the year under review, of the deficiency in profits of the prior year; nor does it authorize or contemplate an averaging of profits of the prior year with those of the year under review, or an averaging of costs on a unit or program basis. It contemplates only that certain nonrecurring costs relating to performance in the year under review were incurred in a prior year; that because of such costs the contractor's profits in the prior year were deficient; that the removal of the costs to the year under review would not disturb the result reached in the renegotiation of the prior year; and that, therefore, such costs should be taken into consideration in evaluating the contractor's profits in the year under review. The consideration to be accorded to such matter in determining excessive profits for the year under review rests within the discretion of the Board, and will depend upon the probative value of the information made available to the Board.

(Sec. 109, 65 Stat. 22; 50 U.S.C.A., App. Sec. 1219)

[FR Doc.72–1841 Filed 2–7–72;8:51 am]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[N-4471]

NEVADA

Order Opening Public Land

JANUARY 31, 1972.

1. In accordance with the provisions of section 3 of the Act of June 14, 1926, 44 Stat. 741, as amended; 43 U.S.C. 869, the following lands were reconveyed to the United States:

MOUNT DIABLO MERIDIAN, NEVADA

T. 21 S., R. 60 E.,
Sec. 1, lot 49.

The area contains 2.5 acres.

2. The land is located in Las Vegas Valley. The terrain is flat with sandy, rocky soil.

3. Subject to valid existing rights, the provisions of existing withdrawals and classifications, and the requirements of applicable law, the land is hereby open to application, petition, and selection, including location under the U.S. mining laws. All valid applications received at or prior to 10 a.m. on March 6, 1972 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in order of filing.

4. The land has been open to applications and offers under the mineral leasing laws.

5. Inquiries concerning the land should be addressed to Chief, Division of Technical Services, 300 Booth Street, Reno, NV 89502.

A. JOHN HILLSAMER,
Acting Chief,
Division of Technical Services.

[FR Doc.72-1833 Filed 2-7-72;8:50 am]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

[Amdt. 9]

LINSEED OIL (RAW) EXPORT SALES

Sales of Certain Commodities; Monthly Sales List

The CCC Monthly Sales List for the fiscal year ending June 30, 1972, published in 36 F.R. 13044, is amended as follows:

1. A section 46 is inserted, which reads as follows:

46. *Linseed oil (raw) export sales.* Available on a competitive bid basis through the Minneapolis ASCS Commodity Office.

Signed at Washington, D.C., on February 2, 1972.

CARROLL G. BRUNTHAVER,
Acting Executive Vice President,
Commodity Credit Corporation.

[FR Doc.72-1844 Filed 2-7-72;8:51 am]

Office of the Secretary

WASHINGTON

Designation of Areas for Emergency Loans

For the purpose of making Emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961) and section 232 of the Disaster Relief Act of 1970 (Public Law 91-606), it has been determined that in the following county in the State of Washington natural disasters have caused a general need for agricultural credit:

COUNTY

Yakima.

Emergency loans will not be made in the above-named county under this designation pursuant to applications received after June 30, 1972, except subsequent loans to qualified borrowers who received initial loans under this designation.

The urgency of the need for Emergency loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 3d day of February 1972.

EARL L. BUTZ,
Secretary.

[FR Doc.72-1805 Filed 2-7-72;8:48 am]

Packers and Stockyards Administration

VALLEY STOCKYARDS, INC., ET AL.

Proposed Posting of Stockyards

The Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 202), and should be made subject to the provisions of the Act.

CA-166, Valley Stockyards, Inc., El Centro, Calif.
IA-237, Farmers Livestock Auction, Inc., Carroll, Iowa.
IA-240, LaPorte City Sale Barn, LaPorte City, Iowa.
MA-104, Crowley's Commission Sales, Inc., Agawam, Mass.
MS-148, Harrell Stockyard, Inc., Morton, Miss.
MO-221, Miller Livestock Auction Co., Miller, Mo.
OK-187, Midway Sale Barn, Edmond, Okla.
PA-147, Collegeville Livestock Sales, Collegeville, Pa.
PA-148, Marland C. France, Doylestown, Pa.
TX-289, Cattlemen's Livestock Auction, Palestine, Tex.

Notice is hereby given, therefore, that the said Chief, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the Act as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule, may do so by filing them with the Chief, Registrations, Bonds, and Reports Branch, Packers and Stockyards Administration, U.S. Department of Agriculture, Washington, D.C. 20250, within 15 days after publication in the FEDERAL REGISTER.

All written submissions made pursuant to this notice shall be made available for public inspection at such times and places in a manner convenient to the public business (7 U.S.C. 1.27(b)).

Done at Washington, D.C., this 2d day of February 1972.

JOHN R. BRANNIGAN,
Acting Chief, Registrations,
Bonds, and Reports Branch,
Livestock Marketing Division.

[FR Doc.72-1846 Filed 2-7-72;8:51 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-421; NDA 0-762, etc.]

HIGH CHEMICAL CO., ET AL.

New-Drug Application; Notice of Withdrawal of Approval

The holders of the new-drug applications listed herein have not submitted annual reports of experience with the drugs as required and have advised the Food and Drug Administration that the new drugs involved were never marketed or marketing has been discontinued and have requested withdrawal of approval of the new-drug applications, thereby waiving opportunity for a hearing.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as

amended; 21 U.S.C. 355(e)), and under authority delegated to the Commissioner (21 CFR 2.120), approval of the following new-drug applications, including all amendments and supplements thereto, is hereby withdrawn on the grounds that the applicants have failed to make reports under section 505(j) of the Act (21 U.S.C. 355(j)) and § 130.13 or § 130.35 (e) and (f) of the new-drug regulations (21 CFR 130.13 and 130.35).

NDA No.	Drug name	Applicant's name and address
0-762	Vitamin B_1 Injection (thiamin hydrochloride).	High Chemical Co., 1760 North Howard St., Philadelphia, PA 19122.
2-531	Biferone Tablets (Birone) (ferrous sulfate, thiamine chloride, riboflavin, nicotinic acid).	Beecham-Massengill Pharmaceuticals, 527 Fifth St., Bristol, TN 37620.
7-062	Paraminyl Tablets (pyranisamine maleate).	Cooper Laboratories, Inc., Fairfield Rd., Wayne, N.J. 07470.
7-119	Diaminide Maleate Tablets (pyranisamine maleate).	Merck Sharp & Dohme, Division Merck & Co., Inc., West Point, Pa. 19486.
7-249	Para Hycodan Syrup & Tablets (dihydrocodeinone bitartrate, dihydrocodeinone terephthalate pentylenetetrazol).	Endo Laboratories, Inc., 1000 Stewart Ave., Garden City, NY 11530.
7-844	Diethylstilbestrol in Ethyl Oleate Injection (diethylstilbestrol).	Eli Lilly and Co., Box 618, Indianapolis, IN 46206.
9-566	Reserpine Tablets (reserpine).	High Chemical Co., 1760 North Howard St., Philadelphia, PA 19122.
10-372	Co-Hydeltra Tablets (prednisolone, magnesium trisilicate, dried aluminum hydroxide gel).	Merck Sharp & Dohme, Division Merck & Co., Inc., West Point, Pa. 19486.
10-407	Renir Tablets (reserpine, ephedrine sulfate).	Beecham-Massengill Pharmaceuticals, 527 Fifth St., Bristol, TN 37620.
11-645	Reflexol Cough Lozenges (carbetapentane tannate).	International Playtex Corp., 888 Seventh Ave., New York, NY 10019.
11-646	Reflexol Forte Cough Lozenges (carbetapentane tannate).	Do.
12-009	Pyrilamine Maleate Capsules (pyrilamine maleate).	United Pharmaceuticals, Inc., 1064 44th Ave., Oakland, CA 94601.
16-281	Potassium Chloride Tablets (potassium chloride).	Cooper Laboratories, Inc., 2900 North 17th St., Philadelphia, PA 19132.

This order shall become effective on its date of publication in the FEDERAL REGISTER (2-8-72).

Dated: January 27, 1972.

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

[FR Doc.72-1737 Filed 2-7-72;8:45 am]

[Docket No. FDC-D-429; NDA 0-484, etc.]

S. E. MASSENGILL CO. ET AL.

New Drug Applications; Notice of Withdrawal of Approval

The holders of the new-drug applications listed herein have not submitted annual reports of experience with the drugs as required and have advised the Food and Drug Administration that the new drugs involved were never marketed or marketing has been discontinued and have requested withdrawal of approval of the new-drug applications, thereby waiving opportunity for a hearing.

Therefore pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 505(e), 52 Stat. 1053, as amended; 21 U.S.C. 355(e)), and under authority delegated to the Commissioner (21 CFR 2.120), approval of the following new-drug applications, including all amendments and supplements thereto, is hereby withdrawn on the grounds that the applicants have failed to make reports under section 505(j) of the Act (21 U.S.C. 355(j) and §§ 130.13 and 130.35 (e) and (f) of the new-drug regulations (21 CFR 130.13 and 130.35).

NDA No.	Drug name	Applicant's name and address
0-484	Niacin Tablets (nicotinic acid).	The S. E. Massengill Co., 527 Fifth St., Bristol, TN 37620.
2-075	Methocel Tablets (methylcellulose).	The Dow Chemical Co., Post Office Box 1706, Midland, MI 48640.
2-368	Napental Capsules (pentobarbital sodium).	The S. E. Massengill Co., 527 Fifth St., Bristol, TN 37620.
2-385	Aminophyllin (Enteric coated) Tablets (aminophyllin).	G. D. Searle & Co., Post Office Box 5110, Chicago, IL 60680.
6-114	Decupryl Cream and Liquid (undecylenic acid).	Cooper Laboratories, Inc., 2900 North 17th St., Philadelphia, PA 19132.
6-614	Semikon Hydrochloride Tablets (methapyrilene hydrochloride).	The S. E. Massengill Co., 527 Fifth St., Bristol, TN 37620.
9-398	Rauwolfia Serpentina Tablets (rauwolfia serpentina).	Bryant Pharmaceutical Corp., 70 MacQuesten Parkway South, Mount Vernon, NY 10550.
9-419	Rauvitine Tablets (rauwolfia serpentina).	The Vitarine Co., Inc., 227-15 North Conduit Ave., Springfield Gardens, NY 11413.
9-586	Verapene Tablets (reserpine).	Wampole Laboratories, 35 Commerce Rd., Stamford, CT 06904.
9-680	Evroloid Tablets (reserpine).	Evron Pharmaceutical Co., Inc., 7475 North Rogers Ave., Chicago, IL 60626.
9-749	Serpivite Tablets (reserpine).	The Vitarine Co., 227-15 North Conduit Ave., Springfield Gardens, NY 11413.
9-943	Plaquinol Sulfate Tablets (hydroxychloroquine sulfate).	Winthrop Products, Inc., 90 Park Ave., New York, NY 10016.
10-199	Hydrocortisone Acetate Ointment (hydrocortisone acetate).	The Vitarine Co., Inc., 227-15 North Conduit Ave., Springfield Gardens, NY 11413.
10-430	Hypersine Tablets (reserpine).	Don Hall Laboratories, 1935 North Argyle St., Portland, OR 97217.
10-552	Reserpine Injection (reserpine).	Cooper Laboratories, Inc., 2900 North 17th St., Philadelphia, PA 19132.
10-650	Hydrocortisone Acetate Suspension (hydrocortisone acetate).	Do.
11-687	Tral with Phenobarbital Drops (hexocyclium methylsulfate, phenobarbital).	Abbott Laboratories, North Chicago, Ill. 60064.
12-091	Isodette Cough Syrup (carbetapentane citrate, phenylephrine hydrochloride, chlorpheniramine maleate, acetaminophen).	International Playtex Corp., 350 Fifth Ave., New York, NY 10001.

This order shall become effective on its date of publication in the FEDERAL REGISTER (2-8-72).

Dated: January 27, 1972.

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

[FR Doc.72-1738 Filed 2-7-72;8:45 am]

Office of the Secretary

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 3 (Health Services and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (33 F.R. 15953, October 30, 1968), as amended by 35 F.R. 10798, July 2, 1970, is hereby amended with regard to section 3-20, *Organization and Functions*, as follows:

In the chapter alphabetically coded "3G00"—Center for Disease Control (3G00)—the sidehead *Laboratory Division (3G69)* and accompaning text is replaced with the following sidehead and accompanying text:

Laboratory Division (3G69). (1) Administers a comprehensive national laboratory improvement program; (2) directs and conducts the administration of the licensure and evaluation of clinical laboratories engaged in interstate commerce under the authority and provisions of the Clinical Laboratories Improvement Act of 1967; (3) conducts research for improving and standardizing laboratory methodology; (4) evaluates techniques, materials, and reagents used in public

health laboratories; (5) provides reference and typing center services related to clinical laboratory procedures for national and international organizations; (6) produces and distributes microbiological reference and working reagents not commercially available or of unreliable supply; (7) provides consultation, training, and informational services in laboratory techniques and laboratory management to States and other recipients; and (8) distributes experimental vaccines and special immune globulins to prevent and control laboratory infections.

Dated: February 2, 1972.

STEVEN D. KOHLERT,
Acting Deputy Assistant Secretary for Management.

[FR Doc.72-1832 Filed 2-7-72;8:50 am]

HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION

Statement of Organization, Functions, and Delegations of Authority

Part 3 (Health Services and Mental Health Administration) of the Statement of Organization, Functions, and Delegations of Authority for the Department of Health, Education, and Welfare (33 F.R. 15963, October 30, 1968), is hereby amended with regard to section 3-30, *Delegations of Authority*, as follows:

After subparagraph numbered (14) of the paragraph entitled *Specific delegations*, add two new subparagraphs reading:

(15) Pursuant to the delegation contained in Executive Order No. 11609 (July 22, 1971), the functions under section 2 of the Act of August 4, 1947, chapter 478, 61 Stat. 751, as amended (24 U.S.C. 168a), relating to the fixing of per diem rates for care of patients in St. Elizabeths Hospital.

(16) Pursuant to the delegation contained in Executive Order No. 11609 (July 22, 1971), the functions under the Dependents' Medical Care Act (Public Law 84-569; 10 U.S.C. 1085), relating to the establishing of uniform rates of reimbursement from the Department of Defense for inpatient medical or dental care in facilities under the jurisdiction of the Administrator.

Dated: January 26, 1972.

ELLIOT L. RICHARDSON,
Secretary of Health, Education, and Welfare.

[FR Doc.72-1831 Filed 2-7-72;8:50 am]

Public Health Service

LICENSED BIOLOGICAL PRODUCTS

Notice is hereby given that pursuant to section 351 of the Public Health Service Act, as amended (42 U.S.C. 262), and regulations issued thereunder (42 CFR Part 73), the following establishment license and product license actions have been taken from July 1, 1971, to December 31, 1971, inclusive.

A complete listing of licensed establishments and products may be obtained by writing to the Division of Biologics Standards, National Institutes of Health, Bethesda, Md. 20014.

ESTABLISHMENT LICENSES ISSUED

Establishment	City and State	License No.
Blood Research Institute, Inc.	Boston, Mass.	445
Community Blood Bank of Southern New Jersey, Inc. (The).	Cherry Hill, N.J.	440
Cordis Corp.	Miami, Fla.	450
Detroit Biologicals, Inc.	Southgate, Mich.	441
Diagnostics, Inc.	Birmingham, Ala.	446
Interstate Blood Bank, Inc. of Pa.	Philadelphia, Pa.	444
Medical Center Blood Bank, Inc.	Nashville, Tenn.	449
Meridian Bio-Medical, Inc.	Denver, Colo.	448
Sera-Tec Biologicals, Inc.	North Brunswick, N.J.	443
Speers Memorial Hospital	Dayton, Ky.	447
University of Arkansas Medical Center Blood Bank.	Little Rock, Ark.	442

ESTABLISHMENT LICENSES REVOKED AT THE REQUEST OF THE MANUFACTURER

Establishment	City and State	License No.
Allergy Specifics, Inc.	New York, N.Y.	412
Allied Plasma Corp.	Miami, Fla.	418
Blood Bank & Serum Service, Inc.	New York, N.Y.	404
Blood Grouping Laboratory of Boston, Inc.	Boston, Mass.	159
Community Memorial General Hospital.	La Grange, Ill.	277
Dunklin County Memorial Hospital.	Kennett, Mo.	368
Evans Medical, Ltd.	Speke, Liverpool, England.	351
Harrisburg Polyclinic Hospital.	Harrisburg, Pa.	405
Terrell Clinic	Ft. Worth, Tex.	84
Washington Blood Laboratory.	Washington, D.C.	158

ESTABLISHMENT LICENSES REVOKED WITHOUT PREJUDICE AND REISSUED

Establishment	City and State	License No.	Action
Behring Diagnostics, Division of American Hoechst Corp.	Woodbury, N.Y.	157	Name change.
Belle Bonfils Memorial Blood Center.	Denver, Colo.	166	Do.
Eastern Biologicals, Inc.	Jersey City, N.J.	420	Establishment move.
Merrell-National Laboratories Division of Richardson-Merrell Inc.	Swiftwater, Pa.	101	Name change.
North American Biologicals, Inc.	North Miami, Fla.	413	Additional location.

PRODUCT LICENSES ISSUED

Product	Establishment	License No.
Allergenic Extracts	Bioproducts Research Laboratories, Inc.	416
Do	Meridian Bio-Medical, Inc.	448
Allergenic Extracts Alum Precipitated.	Center Laboratories, Inc.	193
Anti-A Blood Grouping Serum.	Behringwerke AG	97
Anti-B Blood Grouping Serum.	do	97
Anti-Human Serum	Lee Laboratories, Inc.	436
Do	North American Biologicals, Inc.	413
Anti-Rh Typing Serums:		
Anti-Rh$_o$ (Anti-D)	do	413
Anti-Rh$_o$' (Anti-CD)	Metabolic, Inc.	415
Anti-Rh$_o$rh'rh'' (Anti-CDE).	do	415
Anti-rh'' (Anti-E)	do	415
Anti-hr' (Anti-c)	North American Biologicals, Inc.	413
Cryoprecipitated Antihemophilic Factor (Human).	Sera-Tec Biologicals, Inc.	443
Do	Scientific Blood Bank, Inc.	345
Do	University of Cincinnati Blood Transfusion Service.	235
Hepatitis Associated Antibody (Anti-Australia Antigen).	Cordis Corp.	450
Do	Diagnostics, Inc.	446
Do	Ortho Diagnostics, Ortho Pharmaceutical Corp.	156
Do	Travenol Laboratories, Inc.	140
Immune Serum Globulin (Human).	Wyeth Laboratories, Inc.	3
Red Blood Cells (Human).	Blood Research Institute, Inc.	445
Do	Detroit Biologicals, Inc.	441
Do	Perth Amboy General Hospital.	395
Do	Speers Memorial Hospital.	447
Rh$_o$(D) Immune Globulin (Human).	Dow Chemical Co. (The)	110
Single Donor Plasma (Human).	Community Blood and Plasma Service, Inc., of Texas.	241
Do	Detroit Biologicals, Inc.	441
Whole Blood (Human)	Community Blood Bank of Southern New Jersey, Inc. (The).	440
Do	Detroit Biologicals, Inc.	441
Do	Interstate Blood Bank, Inc., of Pa.	444
Do	Medical Center Blood Bank, Inc.	449
Do	Speers Memorial Hospital.	447
Do	University of Arkansas Medical Center Blood Bank.	442

PRODUCT LICENSES REVOKED AT THE REQUEST OF THE MANUFACTURER

Product	Establishment	License No.
Absorbed Anti-A Serum.	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Do	Washington Blood Laboratory.	158
Allergenic Extracts	Allergy Specifics, Inc.	412
Do	Terrell Clinic	84
Anti-A Blood Grouping Serum.	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Do	Washington Blood Laboratory.	158
Anti-B Blood Grouping Serum.	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Do	Washington Blood Laboratory.	158
Anti-A,B Blood Grouping Serum.	Blood Bank Foundation.	165
Do	Washington Blood Laboratory.	158
Anti-Fy^a Serum (Anti-Duffy).	Blood Grouping Laboratory of Boston.	159
Anti-Gr(V^w) Serum	do	159
Antihemophilic Globulin (Human).	Michigan Department of Public Health Bureau of Laboratories.	99
Anti-Human Serum	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Do	Washington Blood Laboratory	159

PRODUCT LICENSES REVOKED AT THE REQUEST OF THE MANUFACTURER—Continued

Product	Establishment	License No.
Anti-Jk^a Serum (Anti-Kidd).	Blood Grouping Laboratory of Boston.	159
Anti-K Serum (Anti-Kell).	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Anti-Kp^a Serum (Anti-Penney).	do	159
Anti-Kp^b and Anti-K Serum (Anti-Rautenberg and Anti-Kell).	do	159
Anti-Le^a Serum (Anti-Lewis).	do	159
Anti-Le^b Serum	do	159
Anti-M Serum	do	159
Anti-M^s Serum	do	159
Anti-P Serum	do	159
Anti-Rh Typing Serums:		
Anti-Rh$_o$ (Anti-D)	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Do	Washington Blood Laboratory.	158
Anti-Rh$_o$' (Anti-CD)	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Do	Washington Blood Laboratory.	158
Anti-Rh$_o$" (Anti-DE).	Blood Bank Foundation.	165
Do	Washington Blood Laboratory.	158
Anti-Rh$_o$rh'rh" (Anti-CDE).	Blood Bank Foundation.	165
Do	Washington Blood Laboratory.	158
Anti-rh' (Anti-C)	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Do	Washington Blood Laboratory.	158
Anti-rh" (Anti-E)	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Do	Washington Blood Laboratory.	158
Anti-hr' (Anti-c)	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Do	Washington Blood Laboratory.	158
Anti-hr" (Anti-e)	Blood Bank Foundation.	165
Do	Blood Grouping Laboratory of Boston.	159
Anti-rh^w (Anti-C^w)	do	159
Anti-Rh$_o$+*Rh$_o$* (Anti-D+D").	do	159
Anti-S Serum	do	159
Anti-s Serum	do	159
Anti-Wr^a Serum (Anti-Wright).	do	159
Bacterial Vaccines made from:		
Acne Bacillus	Merrell-National Laboratories Division of Richardson-Merrell Inc.	101
Brucella Abortus	do	101
Brucella Melitensis	do	101
Brucella Suis	do	101
Colon Bacillus	do	101
Do	Eli Lilly & Co	56
Gonococcus	Merrell-National Laboratories, Division of Richardson-Merrell Inc.	101
Do	Eli Lilly & Co	56
Meningococcus	Merrell-National Laboratories, Division of Richardson-Merrell Inc.	101
Pertussis Bacillus	Eli Lilly & Co	56
Pseudodiphtheria Bacillus.	Merrell-National Laboratories, Division of Richardson-Merrell Inc.	101
Pyocyaneus Bacillus	do	101
Diphtheria and Tetanus Toxoids and Pertussis Vaccine.	Eli Lilly & Co	56
Measles Immune Globulin (Human).	do	56
Measles Virus Vaccine, Inactivated.	do	56
Perfringens Antitoxin	do	56
Pneumococcus Typing Serum.	Michigan Department of Public Health, Bureau of Laboratories.	99

PRODUCT LICENSES REVOKED AT THE REQUEST OF THE MANUFACTURER—Continued

Product	Establishment	License No.
Red Blood Cells (Human).	North American Biologicals, Inc.	413
Schick Test Control	Eli Lilly & Co	56
Staphylococcus Toxoid & Bacterial Antigen made from Staphylococcus (Albus and Aureus).	E. R. Squibb & Sons, Inc.	52
Tetanus and Gas Gangrene Polyvalent Antitoxin.	Eli Lilly & Co	56
Tuberculin	Evans Medical, Ltd	351
V. *Septique* Antitoxin	Eli Lilly & Co	56
Whole Blood (Human)	Allied Plasma Corp	418
Do	Blood Bank & Serum Service, Inc.	404
Do	Community Memorial General Hospital.	277
Do	Dunklin County Memorial Hospital.	368
Do	Harrisburg Polyclinic Hospital.	405

Approved:

RODERICK MURRAY,
Director, Division of Biologics Standards, National Institutes of Health, Public Health Service, Department of Health, Education, and Welfare.

Approved:

STORM WHALEY,
Associate Director for Communications, for the Director, National Institutes of Health, Public Health Service, Department of Health, Education, and Welfare.

[FR Doc.72-1743 Filed 2-7-72;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. D-72-145]

DEPUTY REGIONAL ADMINISTRATOR, ET AL.

Designation To Serve as Acting Regional Administrator, Region I

The officials appointed to the following positions in Region I (Boston) are designated to serve as Acting Regional Administrator, Region I, Boston, during the absence of the Regional Administrator, with all the powers, functions, and duties redelegated or assigned to the Regional Administrator: *Provided,* That no official is authorized to serve as Acting Regional Administrator unless all other officials whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Regional Administrator;
2. Assistant Regional Administrator for Administration;
3. Assistant Regional Administrator for Housing Management;
4. Assistant Regional Administrator for Community Development;
5. Regional Counsel.

This designation supersedes the designation effective October 16, 1970 (36 F.R. 5445, March 23, 1971).

(Delegation and redelegation of authority to take final action with respect to certain positions and employees effective as of May 4, 1969)

Effective date. This designation is effective as of August 22, 1971.

JAMES J. BARRY,
Regional Administrator, Region I.

[FR Doc.72-1849 Filed 2-7-72;8:51 am]

[Docket No. D-72-144]

ASSISTANT REGIONAL ADMINISTRATOR FOR ADMINISTRATION, ET AL.

Designation To Serve as Acting Regional Administrator, Region VIII

The officials appointed to the following listed positions in Region VIII (Denver) are hereby designated to serve as Acting Regional Administrator, Region VIII, during the absence of the Regional Administrator and Deputy Regional Administrator, Region VIII, with all the powers, functions, and duties delegated or assigned to the Regional Administrator: *Provided,* That no official is authorized to serve as Acting Regional Administrator, Region VIII, unless all other officials whose title precedes his in this designation are unable to act by reason of absence:

1. Assistant Regional Administrator for Administration;
2. Regional Counsel;
3. Special Assistant to the Regional Administrator;
4. Public Information Officer;
5. Special Assistant for Indian Housing.

This designation supersedes all previous designations.

(Delegation and redelegation of authority to take final action with respect to certain positions and employees effective as of May 4, 1969)

Effective date: January 1, 1972.

ROBERT C. ROSENHEIM,
Regional Administrator, Region VIII.

[FR Doc.72-1851 Filed 2-7-72;8:51 am]

ATOMIC ENERGY COMMISSION

[Docket No. 50-335]

FLORIDA POWER AND LIGHT CO.

Notice of Availability of Applicant's Environmental Report and Supplemental Environmental Report

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Commission's regulations in Appendix D to 10 CFR Part 50, notice is hereby given that reports entitled "Applicant's Environmental Report—Construction Permit Stage," and "Supplement No. 1 to applicant's Environmental Report—Construction Permit Stage," for the Hutchinson Island Plant, Unit 1, submitted by the Florida Power and Light Co., have been placed in the Commission's Public Document Room at 1717 H Street NW., Washington, DC, and in the Indian River Junior College Library, 3209

Virginia Avenue, Fort Pierce, FL 33450. The reports are also being made available to the public at the Department of Administration, State Planning and Development Clearinghouse, 725 South Bronough Street, Tallahassee, FL 32304.

These reports discuss environmental considerations related to the proposed construction of the Hutchinson Island Plant, Unit 1, located about halfway between Fort Pierce and Stuart on the east coast of Florida in St. Lucie County.

After the reports have been analyzed by the Commission's Director of Regulation or his designee, a draft statement of environmental considerations related to the proposed action will be prepared. Upon preparation of the draft detailed statement, the Commission will, among other things, cause to be published in the FEDERAL REGISTER a summary notice of availability of the draft detailed statement. The summary notice will request comments from interested persons on the proposed action and on the draft statement. The summary notice will also contain a statement to the effect that the comments of Federal agencies and State and local officials thereon will be available when received.

Dated at Bethesda, Md., this 1st day of February 1972.

For the Atomic Energy Commission.

DANIEL R. MULLER,
Acting Assistant Director for Pressurized Water Reactors, Division of Reactor Licensing.

[FR Doc.72-1767 Filed 2-7-72;8:45 am]

[Dockets Nos. 50-352, 50-353]

PHILADELPHIA ELECTRIC CO.

Order Postponing Prehearing Conference

In the matter of Philadelphia Electric Co. (Limerick Generating Station Units 1 and 2), Dockets Nos. 50-352, 50-353.

On February 3, 1972, the Atomic Safety and Licensing Board received from the Regulatory Staff Counsel the following telegram:

> In connection with the prehearing conference scheduled in this matter for February 9, 1972, at Norristown, Pa., the regulatory staff has no objection to such conference being held as scheduled, but wishes to inform the Board of its belief that such conference may be more fruitful if postponed until February 24. The Staff and the applicant have been in contact with State officials, several Congressmen and the Coalition Intervenor group. While progress has been made, the Staff believes that the additional time would be valuable in focusing on the framing of contentions in issue.

The Board construes that communication as a request for a postponement. After a telephonic conference with attorneys for the parties and most of those proposing to become intervenors, the Board has determined that, except for the applicant, there is general agreement that it would be advantageous and would assist in expediting the consideration of various issues involved in this proceeding, to change the date of the prehearing conference from the presently scheduled February 9th date to February 24, 1972. The applicant opposes the postponement on general grounds, although it is understood that applicant is continuing to meet with intervenors in order to simplify the issues. The Board has directed the parties to substitute the vast reams of paper, reflecting formal motions, answers, replies, etc., that usually accompany endeavors to simplify issues, for oral discussions and more realistic endeavors to resolve the actual basis for a hearing. The Board encourages the Staff's endeavors in this regard and grants its request. Not a most important consideration, but an item that should not be overlooked is that this postponement will substantially reduce the travel time of the Staff personnel involved in these conferences, since this February 24 prehearing can be combined with a February 23 adjacent prehearing in Dockets Nos. 50-354 and 50-355.

Wherefore, it is ordered: In accordance with the Atomic Energy Act, as amended, and the rules of practice of the Commission, the February 9th prehearing conference in this proceeding is postponed and the prehearing conference shall be convened at 10:00 a.m. on Thursday, February 24, 1972, in Courtroom A, Montgomery County Courthouse, Swede and Airy Streets, Norristown, Pa.

Issued: February 4, 1972, Germantown, Md.

Atomic Safety and Licensing Board.

SAMUEL W. JENSCH,
Chairman.

[FR Doc.72-1914 Filed 2-7-72;11:05 am]

CIVIL AERONAUTICS BOARD

[Docket No. 24202; Order 72-2-8]

BRANIFF AIRWAYS, INC.

Order of Investigation and Suspension Regarding Revised Hawaiian Common Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 2d day of February 1972.

By tariff revision[1] marked to become effective February 5, 1972, Braniff Airways, Inc. (Braniff) proposes to revise its rules with respect to Hawaiian common fare travel to provide that such fares will apply only when tickets are purchased prior to departure from point of origin. Presently, the mainland and intra-Hawaiian carriers can, and do, rewrite tickets in Hawaii for those mainland-Hawaii passengers desiring to travel to the various Hawaiian islands under the common fare arrangement.

In support of its proposal, Braniff alleges that when Aloha Airlines, Inc. (Aloha), or Hawaiian Airlines, Inc. (Hawaiian), rewrites a Braniff passenger's ticket to include travel within Hawaii, Braniff does not know what absorption it will sustain or what stopover charges it will receive. It asserts that accounting for rewritten tickets is extremely difficult and that unless the tickets are sold in advance, it has no way to estimate or control its unearned transportation account.

Aloha and Hawaiian have filed a joint complaint against Braniff's proposal, requesting its suspension and investigation. They assert that the principle at stake is of critical importance since 75 percent of common fare tickets are presently rewritten in Honolulu, and that such rewritten tickets account for 40 percent of the total revenues of the intra-Hawaiian carriers. The complainants contend that approval of the proposal (and adoption of the rule by other mainland carriers) would virtually eliminate the common fare and have a crippling effect on the intra-Hawaiian carriers.

Braniff answers that advance sale removes an unjust discrimination in price between passengers sold in Hawaii,[2] and it places the emphasis on common fare travel on the mainland where it was intended as a promotional tool to encourage travel to Hawaii, rather than in Hawaii as a bonus to already committed mainland-Hawaii travel. Braniff further alleges that the present practice, which results in substantial absorption by the mainland carriers, is inequitable and economically unacceptable in this depressed yield market.[3]

Upon consideration of the tariff filing, the complaint and answer thereto, and all relevant matters, the Board has determined that the proposed rule may be unjust or unreasonable or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that the proposed rule should be suspended pending investigation.

The ability to rewrite mainland-Hawaii tickets in Hawaii has proven to be of substantial importance in selling interisland travel. In our opinion, a restriction such as that proposed by Braniff would inhibit such travel and is contrary to the Board's intent in requiring the provision of interisland travel at a nominal stopover charge.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof:

It is ordered, That:

1. An investigation be instituted to determine whether the provisions of Rule 322(A)(2) applicable to the carrier Braniff appearing on 12th and 13th Revised Pages 136 of Airline Tariff Publishers, Inc., Agent's CAB No. 142 and

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[1] Revisions to Airline Tariff Publishers, Inc., Agent, Tariff CAB No. 142.

[2] Put another way, Braniff believes that a Hawaiian visitor who decides after arrival in Hawaii to visit a neighbor island should pay the same fares which Aloha and Hawaiian charge the Hawaii resident, i.e., the regular fare.

[3] On Jan. 31, 1972, Aloha and Hawaiian filed a motion for leave to file an otherwise unauthorized document. The complainants' motion will be denied.

rules, regulations, or practices affecting such provisions are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful provisions and rules, regulations, or practices affecting such provisions;

2. Pending hearing and decision by the Board, Rule 322(A)(2) applicable to the carrier Braniff on 12th and 13th Revised Pages 136 of Airline Tariff Publishers, Inc., Agent's CAB No. 142 is suspended and its use deferred to and including May 4, 1972, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The motion of Aloha Airlines, Inc., and Hawaiian Airlines, Inc., for leave to file and otherwise unauthorized document is denied;

4. Except to the extent granted herein, the complaint in Docket 24160 is hereby dismissed;

5. The proceeding ordered herein be assigned for hearing before an Examiner of the Board at a time and place hereafter to be designated; and

6. A copy of this order will be filed with the aforesaid tariffs and be served upon Aloha Airlines, Inc., Braniff Airways, Inc., and Hawaiian Airlines Inc., which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

Secretary.

[SEAL] HARRY J. ZINK,

[FR Doc.72-1835 Filed 2-7-72;8:50 am]

ENVIRONMENTAL PROTECTION AGENCY

ROHM AND HAAS CO.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a(d)(1)), notice is given that a petition (PP 2F1224) has been filed by Rohm and Haas Co., Independence Mall West, Philadelphia, PA 19105, proposing establishment of an exemption from the requirement of a tolerance for residues of isophorone in or on raw agricultural commodities when used as an inert solvent or cosolvent in pesticide formulations applied postemergence to growing crops.

The analytical method proposed in the petition for determining residues of the inert ingredient is an ultraviolet spectrophotometric procedure in which the residue is measured at 233 nanometers.

Dated: February 1, 1972.

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

[FR Doc.72-1816 Filed 2-7-72;8:49 am]

ROHM AND HAAS CO.

Notice of Filing of Petition Regarding Pesticide Chemical

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(1), 68 Stat. 512; 21 U.S.C. 346a-(d)(1)), notice is given that a petition (PP 2F1225) has been filed by Rohm and Haas Co., Independence Mall West, Philadelphia, PA 19105, proposing establishment of an exemption from the requirement of a tolerance (40 CFR Part 180) for residues of the suspending agent and dispersing agent maleic anhydride-diisobutylene copolymer, sodium salt, when used as an inert ingredient in pesticide formulations applied to growing crops only.

The analytical method proposed in the petition for determining residues of the surfactant is a turbidimetric procedure with spectrophotometric measurement at 500 nanometers.

Dated: February 1, 1972.

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

[FR Doc.72-1817 Filed 2-7-72;8:49 am]

FEDERAL MARITIME COMMISSION

JAPAN-ATLANTIC & GULF FREIGHT CONFERENCE

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

James E. Mazure, Chairman, Japan-Atlantic & Gulf Freight Conference, Sumitomo Seimei Yaesu Building, 3, Yaesu 4-Chome, Chuo-Ku, Tokyo 104 Japan.

Agreement No. 3103-49 modifies the basic agreement of the Japan-Atlantic & Gulf Freight Conference by amending Article 16(a) to permit the lines to reimburse their agents for "container control" and administrative expenses.

Dated: February 2, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-1837 Filed 2-7-72;8:50 am]

JAPAN-PUERTO RICO AND VIRGIN ISLANDS FREIGHT CONFERENCE

Notice of Agreement Filed

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

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

T. Sato, Secretary, Japan-Puerto Rico and Virgin Islands Freight Conference, 2d Floor, Sumitomo Seimei Yaesu Building, 3, 4-Chome Yaesu, Chou-Ku, Tokyo 104 Japan.

Agreement No. 8190-11 proposes to shift all of the administrative matters from the basic agreement into an appendix section so that in the future, modifications of administrative matters in the

appendix will not need the Commission's approval.

Dated: February 2, 1972.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.72-1838 Filed 2-7-72;8:50 am]

FEDERAL RESERVE SYSTEM

BANCAL TRI-STATE CORP.

Formation of One-Bank Holding Company

BanCal Tri-State Corp., San Francisco, Calif., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to The Bank of California, National Association, San Francisco, Calif. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the Federal Reserve Bank of San Francisco. Any person wishing to comment on the application should submit his views in writing to the Reserve Bank to be received not later than February 28, 1972.

Pursuant to § 225.3(b) of Regulation Y, this application shall be deemed to be approved on March 13, 1972, unless the applicant is notified to the contrary before that time, or is granted approval at an earlier date.

Board of Governors of the Federal Reserve System, February 1, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1770 Filed 2-7-72;8:45 am]

FIRST CHICAGO CORP.

Order Approving Acquisition of I. J. Markin & Co.

First Chicago Corp., Chicago, Ill., a bank holding company within the meaning of the Bank Holding Company Act of 1956, has applied for the Board's approval under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y to acquire all of the voting shares of I. J. Markin & Co. (Markin), Chicago, Ill. Notice of the application affording opportunity for interested persons to submit comments and views was duly published. The time for filing comments and views has expired and all received have been considered, including those presented orally and in writing in connection with a Board hearing on November 8, 1971, pertaining to mortgage banking in general, and this application in particular.

Applicant controls the First National Bank of Chicago (Bank), the second largest bank in the Chicago SMSA, and 21 domestic and foreign nonbanking subsidiaries. Bank's deposits of $4.6 billion[1] represent 18 percent of the total commercial bank deposits in the Chicago SMSA. Bank, which does not service mortgages originated by others, has outstanding $249 million of mortgages (primarily residential), which represent only 1.7 percent of approximately $14.3 billion of mortgage loans outstanding in the Chicago SMSA.

Markin has a mortgage loan portfolio of $97.5 million[2] (which represents 0.7 percent of mortgage loans outstanding in the Chicago SMSA) and originated $8.3 million in loans during 1970. Applicant and Markin hold a combined share of only 2.4 percent of the outstanding mortgage loans in this market. Based on the volume of mortgages serviced, Markin is the ninth largest mortgage company headquartered in Chicago, and the 187th largest in the nation. Markin specializes in the origination of mortgage loans on new income producing properties for sale to institutional investors, whereas applicant specializes in residential loans (for its own account).

The proposed acquisition would not result in any elimination of existing competition between Bank and Markin in the markets for either construction loans, permanent mortgages on one-four family homes, or in the servicing of mortgages for the public. The only market in which the two institutions are in direct competition at the present time is the origination of mortgage loans on new income producing properties. However, there is no significant existing competition between the two in this product market.

Bank's capability for de novo entry into those mortgage banking markets in which it is not presently competing is limited only by its ability to develop or obtain the experienced personnel necessary to operate a de novo concern. However, in this case, we find little differentiation to be made between a de novo entry, and the acquisition of a firm as small as Markin. As the ninth largest mortgage company headquartered in Chicago, Markin services less than 5 percent of all mortgages serviced by the top 10 mortgage companies headquartered in Chicago. There are numerous other mortgage companies and other financial institutions servicing mortgages in the Chicago SMSA as well. Thus, the market is sufficiently unconcentrated to allow a small acquisition by applicant without a substantial lessening of potential competition.

We believe that applicant's acquisition of Markin will not only add to the latter's operating capabilities but will strengthen its competitive role in the markets where it presently operates and those into which it may expand. Applicant's purchase of Markin could expand the availability of housing finance in the Chicago area (and applicant has assured the Board that it will make available to Markin additional funds for low- and moderate-income housing projects). Additionally, because of the number of remaining credit sources, there is no significant possibility that the acquisition would have adverse effects on credit availability to independent mortgage companies. On balance, the Board concludes that these public benefits outweigh any possible adverse effect on competition.

Based upon the foregoing and other considerations reflected in the record,[3] the application is approved.

By order of the Board of Governors,[4] January 31, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1774 Filed 2-7-72;8:46 am]

[1] Data as of December 1970.

[2] Data as of Oct. 31, 1970.

MIDLAND MORTGAGE CORP.

Formation of Bank Holding Company

Midland Mortgage Corp., Detroit, Mich., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through the indirect acquisition of 85 percent or more of the voting shares of Peoples Bank of Port Huron, Port Huron, Mich. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application 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 March 2, 1972.

Board of Governors of the Federal Reserve System, February 2, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1769 Filed 2-7-72;8:45 am]

MOUNTAIN BANKS, LTD.

Proposed Acquisition of Rocky Mountain Financial Services, Inc.; Correction

In the notice regarding the proposed acquisition by Mountain Banks, Ltd., Colorado Springs, Colo., for voting shares of Rocky Mountain Financial Services, Inc., Colorado Springs, Colo., published in the FEDERAL REGISTER of December 8, 1971 (36 F.R. 24096), the second paragraph should be corrected to read:

"Applicant states that subsidiaries of the proposed subsidiary would engage in the activities of a finance company, an

[3] Dissenting Statement of Governors Robertson, Maisel, and Brimmer filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Chicago.

[4] Voting for this action: Chairman Burns and Governors Mitchell, Daane, and Sheehan. Voting against this action: Governors Robertson, Maisel, and Brimmer.

industrial bank, a lessor of personal property, and insurance agents for the sale of insurance directly related to extensions of credit, all of which activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b). (A subsidiary of Rocky Mountain Financial Services, Inc., formerly engaged in the business of reinsuring credit life and disability insurance and presently conducts no business activities.)"

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than February 15, 1972.

Board of Governors of the Federal Reserve System, February 1, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1771 Filed 2-7-72;8:45 am]

NORTHERN STATES FINANCIAL CORP.

Formation of Bank Holding Company

Northern States Financial Corp., Detroit, Mich., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1824(a)(1)) to become a bank holding company through acquisition of 80 percent or more of the voting shares of City National Bank of Detroit, Detroit, Mich., and the acquisition of indirect control of 13.2 percent of the voting shares of National Bank of Rochester, Rochester, Mich. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application 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 March 1, 1972.

Board of Governors of the Federal Reserve System, February 1, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1772 Filed 2-7-72;8:45 am]

PORT HURON FINANCIAL CO.

Formation of Bank Holding Company

Port Huron Financial Co., Detroit, Mich., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 85 percent or more of the voting shares of Peoples Bank of Port Huron, Port Huron, Mich. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application 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 March 2, 1972.

Board of Governors of the Federal Reserve System, February 2, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1768 Filed 2-7-72;8:45 am]

U.S. BANCORP

Order Denying Determination of Bank Holding Company Act

U.S. Bancorp, Portland, Oreg., a bank holding company within the meaning of the Bank Holding Company Act of 1956, has applied for the Board's approval under section 4(c)(8) of the Act and § 225.4(b)(2) of the Board's Regulation Y to acquire all of the voting shares of Securities-Intermountain, Inc. (Simco), Portland, Oreg. Notice of the application affording opportunity for interested persons to submit comments and views was duly published. The time for filing comments and views has expired and all received have been considered, including those presented orally and in writing in connection with a Board hearing on November 8, 1971, pertaining to mortgage banking in general, and this application in particular.

Applicant owns the United States National Bank (Bank), a $1.5 billion deposit institution headquartered in Portland, Oreg. Bank holds 37.7 percent of the total commercial bank deposits in the State of Oregon, and is one of the two largest commercial banks in the State, which together hold 79.5 percent of total State deposits.[1]

Historically, Bank has made residential loans for its own account. In its most recent fiscal year, Bank originated over $1 million in mortgage loans in the Portland area that were sold to long-term investors. In addition, it originated $6.5 million in construction and real estate development loans for its own account.

Bank entered the mortgage banking business in 1967 through the acquisitions of Thomas Mortgage Co. and Commerce Mortgage Co. (Commerce). In its most recent fiscal year, Commerce originated $13.5 million in mortgage loans in the Portland area that were sold to long-term investors, and $9.9 million in construction and real estate development loans for its own account. In the same period, Commerce's Spokane, Wash., office originated $12.1 million of mortgage loans that were sold to long-term investors, and over $6 million in construction and real estate development loans for its own account. Commerce has a servicing volume of over $91 million in loans from the Spokane market alone. Based on its total mortgage servicing volume of $372 million, Commerce is the 52d largest mortgage banking company in the United States.[2]

Simco engages in the origination and servicing of all types of mortgage loans through offices located in Portland, Oreg.; Seattle, Spokane, and Bellevue, Wash.; and Palo Alto, Calif. In its last fiscal year, Simco's Portland office originated and sold $4.8 million in mortgage loans, and originated $5.4 million in construction loans. During the same period, its Spokane office originated $1.3 million mortgage loans and $1.9 million construction loans. Simco has a servicing volume of $22.7 million in loans from the Spokane market alone. Based on its total mortgage servicing volume of $205 million, Simco is the 100th largest mortgage banking company in the country.[2]

The Board finds that the proposed acquisition would eliminate substantial existing competition between applicant and Simco in both the Portland and Spokane markets,[3] where the two are direct competitors. Moreover, through its subsidiary, Commerce Mortgage Co., applicant has the present capability of expanding de novo into the Seattle-Bellevue market, where Simco's mortgage loan portfolio exceeds $88 million. Thus, the proposed acquisition would have an adverse effect on potential competition. The Board also views unfavorably the undue concentration of ecomonic resources that would result from the proposed acquisition, considering applicant's present substantial position in commercial and mortgage banking in Oregon.

If the proposed acquisition were approved, applicant and Simco would offer aproximately the same range of services as applicant presently offers; the public would gain few, if any, benefits therefrom. The Board finds that the proposed acquisition would not result in greater

[1] Deposit data as of June 1971.

[2] Servicing portfolio as of June 30, 1971.

[3] According to the Statements of Robert Wilson, president, U.S. Bancorp, and Robert James, treasurer, Securities-Intermountain, Inc., Commerce accounted for 2.4 percent of total mortgages recorded during the first 9 months of 1971 in the Portland area, while Simco accounted for 1 percent. (Simco's 1970 share of the Portland area represented 3.2 percent according to the application.) In Spokane, the two firms had a combined share of approximately 20 percent. See Board Hearings on Bank Holding Company Acquisition of Mortgage Companies, Nov. 8, 1971, pp. 125, 132. With respect to the elimination of existing competition, the Conference Report accompanying the 1970 Amendments to the Bank Holding Company Act states: "Where a bank holding company seeks to engage in related activities through acquisition, in whole or in part, of a going concern, the elimination of existing competition will be an important negative factor, for other subsidiaries of the bank holding company, or the company itself, may already be providing the products and services in the market served by the company to be acquired. In such circumstances, where the possible benefits to the public of bank holding company activity are already being provided, the elimination of an independent competitive alternative will weight heavily in the balance against approval." Report No. 91-1747, p. 17.

convenience, increased competition, or gains in efficiency to the public that outweigh the probable adverse effects.

Accordingly, based upon the foregoing and other considerations reflected in the record, the application is denied.

By order of the Board of Governors,[4] January 31, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1773 Filed 2-7-72;8:45 am]

FIRST CITY BANCORPORATION OF TEXAS, INC.

Acquisition of Bank

First City Bancorporation of Texas, Inc., Houston, Tex., has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 80 percent or more of the voting shares of First National Bank of Arlington, Arlington, Tex. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Dallas. Any person wishing to comment on the application 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 March 1, 1972.

Board of Governors of the Federal Reserve System, February 1, 1972.

[SEAL] TYNAN SMITH,
Secretary of the Board.

[FR Doc.72-1839 Filed 2-7-72;8:50 am]

[Regs. G, T, U]

OTC MARGIN STOCK

Changes in List

The following changes have been made, effective February 2, 1972, in the List of OTC Margin Stocks, as of July 12, 1971, published in the FEDERAL REGISTER on July 17, 1971.

1. *Addition.* (Stock now subject to margin requirements) National Patent Development Corp., Class A, $0.01 par common.

2. *Deletions.* (Stocks now registered on national securities exchanges) Herff Jones Co., no par common; Horizon Corp., $0.01 par common; Lynch Communication Systems Inc., $1 par common; Mission Equities Corp., no par common; Texfi Industries, Inc., $1 par common; and United Illuminating Co., The, no par common (stocks of company acquired by another firm); Bankers National Life Insurance Co., $2 par common; Eckrich, Peter & Sons, Inc., no par common; North American Life and Casualty Co., $1 par common; and United Convalescent Hospitals, Inc., $1 par common.

3. *Changes.* Beefland International, Inc., $1 par common becomes American Beef Packers, Inc., $1 par common; Bibb Manufacturing Co., $12.50 par common is changed to Bibb Co., The, no par common; Brush Beryllium Co., The, $1 par common now reads as Brush Wellman, Inc., $1 par common; First National Holding Corp., $5 par common is renamed First Tennessee National Corp., $5 par common; Landa Industries, Inc., $0.10 par common becomes Surveyor Companies, Inc., $0.10 par common; and Northern Trust Co., The, $20 par capital reads as Nortrust Corp., $20 par capital.

Board of Governors of the Federal Reserve System, by its director of Supervision and Regulation pursuant to delegated authority (12 CFR 265.2(c)(13)), February 1, 1972.

[SEAL] TYNAN SMITH,
Secretary to the Board.

[FR Doc.72-1840 Filed 2-7-72;8:50 am]

OFFICE OF EMERGENCY PREPAREDNESS

WASHINGTON

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in me by the President under Executive Order 11575 of December 31, 1970; and by virtue of the Act of December 31, 1970, entitled "Disaster Relief Act of 1970" (84 Stat. 1744), as amended by Public Law 92-209 (85 Stat. 742); notice is hereby given that on February 1, 1972, the President declared a major disaster as follows:

I have determined that the damages in certain areas of the State of Washington from severe storms and flooding, beginning about January 19, 1972, are of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 91-606. I therefore declare that such a major disaster exists in the State of Washington. You are to determine the specific areas within the State eligible for Federal assistance under this declaration.

Notice is hereby given that pursuant to the authority vested in me by the President under Executive Order 11575 to administer the Disaster Relief Act of 1970 (Public Law 91-606, as amended), I hereby appoint Mr. Creath A. Tooley, Regional Director, OEP Region 10, to act as the Federal Coordinating Officer to perform the duties specified by section 201 of that Act for this disaster.

I do hereby determine the following areas in the State of Washington to have been adversely affected by this declared major disaster:

The counties of:

Asotin.	Skamania.
Cowlitz.	Thurston.
Grays Harbor.	Whitman.
Lewis.	

Dated: February 3, 1972.

G. A. LINCOLN,
Director,
Office of Emergency Preparedness.

[FR Doc.72-1825 Filed 2-7-72;8:50 am]

PRICE COMMISSION

PUBLIC UTILITIES

Final Action on Rate Increases Reported Prior to January 17, 1972

Current Price Commission regulations, § 300.16, provide, in general, that the Price Commission has 10 days in which to take action on price increases reported to it by public utilities. These revised provisions, which reflect the need of public utilities for an expeditious review of price increases, and which became effective on January 17, 1972, did not address themselves specifically to the treatment of requests for, and notifications of, price increases received by the Price Commission before that date.

Under the regulation as in effect before January 17, 1972, the Price Commission had specifically reserved its right to review and limit the amount of any requested increase, ordered increase, or other authorized increase. The period of time during which the Price Commission could exercise its right to review and its authority to limit price increases was not specified. To clarify the status of public utilities which reported price increases before January 17, 1972, under regulatory provisions which contained no time limitation for Price Commission action, the Price Commission has decided to set a cut-off date after which, if no action has been taken by the Price Commission, certain of those increases shall become final, so far as Price Commission action is concerned.

In order to provide fair notice to all persons who might wish to protest or challenge a price increase that their right to do so may be foreclosed, the Price Commission hereby announces that, with respect to public utility price increases which were reported to the Price Commission before January 17, 1972, the Price Commission will not, after February 24, 1972, take any action specifically reserved by the Price Commission under § 300.16 (a) of the regulations applicable to public utility price increases reported to the Price Commission prior to January 17, 1972.

Issued in Washington, D.C., on February 5, 1972.

C. JACKSON GRAYSON, JR.,
Chairman, Price Commission.

[FR Doc.72-1904 Filed 2-7-72;9:52 am]

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

SECURITIES AND EXCHANGE COMMISSION

[811-367]

GM SHARES, INC.

Notice of Filing of Application for Order Declaring Company Has Ceased To Be Investment Company

FEBRUARY 2, 1972.

Notice is hereby given that GM Shares, Inc. (Applicant), 3044 West Grand Boulevard, Detroit, MI, a Delaware corporation registered as a nondiversified, open-end management investment company under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that on December 31, 1971, and pursuant to shareholder approval it was merged into General Motors Corp., and that all of its assets vested in, and all of its liabilities were assumed by, General Motors Corp.

Section 8(f) of the Act provides, in pertinent part, that when the Commission upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the effectiveness of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 21, 1972, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing thereon shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

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

[FR Doc.72-1782 Filed 2-7-72;8:46 am]

[70-5139]

NEW ENGLAND ELECTRIC SYSTEM AND NEW ENGLAND POWER CO.

Notice of Proposed Cash Capital Contribution to Subsidiary Company

FEBRUARY 2, 1972.

Notice is hereby given that New England Electric System (NEES), a registered holding company, and its electric utility subsidiary company, New England Power Co. (NEPCO), 20 Turnpike Road, Westborough, MA 05181, have filed with this Commission a declaration pursuant to the Public Utilities Holding Company Act of 1935 (Act), designating section 12 of the Act and Rule 45 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

NEES proposes to make a cash capital contribution of $10 million to NEPCO, which amount will be applied toward the payment of a like amount of short-term promissory notes issued to pay for capitalizable expenditures or to reimburse its treasury therefor. NEPCO expects that such notes will aggregate approximately $67 million at the time of the proposed transaction. NEES will charge this amount to its "Investment in Subsidiaries, Consolidated" account and NEPCO will credit the capital contribution to its "Other Paid-in-Capital" account.

The filing states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction. NEES estimates that the fees and expenses in connection with the proposed capital contribution will not exceed an aggregate of $500.

Notice is further given that any interested person may, not later than February 23, 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 said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the 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 declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

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

[FR Doc.72-1783 Filed 2-7-72;8:46 am]

[70-5132]

NORTHEAST UTILITIES

Notice of Proposed Issue and Sale of Notes to Banks and to Dealer in Commercial Paper, Exception From Competitive Bidding, and Proposed Capital Contributions to Subsidiary Companies by Holding Company

FEBRUARY 2, 1972.

Notice is hereby given that Northeast Utilities (Northeast), 174 Brush Hill Avenue, West Springfield, MA 01089, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 (Act), designating sections 6, 7, and 12(b) of the Act and Rules 45 and 50(a)(5) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

Northeast proposes, from time to time but not later than August 31, 1973, to issue and sell short-term notes (including commercial paper) in an aggregate principal amount outstanding at any one time of not more than $125 million. Northeast intends to utilize the proceeds from the sale of its notes to make capital contributions to the Hartford Electric Light Co. (HELCO), Western Massachusetts Electric Co. (WMECO), and the Conneticut Light & Power Co. (CL&P), all electric utility subsidiary companies of Northeast, and to supply funds as needed to other subsidiary companies, all if, as, and when authorized by the Commission.

Northeast presently has outstanding $48,500,000 of short-term promissory notes to banks and to a dealer in commercial paper, which notes were issued pursuant to the Commission's order of December 24, 1970 (Holding Company Act Release No. 16943). No further borrowings will be made pursuant to this order; however, upon the effectiveness

of the instant declaration, Northeast proposes to renew and extend such notes and to issue and sell up to an additional $76,500,000 of short-term notes to banks and to a dealer in commercial paper (and to renew such notes) from time to time. The aggregate amount of all such notes at any one time outstanding, including notes heretofore authorized and those thereafter issued, will at no time exceed $125 million.

The proposed bank notes will each be dated the date of issue, will have maximum maturity dates of 9 months, with right of renewal, will bear interest at the prime rate (currently 4½%–5% per annum) in effect at the lending bank on the date of issue, will be subject to prepayment at any time at the company's option without premium, and will be issued no later than August 31, 1973. Although no formal commitments for future borrowings have been made with any bank, Northeast expects such borrowings will be effected from the following banks, and represents that the New York City banks will require minimum compensating balances of 10 percent of the line of credit and maximum balances of 20 percent of the amounts borrowed. It is also represented that the banks outside New York City are depository banks for customer collection and/or disbursing banks for one or more of the Northeast system companies and that normal working balances in these banks will be adequate to support the credit lines. Northeast lists its effective cost of money on the proposed notes as ranging from 4.50 percent to 6.25 percent.

Name of bank	*Amount*
Bankers Trust Company, New York, N.Y.	$12,000,000
Chemical Bank, New York, N.Y.	5,000,000
The Connecticut Bank and Trust Co., Hartford, Conn.	7,000,000
First National Bank of Boston, Mass	10,000,000
Manufacturers Hanover Trust Co., New York, N.Y.	5,000,000
Morgan Guaranty Trust Co., New York, N.Y.	5,000,000
New England Merchants National Bank, Boston, Mass.	5,000,000
Irving Trust Co., New York, N.Y	3,000,000
Valley Bank & Trust Co., Springfield, Mass.	2,000,000
Total	54,000,000

The proposed commercial paper notes will be issued in denominations of not less than $50,000 and not more than $1 million, will have a maturity of not more than 270 days, will not be repayable prior to maturity, and will be sold by Northeast directly to a dealer in commercial paper at the discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality and of the particular maturity sold by public-utility issuers to commercial paper dealers. No commercial paper notes will be issued having a maturity of more than 90 days which have an effective interest cost which exceeds the prime commercial bank rate at which Northeast could borrow from banks in an amount at least equal to the principal amount of such commercial paper. No commission or fee will be payable in connection with the issuance and sale of the commercial paper.

The commercial paper dealer, as principal, will reoffer the commercial paper to institutional investors at a discount of no more than one-eighth of 1 percent per annum less than the prevailing discount rate to Northeast. The commercial paper will be reoffered to not more than 200 identified and designated customers in a list (nonpublic) prepared in advance by the dealer. It is anticipated that the commercial paper will be held by customers to maturity, but if such customers desire to resell prior to maturity, the dealer, pursuant to a verbal repurchase agreement, will repurchase the commercial paper and reoffer the same to others in the group of 200 customers.

The declaration states that, unless otherwise authorized by the Commission, any bank notes or commercial paper of Northeast outstanding at August 31, 1973, will be repaid from internal cash resources or from the proceeds of long-term equity financing.

Northeast requests that the issue and sale of its commercial paper notes, pursuant to subparagraph (a) (5) (B) of Rule 50, be excepted from the requirements thereof in view of the fact that current rates for commercial paper for prime borrowers such as Northeast are readily ascertainable by reference to daily financial publications and that it is not practicable to invite competitive bids for commercial paper. Northeast further requests that the certificate under Rule 24 be filed on a quarterly basis with respect to the commercial paper.

Northeast proposes to use the funds obtained from the issuance and sale of the notes to make capital contributions during 1972 to three of its electric subsidiary companies; $35 million to CL&P, $20 million to HELCO, and $5 million to WMECO. The capital contributions will be used to finance the subsidiary companies' construction programs for 1972, which are estimated to be $129,527,000, $91,489,000, and $44,554,000, respectively. Northeast also proposes to use the proceeds from the issuance and sale of the notes to supply funds as needed to its other subsidiary companies as authorized by the Commission.

It is stated that no fees or commissions (including legal fees) will be paid or incurred, directly or indirectly, in connection with the proposed transactions and that incidental services, estimated at $500, will be performed at cost by Northeast Utilities Service Co., an affiliated service company. It is further stated that no State commission and no 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 23, 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 said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-1784 Filed 2-7-72;8:47 am]

[811-1895]

STRATFORD FUND, INC.

Notice of Filing of Application for Order Declaring That Company Has Ceased To Be Investment Company

FEBRUARY 2, 1972.

Notice is hereby given that Stratford Fund, Inc. (Applicant), 680 Fifth Avenue, New York, NY, an open-end diversified management investment company registered under the Investment Company Act of 1940 (Act), has filed an application pursuant to section 8(f) of the Act for an order of the Commission declaring that Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant registered under the Act on January 27, 1970. Applicant represents that, as of December 29, 1971, its aggregate net asset value was $472,452. As of that date all of its outstanding securities were beneficially owned by 95 persons. Since that date at least 24 additional requests for redemption have been received, and are being processed. Applicant's Certificate of Incorporation, Article V, as amended July 1971, guarantees shareholder right of redemption independent of any such right guaranteed by the Act. Applicant also represents that it is not now making and does not propose to make any public offering of its securities.

Applicant further represents that as of the end of 1971, the investment advisory agreement between Applicant and its investment adviser was automatically terminated by transfer of control of the investment adviser and the present management of the investment adviser plans not to qualify the company under the Investment Advisers Act of 1940 or seek a new investment advisory agreement with Applicant. In the light of the foregoing facts Applicant's Board of Directors plans to call a meeting of its shareholders, after this application may have been granted, to determine whether or not Applicant shall be liquidated and dissolved.

Section 3(c)(1) of the Act excepts from the definition of an investment company any issuer whose outstanding securities are beneficially owned by not more than one hundred persons and which is not making and does not presently propose to make a public offering of its securities.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than February 21, 1972, submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issue, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address above stated. Proof of such service (by affidavit, or in the case of an attorney at law, by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for a hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

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

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-1785 Filed 2-7-72;8:47 am]

[File No. 500-1]

UNIVERSAL ACCEPTANCE CORP. ET AL.

Order Suspending Trading

FEBRUARY 2, 1972.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, $0.01 par value, of Universal Acceptance Corp., Pacific American Oil Corp., and Universal Acceptance Corp., International Ltd., being traded otherwise on a national securities exchange is required in the public interest and for the protection of investors.

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period from February 2, 1972, through February 11, 1972.

By the Commission.

[SEAL] RONALD F. HUNT,
Secretary.

[FR Doc.72-1786 Filed 2-7-72;8:47 am]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 50 (Rev. 3), Amdt. 7]

ASSOCIATE ADMINISTRATOR FOR OPERATIONS AND INVESTMENT

Rescission of Delegations Relating to Disaster Operations

To effectuate the transfer of delegation of authority relating to disaster operations to the Assistant Administrator for Administration, Delegation of Authority No. 50 (Revision 3) (25 F.R. 7418), as amended (26 F.R. 4440, 27 F.R. 1303, 31 F.R. 13563, 36 F.R. 12258, 36 F.R. 16613, and 36 F.R. 22268) is hereby further amended by rescinding Amendments 4, 5, and 6 in their entirety without prejudice to actions taken under such delegation of authority prior to the date hereof.

Effective date: February 1, 1972.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.72-1779 Filed 2-7-72;8:46 am]

[Delegation of Authority 7, Rev. 2, Amdt. 1]

ASSISTANT ADMINISTRATOR FOR ADMINISTRATION

Delegation of Administrative and Financial Activities

Delegation of Authority No. 7, Revision 2 (36 F.R. 8713), is hereby amended by adding section D which reads as follows:

* * * * *

D. *Disaster functions.* 1. To declare a disaster area and period.

2. To extend the original disaster period resulting from a disaster declaration.

* * * * *

Effective date: February 1, 1972.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.72-1780 Filed 2-7-72;8:46 am]

[License 05/07-5086]

CEDCO CAPITAL CORP.

Notice of Issuance of License To Operate as a Minority Enterprise Small Business Investment Company

On November 4, 1971, a notice was published in the FEDERAL REGISTER (36 F.R. 21236) stating that Cedco Capital Corp. had filed an application with the Small Business Administration (SBA), pursuant to § 107.102 of the SBA rules and regulations governing Small Business Investment Companies (13 CFR 107.102 (1971)) for a license to operate as a minority enterprise small business investment company (MESBIC).

Interested parties were given to the close of business November 19, 1971, to submit their written comments to SBA.

Notice is hereby given that, having considered the application and all other pertinent information, SBA has issued License No. 05/07-5086 to Cedco Capital Corp. pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended.

Dated: January 31, 1972.

JAMES THOMAS PHELAN,
Acting Associate Administrator for Operations and Investment.

[FR Doc.72-1781 Filed 2-7-72;8:46 am]

DEPARTMENT OF LABOR

Office of the Secretary

OREGON

Notice of Termination of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, title II of Public Law 91-373, establishes a program of extended unemployment compensation which provides for payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to section 203(b)(2) of the Act, notice is hereby given that Ross Morgan, Administrator of the Oregon Employment Division, has determined that there was a State "off" indicator in Oregon for the week ending December 25, 1971, and that an extended benefit period terminated in the State with the week ending January 15, 1972. This, however, does not terminate in Oregon the extended benefit period in

effect in all States as a result of the national "on" indicator which became effective the week beginning January 2, 1972. (36 F.R. 25074)

Signed at Washington, D.C., this 1st day of February 1972.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.72-1777 Filed 2-7-72;8:46 am]

WASHINGTON

Notice of Availability of Extended Unemployment Compensation

The Federal-State Extended Unemployment Compensation Act of 1970, title II of Public Law 91-373, establishes a program of extended unemployment compensation which provides for payment to unemployed workers who have received all of the regular compensation to which they are entitled, commencing when unemployment is high (according to indicators set forth in the law) and terminating when unemployment ceases to be high (according to indicators set forth in the law). Pursuant to section 203(b)(2) of the Act, notice is hereby given that R. W. Hutt, Acting Commissioner of the Washington Employment Security Department, has determined that there was a State "off" indicator in Washington for the week ending January 1, 1972 and that an extended benefit period terminated in the State with the week ending January 22, 1972. This, however, does not terminate in Washington the extended benefit period in effect in all States as a result of the national "on" indicator which became effective the week beginning January 2, 1972. (36 F.R. 25074)

Signed at Washington, D.C., this 1st day of February 1972.

J. D. HODGSON,
Secretary of Labor.

[FR Doc.72-1778 Filed 2-7-72;8:46 am]

INTERSTATE COMMERCE COMMISSION

[Notice 18]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 1, 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 (6) copies.

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

MOTOR CARRIERS OF PROPERTY

No. MC 16961 (Sub-No. 3 TA), filed January 19, 1972. Applicant: HUTCHINS TRUCKING COMPANY, 1000 Congress Street, Portland, ME 04102. Applicant's representative: Francis E. Barrett, 60 Adams Street, Milton, MA 02187. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as it dealt in by wholesale, retail, and chain grocery and food business houses, from Northboro, Mass., to Bangor, Portland, Fairfield, Lewiston, Waterville, Lincoln, and Raymond, Maine and Rochester, N.H., *empty containers, returned or rejected merchandise* on return, for 180 days. Supporting shippers: Columbia Markets, 1100 Brighton Avenue, Portland, ME 04102; Giguere's Super Market, Post Office Box 617, 180 Main Street, Waterville, ME 04901. Send protests to: Donald G. Weiler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 307, 76 Pearl Street, Post Office Box 167, PSS, Portland, ME 04112.

No. MC 22426 (Sub-No. 13 TA), filed January 19, 1972. Applicant: LONGVIEW MOTOR TRANSPORT, INC., 763 Seventh Avenue, Post Office Box 1366, Longview, WA 98632. Applicant's representative: John Deering (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities and commodities in containers* having prior or subsequent movement by water, between Portland, Oreg., Seattle and Longview, Wash., and international boundary line near Blaine, Wash., and between Seattle and Longview, Wash., and international boundary line near Blaine and Seattle, Wash., and international boundary line near Blaine, Wash., for 180 days. Supporting shippers: Easter Unlimited, Inc., 1007 Broadway, Room 1510, New York, NY 10010; Bridgestone America, Inc., 1875 Northeast Argyle Drive, Portland, OR 97211. Send protests to : District Supervisor W. J. Huetig, Interstate Commerce Commission, Bureau of Operations, 450 Multnomah Building, 319 Southwest Pine Street, Portland, OR 97204.

No. MC 26396 (Sub-No. 45 TA), filed January 20, 1972. Applicant: POPELKA TRUCKING CO., doing business as THE WAGGONERS, Post Office Box 990, 201 West Park, Livingston, MT 59047. Applicant's representative: Wayne Waggoner (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products, and particle board*, between points in Montana, and points in Wyoming, Colorado, New Mexico, Texas, Oklahoma, Kansas, Missouri, Indiana, Ohio, Michigan, and Utah, for 180 days. NOTE: Applicant states it intends to tack authority applied for to authority held by it in MC 26396. Supporting shippers: P & M Sales Co., Inc., Box 1012, Missoula, MT 59801; Prentice Lumber Co., Inc., Post Office Box 1208, Missoula, MT 59801; H. E. Simpson Lumber, Post Office Box 1097, Kalispell, MT 59901; Plum Creek Lumber Co., Columbia Falls, Mont. 59912; Evans Products Co., Post Office Box L, Missoula, MT 59801. 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 45764 (Sub-No. 15 TA), filed January 21, 1972. Applicant: ROBBINS MOTOR TRANSPORTATION, INC., Saville Avenue, Industrial Highway, Post Office Box 38, Eddystone, PA 19013. Applicant's representative: John P. Robbins (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Turbo power plant machinery and equipment, materials and supplies* used in the installation thereof, between El Segundo, Calif.; Hartford and Windsor, Conn.; West Palm Beach, Fla; Baltimore, Md.; Ashland, Mass.; Minneapolis and St. Cloud, Minn.; Tenafly, N.J.; Erie, Philadelphia, and Pittsburgh, Pa.; Brownsville, Houston, and Laredo, Tex., and Neilsville, Wis., for 180 days. Supporting shipper: Turbo Power & Marine Systems, Farmington, Conn. 06032. Send protests to: Peter R. Guman, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1518 Walnut Street, Room 1600, Philadelphia, PA 19102.

No. MC 52460 (Sub-No. 112 TA), filed January 21, 1972. Applicant: HUGH BREEDING, INC., 1420 West 35th, Post Office Box 9515, Tulsa, OK 74107. Applicant's representative: Steve B. McCommas (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 Tulsa Port of Catoosa, Okla., to points in Arkansas, Kansas, Missouri, Oklahoma, and Texas, for 180 days. Supporting shipper: J. P. 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, Oklahoma City, Okla. 73102.

No. MC 112750 (Sub-No. 283 TA), filed January 20, 1972. Applicant: AMERICAN COURIER CORPORATION, 2 Nevada Drive, Lake Success, NY 11040. Applicant's representative: John M.

Delany (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, written instruments and business records* (except currency and negotiable securities) as are used in the business of banks and banking institutions, (1) between Freeport, Ill., on the one hand, and, on the other, points in Dane, Grant, Green, Iowa, Jefferson, Kenosha, Lafayette, Racine, Rock, Walworth, and Waukesha Counties, Wis.; and (2) between Robinson, Ill., on the one hand, and, on the other, points in Clay, Crawford, Daviess, Dubois, Gibson, Greene, Knox, Lawrence, Martin, Orange, Owen, Perry, Pike, Posey, Putnam, Spencer, Sullivan, Vanderburgh, Vermillion, Vigo, and Warrick Counties, Ind., for 180 days. Supporting shippers: State Bank of Freeport, Post Office Box 30, Freeport, IL 61032; Robinson Computer Service, Inc., Box 741 Robinson, IL 62454. Send protests to: Anthony Chiusano, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 26 Federal Plaza, New York, NY 10007.

No. MC 124711 (Sub-No. 14 TA), filed January 21, 1972. Applicant: BECKER AND SONS, INC., 2643 West Central, Post Office Box 1050, El Dorado, KS 67042. Applicant's representative: Erle W. Francis, Suite 719 Capitol Federal Building, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, dry, in bulk or in packages, from the Port of Catoosa, Okla., to points in Arkansas, Kansas, Missouri, Oklahoma, and Texas, for 150 days. Supporting shipper: Willchemco, Inc., National Bank of Tulsa Building, Tulsa, Okla. 74103. Send protests to: M. E. Taylor, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 501 Petroleum Building, Wichita, Kans. 67202.

No. MC 136352 TA, filed January 20, 1972. Applicant: GEORGE E. MCLAUGHLIN, Post Office Box 243, Berwick, PA 18603. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, PA 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic bottles, and equipment, parts and supplies* used in the manufacture thereof, from the plantsite of Wheaton Plastic Co., Mays Landing, N.J., to the plantsites of Wheaton Plastic Co., Des Plaines and Centralia, Ill., and Ventura, Calif., for 180 days. Supporting shipper: Wheaton Plastics Co., Mays Landing, N.J. 08330. Send protests to: Paul J. Kenworthy, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 309 U.S. Post Office Building, Scranton, Pa. 18503.

No. MC 136353 TA, filed January 21, 1972. Applicant: RANDALL R. VAUGHT, 219 Balfour Road, West Memphis, AR 72301. Applicant's representative: A. Jan Thomas, Jr., 323 East Broadway, Post Office Box 1368, West Memphis, AR 72301. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fresh meat*, packaged, from Memphis, Tenn., to points in Arkansas, Mississippi, and Tennessee, for 180 days. Supporting shipper: Neuhoff Packing Co., 7 East Virginia, Memphis, TN. Send protests to: District Supervisor William H. Land, Jr., Interstate Commerce Commission, Bureau of Operations, 2519 Federal Office Building, Little Rock, Ark. 72201.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-1853 Filed 2-7-72;8:52 am]

[Notice 12]

MOTOR CARRIER TRANSFER PROCEEDINGS

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

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-73113. By order of January 20, 1972, Division 3, acting as an Appellate Division, approved the transfer to Bee Line, Inc., Rahway, N.J., of a portion of the operating rights in certificate No. MC-106010 issued November 16, 1970 to Chandler Transportation, Inc., Rutherford, N.J., authorizing the transportation of general commodities, with exceptions, between points in New Jersey within 30 miles of City Hall, New York, N.Y., on the one hand, and, on the other, points in New Jersey, with exceptions. Robert B. Pepper, 174 Brower Avenue, Edison, NJ 08817, representative for applicants.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.72-1852 Filed 2-7-72;8:52 am]

Ex Parte 281]

INCREASED FREIGHT RATES AND CHARGES, 1972

Order. At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 1st day of February A.D., 1972.

It appearing, that by report and order entered December 21, 1971, the Commission instituted an investigation into and concerning the adequacy of all freight rates and charges of all common carriers by railroad in the United States, said investigation to include (a) the general increase (by surcharge and specific increased rates and charges) and (b) the referred-to general increase proposed to be made subsequently on a selective basis, and the lawfulness of such increases.

It further appearing, that on January 5, 1972, substantially all of the Class I railroads, and many other railroads, filed schedules of increased freight rates and charges under authority of section 6 of the Interstate Commerce Act and the Commission's Special Permission Order No. 72-2600, of Decembtr 21, 1971, as amended, as well as verified statements setting forth the evidentiary basis for the increases, said tariff schedules to become effective on February 5, 1972, as follows:

Tariff of Emergency Charges, X-281, issued jointly by Western Trunk Line Committee, Agent, its ICC No. A-4825, and other designated agents:
Tariff X-281 and Supplements Nos. 1 and 2 thereto;

It further appearing, that the Commission having considered the evidence and arguments of the parties as set forth in verified statements, protests, and replies;

It further appearing, that the railroads have a critical need for additional revenue from their interstate freight rates and charges to offset, in part, recently incurred increased operating costs;

It further appearing, that the increases here proposed are just and reasonable, that the revenues derived thereform will result in earnings and rates of return for the railroads (as a whole and by the usual groupings) not in excess of that required to enable them to render adequate and efficient transportation at the lowest cost consistent with the furnishing of such service;

It further appearing, that unless the railroads obtain the sought additional revenue, their earnings will be insufficient to enable them, under honest, economical, and efficient management, to provide adequate and efficient railway transportation service, to the detriment of the public interest, and that of the national defense;

It further appearing, that the involved general increase will have no significant adverse effect on the movement of traffic by railway or on the quality of the human environment within the meaning of the Environmental Policy Act of 1969;

It further appearing, that the criteria for rate increases established by § 300.16 of the regulations of the Price Commission, as revised January 12, 1972 (37 F.R. 652, January 14, 1972) have been met, as more particularly set forth in our certification contained in the appendix attached hereto, which certificate is made a part hereof;

It further appearing, that the railroads have demonstrated reasonable progress in updating their tariffs to reflect ex parte increases approved in prior proceedings and that this effort must be substantially completed at an early date;

It further appearing, that the involved surcharge is stated to be an emergency interim measure which "will be followed * * * by a proposal for * * * a general increase in freight rates and charges on a selective basis";

It further appearing, that the surcharge introduces a further complexity to the already burdensome task of ascertaining freight rates and charges and should not be allowed to continue in effect indefinitely;

And it further appearing, that our decision to permit the involved tariff to become effective is subject to the conditions that the carrier parties to this proceeding publish upon not less than 2 days' notice supplements, to become effective on February 5, 1972, (1) providing for an expiration date not later than June 5, 1972, (2) providing that the application of the surcharge or increases in rates and charges on freight in trailer bodies, semitrailers, vehicles or containers on flat cars, on export and import traffic, proposed by the western and southern carriers be canceled, in that the proposed application of the surcharge or increases in rates and charges on such traffic by the western and southern carriers and not on such traffic by the eastern carriers would result in disrupting existing port relationships duly established by order of the Commission or recognized customs of the trade, and (3) providing that the proposed surcharge and increased rates and charges do not apply to shipments originating prior to February 5, 1972, and moving under transit arrangements,

It is ordered, That the investigation heretofore instituted be held in abeyance until receipt of a request by the carrier respondents for permission to file the indicated "general increase in freight charges on a selective basis";

It is further ordered, That in making effective the proposed surcharge or increases in rates and charges, the respondents be, and they are hereby, required to protect and maintain all existing port relationships duly established by order of the Commission or recognized customs of the trade, and any disruption of such relationships arising out of publication of tariffs pursuant to authority granted herein shall be promptly corrected;

It is further ordered, That in making effective the proposed surcharge or increases in rates and charges, the respondents be, and they are hereby, required to observe the prohibitions of the Interstate Commerce Act on unjust discriminations and undue and unreasonable preferences and prejudices;

It is further ordered, That our findings as to justness and reasonableness, which are based upon all of the evidence before us will apply to the general bases of rates and charges, and will not preclude interested parties from bringing any maladjustments to our attention for correction. The proposed surcharge or increases in rates and charges are not considered as prescribed within the meaning of the decision in Arizona Grocery Co. v. Atchison, T. & S. F. Ry. Co., 284 U.S. 370, and will, in all respects, be subject to complaint and investigation as provided by the act.

It is further ordered, That all outstanding orders of the Commission be, and they are hereby, modified to permit the increases authorized herein to become effective.

And it is further ordered, That all tariff schedules changing interstate rates or charges under the authority of this order, which rates and charges are now maintained or held in force by virtue of outstanding orders of the Commission, shall make specific reference to this order.

SUPPLEMENTAL FOURTH SECTION ORDER No. 20367

It appearing, that carriers parties to the proceeding applied for relief from the provisions of section 4 of the act necessary to establish the rates and charges sought; that, the Commission, by fourth section order No. 20367, entered December 21, 1971, authorized carriers parties to the proceeding in Ex Parte 281, Increased Freight Rates, 1972, to establish and maintain the increased rates and charges described therein without observing the provisions of section 4 of the Interstate Commerce Act until further order to be entered after investigation; that the increases in rates and charges authorized herein cannot be published and made effective without producing in some instances rates or charges that yield greater compensation in the aggregate for the transportation of like kind of property for a shorter than for a longer distance over the same line or route in the same direction, or greater compensation as a through rate or charge than the aggregate-of-intermediate rates or charges subject to the act, in contravention of section 4 thereof; that the increased cost of railroad operation necessitates the increases in rates and charges involved in this proceeding which cannot be made effective without fourth-section relief; that application of the increased charges to or from more distant points will not result in the establishment of rates to or from more distant points that are not reasonably compensatory; that no protestant adequately opposed issuance of the fourth-section relief sought on the ground that it would be adversely affected by the fourth-section departures that may be created by the increased rates; and that a special case has been presented in which the Commission may authorize relief from the provisions of section 4;

It is ordered, That fourth section order No. 20367, entered as aforestated, be, and it is hereby, modified and amended by adding thereto the following paragraphs:

It is further ordered, That carriers, subject to the Interstate Commerce Act and parties to said proceedings be, and they are hereby, authorized to establish and maintain the increased rates and charges described herein without observing the provisions of section 4 of the act;

It is further ordered, That parties to said proceeding be, and they are hereby, authorized to establish and maintain rates and charges described herein without observing the long-and-short haul provision of section 4 of the act in cases arising out of the failure to apply the full increases in rates and charges over interstate routes between points in a single State, in turn caused by the failure of the State authorities to authorize the full increases permitted in this proceeding;

And it is further ordered, That in those instances in which rates in contravention of section 4 are established under authority contained herein, the schedules containing such rates shall make reference to this order in the manner required by Rule 28 of Tariff Circular No. 20.

Amendment to Special Permission No. 72–2600 as amended, Authorizing Certain Departures From the Commission's Published Tariff Regulations.

It is ordered, That Special Permission No. 72–2600, as amended, be, and it is hereby, amended to permit the establishment of the increases in freight rates and charges authorized by the Commission in this order, subject to the terms, conditions and limitations therein.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

APPENDIX

INCREASED FREIGHT RATES AND CHARGES, 1972

Certification. The Interstate Commerce Commission hereby certifies that the railroad freight rate increases which are the subject of our order herein meet the criteria established by § 300.16 of the regulations of the Price Commission, as revised January 12, 1972 (37 F.R. 652, January 14, 1972). In particular, we find:

(1) That the railroads, together with certain motor and water carriers with whom they have joint rates, have proposed a 2.5 percent surcharge on all bills for freight service (subject to certain exceptions or hold downs) with a 2-cent per hundredweight maximum on lumber and lumber articles,

(2) That the proposed increase will provide an increase in revenue in the amount of $82 million (for the four month period prior to expiration of the tariff on June 5, 1972) allocated as follows: $31 million—Eastern district, $14 million—Southern district, $37 million—Western district,

(3) That the increase will not result in an increase in carrier profits,

(4) That the increase will not result in an increase in carrier overall rate of return on capital,

(5) That the increase is cost-based and does not reflect future inflationary expectations,

(6) That the increase does not exceed a minimum required to assure continued, adequate and safe service or to provide for necessary expansion to meet future requirements, and

(7) That the increase does not exceed the minimum rate of return or profit margin needed to attract capital at reasonable costs and not impair the credit of the carrier.

[FR Doc.72–1854 Filed 2–7–72;8:52 am]

FOREIGN-TRADE ZONES BOARD

LITTLE ROCK, ARKANSAS

Application for Foreign-Trade Zone; Hearing

Notice is hereby given that an application has been submitted to the Foreign-Trade Zones Board (Board) by the State of Arkansas requesting a grant of authority to establish a general purpose foreign-trade zone at Little Rock, Ark, pursuant to the provisions of the Foreign-Trade Zones Act of 1934, as amended (19 U.S.C. 81a–81u). The application was made at the direction of the Governor by the Executive Director of the Arkansas Industrial Development Commission. Operation of the zone would be assigned by the State to the Little Rock Port Authority, an instrumentality of the city of Little Rock. The application was found to be in filing order on January 31, 1972, and officially filed on that date.

The proposed zone location is the Little Rock Port Terminal covering some 4 acres on the Arkansas River within the city and Customs port of entry of Little Rock. The zone would at the outset occupy some 5,000 square feet of space in the Port's transit warehouse. The terminal is within the city's industrial park which covers over 1,000 acres and provides room for future expansion.

Little Rock was designated a port of entry in July 1970 in conjunction with the completion of the Arkansas River Navigation System project which opened a 9-foot navigable channel for some 400 miles from the Mississippi River to Tulsa, Okla.

The zone would be used for storage, manipulation, and display of merchandise moving in international trade. It is contemplated that in the future authority would be requested to expand the zone contiguously and through the establishment of subzones so that manufacturing operations could be accommodated.

Pursuant to the Board's regulations (15 CFR Part 400) the Acting Executive Secretary has appointed an Examiners Committee to investigate the application and report thereon to the Board. The Committee is composed of: George E. Norcross (Chairman), Office of Import Programs, U.S. Department of Commerce, Washington, D.C. 20230; Charles W. Fisher, District Director of Customs, U.S. Bureau of Customs, Customhouse, 423 Canal Street, New Orleans, LA 70130; and Colonel William C. Burns, U.S. Army District Engineer, Little Rock, Post Office Box 867, Little Rock, AR 72203.

A public hearing on the application will be held by the Examiners Committee beginning at 10 a.m., local time, Wednesday, March 8, 1972, in Room 4110, Federal Office Building, 700 West Capital Avenue, Little Rock, AR 72203.

A copy of the application and accompanying exhibits will be available for public inspection prior to the hearing and for 30 days thereafter at the following locations:

Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Room 2203, 14th and E Streets NW., Washington, DC 20230.

Office of the Port Director, U.S. Customs, Arthur L. Vlcek, Director, Donaghey Building, Room 1446, 103 East Seventh Street, Little Rock, AR 72201.

The purposes of the hearing are to inform interested persons concerning the application, to give them an opportunity to express their views relating thereto, and to obtain information useful to the Examiners Committee.

Interested persons or their representatives may appear at the hearing to present their views on the proposal. Persons intending to be heard should notify the Board's Acting Executive Secretary and submit a summary of their views by February 25. Those not submitting such notice may be heard at the discretion of the Examiners Committee.

As soon after the hearing as the transcript is available, a copy will be placed for public inspection with the application at the two locations listed above for a period of 30 days from the close of the hearing. The hearing record will remain open for the same period during which time submissions in writing may be made by interested persons to: George E. Norcross, Chairman, Examiners Committee (Little Rock), c/o Acting Executive Secretary, Foreign-Trade Zones Board, Room 2203, U.S. Department of Commerce, Washington, D.C. 20230. They should be received or postmarked on or before the conclusion of the 30-day period.

Dated: February 7, 1972.

JOHN J. DAPONTE, Jr.,
Acting Executive Secretary,
Foreign-Trade Zones Board.

[FR Doc.72–1912 Filed 2–7–72;11:03 am]

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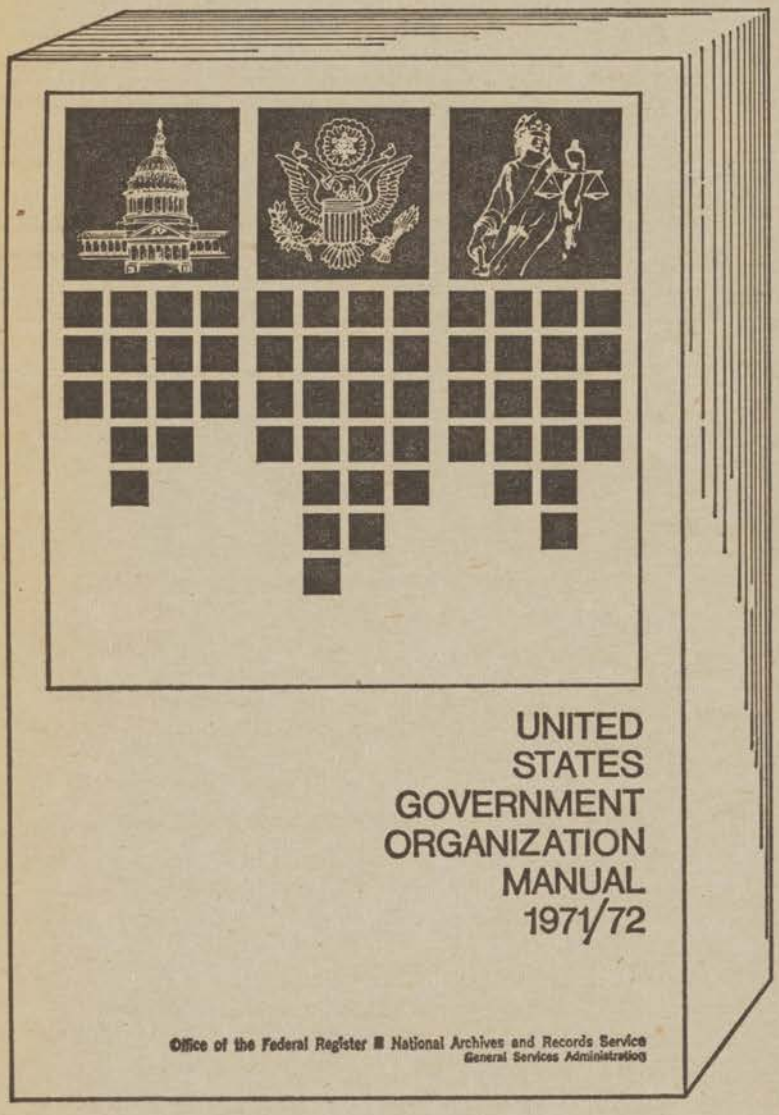

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